



Committee and Date
COUNCIL

30 September 2010

10.00 am

Item

3

Public

MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 30 SEPTEMBER 2010
AT 10.00 AM

PRESENT:

Mr P Adams
Mr T Barker
Mr K R Barrow
Mrs J B Barrow
Mr M Bennett
Mr W Benyon
Mr T Biggins
Mrs K Burgoyne
Mr V Bushell JP
Mr G Butler
Mrs A Caeser-Homden
Mrs K D Calder
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 Overall

Mr J A Gibson
Mr J B Gillow OBE
Mr N J Hartin
Mrs E A Hartley
Mr R Huffer
Mrs T Huffer
Mr R Hughes
Mr V J Hunt
Mr J Hurst-Knight
Dr J E Jones
Mrs J Jones
Mr J M W Kenny
Mrs H M Kidd
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

Mrs E A Parsons
Mr M G Pate
Mr P F Phillips
Mr M T Price
Mr D W L 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
Mr M Whiteman
Mrs C Wild
Mr B B Williams RD
Dr M Winchester
Mr L J P Winwood
Mr M L Wood
Mrs T Woodward
Mr P A D Wynn

Contact: Richard Thomas – 01743 252725

64. APOLOGIES

The Chief Executive reported apologies for absence had been received from Mrs B J Baker, Mr T Bebb, Mr S Charmley, Mr S P A Jones, Mr W M Parr, Mr K Roberts and Mr J M Williams

65. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- (a) Mr C J Mellings declared a personal and prejudicial interest in Item 10 - (Annual Treasury Report 2009/2010) as the Council's nominee on the Meres and Mosses Housing Association.
- (b) Mr B B Williams declared a personal and prejudicial interest in Item 10 as the Council's nominee on the Meres and Mosses Housing Association.
- (c) Mrs H M Kidd declared a personal and prejudicial interest in Item 10 as the Chairman of Shropshire Rural Housing Association.
- (d) Mr M T Price declared a personal and prejudicial interest in Item 10 as the Council's Director on Severnside Housing Association.
- (e) Mr N J Hartin declared a personal interest in Item 10 as a tenant of South Shropshire Housing Association.
- (f) Mr R A Evans declared a personal and prejudicial interest in Item 10 as a member of a Housing Association.
- (g) Mrs P A Dee declared a personal and prejudicial interest in Item 10 as a director of the Meres and Mosses Housing Association.
- (h) Mrs D M Shineton declared a personal and prejudicial interest in Item 10 as a member of Shropshire Rural Housing Association.
- (i) Mrs T Woodward declared a personal interest in Item 10 because her husband works in the field of development and social housing.
- (j) Mrs T Huffer declared a personal and prejudicial interest in Item 18 - (Motion) because she is employed in the National Health Service.
- (k) Mrs A M Chebsey declared a personal and prejudicial interest in Item 18 because she is employed in the National Health Service.

66. MINUTES

RESOLVED:

That the minutes of the meeting held on 22 July 2010 be approved and confirmed as a correct record.

67. 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 22 July 2010 which had been circulated at the meeting.

(b) Council Meeting – 11 November 2010

The Speaker informed members that the start of the next meeting on 11 November 2010 would be rescheduled to 12 noon to allow those members wishing to attend the Remembrance Day Ceremony at the Shirehall to do so. However, given the later start time, the meeting would not be adjourned for lunch at 1.00 p.m. as usual.

68. PUBLIC QUESTION TIME

The Speaker announced that a question had been received in accordance with Procedure Rule 14 from Mr J Percival, the Vice-Chairman of Great Hanwood Parish Council and invited him to put the following question to the meeting:

"I and the Parish Council welcome the work in resurfacing the A488 which is as everyone knows a very important and busy trunk road passing through the centre of the Hanwood.

We are, however, extremely upset regarding this total lack of consultation, over the question of replacement signage. We ask the Highways Department and Portfolio Holder to define what street clutter was caused by sensible repetition of the approved speed limit for this part of the A488, and whether there is any intention for the Council to erect 30 mph repeater signs along this busy stretch of road? Further, are they going to replace the cats eyes, as they did when the A488 was surface dressed from the Edgebold Island to the gateway markings? We feel these should be replaced as well, not just single the Red Square."

Mr M Taylor-Smith the Portfolio Holder for Transport and IT Services replied:

"The term "street clutter" can be applied to many items within the scope of the highway including signs, road markings, litter bins and bollards. It is, however, always good practice, when carrying out highway maintenance and improvement schemes, to review what is currently in situ and whether it is still necessary, permitted, good practice or even legal.

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As both A488 Hanwood and A458 Cressage were undergoing maintenance works, the existing carriageway markings were reviewed as a matter of urgency and the decision was made regarding 30 mph carriageway repeater roundels that would be reflected throughout Shropshire.

Both the upright 30 mph repeater signs and repeater roundels on the road are not permitted within street lit 30 mph speed limits under Department for Transport Regulations. It is for this reason that we are now proposing **not** to replace any that fall into this category. Although I appreciate that use of the repeater signs and roundels are seen by many to be a sensible approach, the Department for Transport's view is that motorists should be aware of the 30 mph limit by virtue of the street lighting.

In Hanwood the double white line system will be relaid as previously and will include road studs as these are mandatory within this type of road marking.

The red matting is being replaced at the terminal gateway point to the speed limit on Hanwood Bank and will be supplemented by white lining surrounding the red mat to form a gateway effect and a large 30 mph roundel which will match the entry point at the other end of the village.

This decision is a major step forward in reducing street clutter and future maintenance costs (contributing to the savings that Shropshire Council must achieve over the next 3 years) as well as complying with current DfT Regulations to provide a consistent approach for drivers through the County. The ongoing removal of repeater roundels will be carried out when resurfacing all other street lit 30 mph areas and other signs/markings present will be reviewed at this time taking into account local considerations."

By way of supplementary question, Mr Percival stated that since the resurfacing of the A488, residents had noticed much poorer driver behaviour and the vehicle activated sign placed at one end of the village had not been operational. In view of the great concern of local residents and the threat posed by speeding drivers, would the Council commit to replacing the roundels throughout the length of the speed in its area or introduce a seven day check on traffic speeds?

Replying, Mr Taylor-Smith apologised for the failure of the vehicle activated sign and gave an undertaking that this would be addressed quickly. Evidence suggested that vehicle activated signs were much more effective than roundels, which tended to be ignored. However, the officers would provide a detailed reply in writing to all point raised.

69. MEMBERS' QUESTIONS

The Speaker advised that the following questions had been received in accordance with Procedure Rule 15:

(a) Received from Mr P Nutting:

"There is considerable speculation in the media that the Council is considering the sale of the municipal golf course at Meole Brace, Shrewsbury.

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The golf course provides an important green belt area for the south of the town and an important and highly valued recreational facility for residents. Planning policies are also in place to protect sports facilities from development. Will the Portfolio Holder inform Council whether the golf course has a long term future and has any discussion taken place with potential purchasers?"

The Leader, Mr Keith Barrow, replied:-

"An unsolicited approach was made to Shropshire Council by a third party who expressed an interest in acquiring the golf course. This has not been progressed any further. In terms of the long term future of the golf course, this forms part of Shropshire Council's portfolio of assets which will be considered as part of the transformation programme. Therefore no decision has been made on the long term future of the golf course."

Mr Nutting stated that property prices for the development land were currently depressed and asked by way of a supplementary question whether the Leader would agree to retain the Municipal Golf Course for a further 10 years and in the meantime look at an alternative method of management for the course.

Replying, the Leader acknowledged the current state of the property market and reiterated that the Council was not presently considering selling anything. The Administration was still developing its ideas on what assets it could dispose of. The conversation about the golf course had been held at officer level only but if a substantial offer was received, it deserved to be considered seriously.

(b) Received from Mr P Nutting:

"A Shrewsbury family, whose child will be 5 years old in October 2010, is having difficulty finding a place in their local school which is adjacent to the Junior School attended by the girl's two older siblings because it is at its maximum legal capacity. While there may be a place available in January 2011, there are no guarantees especially as the child is not at the top of the waiting list.

As the next two nearest primary schools are both at their legal limits, the family are being advised that they must send the child to a school that is 2 miles away and involves crossing several busy main roads. They consider it unreasonable to expect them to deliver 2 children to one school and then their younger child to another so far away. What measures are being put in place to deal with the serious shortage of infant school places affecting the Copthorne, Porthill, Bowbrook and Radbrook divisions?"

Mrs A Caesar-Homden the Portfolio Holder for Children and Young People's Services replied:-

"Whilst not being able to make comment in Council regarding the specifics of this particular case, I first wish to reassure Council that a full written response has been sent to Councillor Nutting.

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Regarding the supply of Primary school places in Shrewsbury, I would reassure Council that there is no shortage of infant school places but, indeed, there are currently more reception class places than children to fill them. This has been the case for some time. All catchment area children whose applications are received on time can have a place at their catchment area school. In areas where the schools are popular with out of area applicants, late applications and those who move in after the application date may have to wait for a place to become available in a Reception or Key Stage 1 class where classes are limited by law to 30 pupils.

Our projections, based on actual numbers of children, indicate that the numbers coming into primary schools in Shrewsbury will continue to fall right through until 2015. The projections beyond this are currently unknown. The impact of housing allocations and developments have and will continue to be included in the forecast of demand for school places in specific areas of growth.

Adding extra reception classes at popular schools, however, would not necessarily solve the problem where the total pupil population remains constant, or in Shropshire's case, is decreasing. It is likely that additional places created would be filled by more out of area children, leaving unfilled places at other schools to be paid for elsewhere within the schools' budget. Clearly, this conflicts with the Council's proposals to reduce the number and cost of unfilled school places given budget pressures that the Council and schools continue to face.

School admission procedures can at times seem complex and, on occasion, appear unfair to disappointed families who are not offered a place at their preferred school. Shropshire Council's admission policy and procedures are designed to be fair and transparent, and are applied consistently in accordance with the Schools Admissions Code. These policies and procedures are approved and determined by Council and scrutinised regularly by the Local Admissions Forum.

Shropshire Council performs at the head of the local authority league table in terms of allocating school places in accordance with first preferences. To this end the vast majority of Shropshire children are allocated a place at their preferred school. To achieve this, specific admission criteria apply. Information for parents is published annually at this time of year which sets out the criteria, process, and deadlines explaining how and when to submit an application for a school place for the next academic year. It does, unfortunately, remain that for various reasons families do not meet the deadline or submit alternative preferences. However, officers from the Schools Admissions Team provide advice and support for parents and schools, and administer the applications as they are received. They also attend appeal panels when parents choose to exercise their right to challenge the school place that they have been allocated.

Mr Nutting thanked the Portfolio Holder for her reply and the officers for the work undertaken to date but stated that it did not provide a comprehensive answer for the longer term. He asked by way of a supplementary question whether the proposed development of further houses on the western side of Shrewsbury had been taken into account in calculations for the number of

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school places required and whether that level of provision was considered to be adequate.

Replying, Mrs Caesar-Homden stated the new developments formed part of the strategic planning process and had been factored into the calculation for the school places required. She indicated that the anticipated increase in children had been taken into account and would be adequate provided applications were made in accordance with the schools admission guidance. Further, she knew of no reason to change the rules for out of area children. The position would continue to be assessed along the SAMdev.

(c) Received from Mr David Roberts:

“How much did your recent leadership course cost this Council?”

The Leader, Mr Keith Barrow replied as follows:

“The Leeds Castle Programme is a unique leadership development experience, run by the Local Government Leadership Centre, for Council Leaders and Chief Executives. Each cohort of 20 participants is selected to attend on the basis of having the potential to be the best in their field, and the faculty members contributing to the programme are world class authors, academics and leaders from the private and public sectors.

Participants attend 10 days of training over three blocks, one of which is in an overseas city, where an in-depth case study is carried out on how other countries are tackling the big challenges facing local government today. The cohort I'm part of includes, for example, the Leaders of Cornwall and Somerset County Councils. We have deepened our understanding of the connection between good leadership and the success of a council - and of the locality it serves, "Great leaders make great places.

The total cost of the programme, not including the time of the Leadership Centre staff is £8,000 but the cost to participants is £5,000, with the balance funded from Government grant. Given the quality of the programme, its successes, and its benefits for local councils, this represents excellent value-for-money.

The programme is just one example of the investment this Council is making in developing all elected Members to be confident and capable in their roles. This will ensure that our towns and villages in Shropshire get the high quality of community leadership they need and deserve.”

By way of a supplementary question, Mr Roberts asked whether the £8,000 included all travel and accommodation costs.

Mr Barrow confirmed that it did, adding that he was pleased to have the opportunity to inform Council that attendance on this unique flagship programme was by invitation only. It had allowed him to make a number of new contacts which could result in positive outcomes for Shropshire and the Council would continue to spend money on member training and development to ensure that Shropshire had the leaders that it deserved.

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(d) Received from Mr Alan Mosley:

Does the Leader accept that the impact of the cuts in our budget are likely to affect young people, the most vulnerable and older people to a disproportionate degree? Will he ensure that the outcome of the cuts on these most affected groups will be researched through rigorous impact assessments so that action to mitigate the effects of the cuts on such groups can be instigated?

The Leader, Mr Keith Barrow replied as follows:

The Coalition Government has already taken action to move people into work and off an unhealthy dependency on welfare benefits and support from the state. At the local level, we must decide to what extent our services for some residents should be subsidised by the taxpayer, as opposed to being paid for by those who use them.

Nevertheless, I have made a firm public commitment that the Council will continue to protect the vulnerable and most needy. Not all young people or older people fit into this category. We will also find new ways of helping those with the time and skills to put something back into their local community, as part of our plan to create the Big Society in Shropshire, so that neighbours help each other.

Our newly formulated Scrutiny Committees will, no doubt, look at our Budget proposals in depth. My expectation is that, as part of that they will examine the effects of changes in funding allocations to particular services on different groups in our local communities”.

Mr Mosley thanked the Leader for the reply, adding that it went further than he was expecting. He asked by way of a supplementary question whether the Leader could expand on how he expected vulnerable people to pay, whether he had any indication of which services would be most affected and whether he would personally undertake to meet representatives of the vulnerable groups to assess the impact that such cuts were having?

In reply, the Leader stated that it was the Council’s responsibility to protect the most vulnerable in society. The financial situation was tough and difficult decisions would have to be taken. However he gave an absolute commitment to meet with those vulnerable groups who were most affected.

70. ANNUAL REPORT OF STANDARDS COMMITTEE

The Speaker introduced the Chairman of the Council’s Standards Committee, Mrs Julia Clarke, and invited her to present her Committee’s report a copy of which is attached to the signed minutes and the recommendations therein to the Council.

Mrs Clarke then outlined the role and purpose of the Standards Committee and summarised the actions and work which members had undertaken with regard to ethics and probity during the 2009/10 municipal year.

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RESOLVED:

That the Annual Report of the Standards Committee be approved.

The Speaker thanked Mrs Clarke for attending the meeting.

71. REPORT OF THE POLITICAL STRUCTURES MONITORING GROUP

It was proposed by the Leader Mr K R Barrow, and seconded by Mrs A Hartley that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed. Mr Barrow announced that recommendations (g) to (k) required further consideration and were to be withdrawn.

Mr R A Evans proposed by way of first amendment which was duly seconded by Mr P F Phillips that the deletion of the final sentence of paragraph 10(a) of the Overview and Scrutiny Rules, set out in paragraph 3.1(b) of the report and referred to in Recommendation (a).

He stated that the future requirement for members to seek the prior approval of the Scrutiny Chairs' Group before a matter could be added to a Scrutiny Committee agenda felt like a reduction in the Councillor's role. This should be left to the committees to continue to decide, as at present.

Speaking in support, Mr P F Phillips stated that members presently had an unfettered right to put items on Scrutiny agendas and was at a loss to understand why it was necessary to at least delay or at worst veto such requests in future. The rights of non-executive members would be diminished by this change and he asked how requests from Local Joint Committees and the Cabinet would be handled if this took effect.

Replying, the Leader advised that requests from Local Joint Committees would proceed in exactly the same manner as at present. The proposal was intended only to control the Scrutiny Committees' workloads, nothing more and members rights would be unaffected.

On being put to the vote, the amendment was declared lost, by a large majority.

Mrs A M Chebsey proposed by way of second amendment, which was duly seconded by Mr N J Hartin that Recommendation (c) amending the current definition of the policy framework in Article 4 of the Constitution, should be referred back to the Political Structures Monitoring Group for further consideration.

A number of members, including Mr N J Hartin, Mr P F Phillips and Mr A N Mosley spoke in support of the amendment, adding that consideration of these matters would be more transparent if the responsibility was retained by the Council, rather than the Cabinet. They also questioned the appropriateness of excluding the contribution that all councillors could make in policy formulation on such matters as climate change.

Mr A N Mosley questioned whether the high hopes he had of the new Scrutiny arrangements would be fulfilled by Cabinet referring such serious matters for pre-decision scrutiny.

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Responding, the Leader confirmed that this was indeed the intention and that the detailed work would be undertaken through the scrutiny process. He urged members to vote against the amendment.

On being put to the vote, the amendment was defeated with a substantial majority voting against.

Mr R A Evans proposed by way of a third amendment which was duly seconded by Mr N J Hartin that Recommendation (m), relating to the acceptable use guidance for councillors websites, should be referred back to the Political Structures Monitoring Group for further consideration of the inclusion of the term "political" in the penultimate bullet point of the final paragraph on the first page.

Mr Evans stated that the term was subject to wide interpretation and councillors should be able to place their views about Council business on their individual Council websites. The need for interpretation and the potential ambiguity of the term was supported by Dr J E Jones, Mr J E Clark and Mr P F Phillips.

Mr A N Mosley stated that websites were generally regarded as a method of communicating with the electorate and the fine point as to what constituted a "political" reference was not good for open and transparent debate. The public were quite capable of discriminating and to suggest otherwise was patronising. Therefore, it would be beneficial to refer the matter back for further discussion and clarification.

Replying, the Leader stated that if councillors wanted to propagate political messages then they should purchase their own websites to be able to do so.

On being put to the vote, the amendment was declared lost, with a substantial majority voting against.

Mr R A Evans proposed by way of a fourth amendment, which was duly seconded by Mr N J Hartin, the deletion of the words "be discontinued forthwith" from Recommendation (e) with regard to the inclusion of items on future Cabinet agendas.

Mr Evans stated that this was an important provision which had never been abused in the past by the former Backbenchers' Group. Furthermore, it had previously been stated that the conversion of this body to an opposition briefing would enable this right to continue.

Speaking in support of the amendment, Mr N J Hartin, Mr J E Clark and Mr P F Phillips all felt that, while innocuous, this was an unhealthy change. Restructuring the rights of all non-executive members was improper and an impediment to good opposition.

Replying, the Leader stated that oppositions did not make decisions; this was the prerogative of the Administration. The amended provisions still allowed members to add items to Cabinet agendas with his prior approval and this provision was applied generously.

On being put to the vote, the amendment was declared lost, with a substantial majority voting against.

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RESOLVED:

- (a) That the Council adopts the proposed changes to paragraph 1(c)-(e) and 10(a) of the Overview and Scrutiny Rules, as set out in paragraphs 3.1 of this report.
- (b) That Procedure 15.3 be amended by the inclusion of the additional words set out in Appendix 1 to this report.
- (c) That the Council amends the current definition of the policy framework in Article 4 of the Constitution so that paragraph 4.1(a) then accords with paragraph 5.1 of this report.
- (d) That the Opposition Briefing Protocol be amended such that the attendance of the Leader and Portfolio Holders at future meetings is at the request of the Opposition Groups.
- (e) That the arrangement whereby the Chairman of the Opposition Briefing Group is able to request the inclusion of items on future Cabinet agenda be discontinued forthwith.
- (f) That the job description for Member Champions be amended to include a requirement for every Member Champion to deliver an annual report to Council.
- (g) That consideration of Recommendations (g) to (k) be deferred.
- (h) That the Budget and Policy Framework Procedure Rules be amended as detailed in Appendix 2 to this report.
- (i) That the acceptable use guidance for Shropshire Councillors' web pages, as set out in Appendix 3 to this report, be approved and included in Part 5 of the Council's Constitution.
- (j) That the current arrangements for putting questions to the Leader of the Council, Portfolio Holders and Scrutiny Chairs at Council meetings be discontinued with immediate effect and replaced by annual reports from the Leader, Portfolio Holders and Scrutiny Chairs and that the relevant Procedural Rules be suspended for the duration of consideration of these items so that an inclusive and wide ranging debate of the issues is possible.

72. APPOINTMENT OF SECTION 151 OFFICER

It was proposed by the Leader Mr K R Barrow and seconded by Mr B B Williams that the report, a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed.

RESOLVED:

That Mr James Walton, the Council's Assistant Director – Strategy and Business Support, be appointed as its Interim Section 151 Officer with immediate effect.

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73. ANNUAL TREASURY REPORT 2009/2010

The following members left the Chamber during consideration of this item :
Mr C J Mellings, Mr B B Williams, Mrs H M Kidd, Mr M T Price, Mr R A Evans,
Mrs P A Dee, Mrs T Huffer and Mrs M Shineton

It was proposed by the Leader 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. The Leader informed members that this report outlined the treasury activities undertaken by the Council during 2009/10 financial year including the investment performance of the internal Treasury Team to 31 March 2010. He commented on the strength of this Team and the excellent work it had undertaken throughout the period.

Speaking in support, Mr Barker said that it gave him great pleasure to see the level of resources it was proposed that the Council would lend to the County's social housing providers given the difficulties that associations were encountering in obtaining funding for the provision of affordable housing in the current climate.

RESOLVED:

That, the lending of up to £10 million to Shropshire Housing Limited (which incorporates both South Shropshire Housing Association and the Meres and Mosses Housing Association) and up to £10 million for Severnside Housing, in order to finance the provision of affordable housing and shared office accommodation in Shropshire, be approved.

74. AUDITED ANNUAL STATEMENT OF ACCOUNTS TO 2009/10

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

Mr Williams advised that this was the final step in the statutory process for the accounts which were now historic documents. They had been available for public challenge for two months following their adoption last June but no challenges had been raised and they had been examined critically by both the internal and external auditors. Both had given the Council a clean bill of health in all areas and approved the estimates in their entirety.

RESOLVED:

That the audited 2009/10 Annual Statement of Accounts, on which the District Audit has given an unqualified opinion, be noted.

75. BUDGET VIREMENTS 2010/11 QUARTER 1 – REDUCTIONS IN GOVERNMENT GRANTS

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

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Referring to the provision for community grants, Mr R A Evans reported that there had been some dissatisfaction expressed by applicants who had been unsuccessful and because they had received very little information as to why. He asked whether it would be possible for this information to be provided and whether the uncommitted balance could be redistributed before the end of the financial year?

These comments were echoed by Mr A N Mosley, who added that the unsuccessful applicants needed to know whether they had failed on grounds of quality or eligibility, and Mrs D M Shingleton who sought further information on the deadline for submission.

Replying, the Leader undertook to review the information provided to unsuccessful applicants. He advised that the process had been delegated to officers, in consultation with members and that all applicants had needed to meet strict criteria, including set timescales, for delivery of each project. Although the Council had provided £500,000 for community grants, it was not necessary to commit the full amount if schemes did not fit the approved criteria. Nevertheless, he was keen to ensure that money was invested within the community and the officers would provide the information required by the unsuccessful applicants.

RESOLVED:

That the following virements be approved in accordance with the recommendations from Cabinet:

In year Government grant cuts from the £2 million “extra” savings identified as part of the last budget process as set out below:

• Children and Young People’s Services	£850,000
• Community Services – Supporting People	£86,000
• Community Safety – Home Officer	£18,000
• Development Services – Road Safety	£93,500
• LAA Performance Reward Grant	£567,000
• Business Grants – LABGI	£150,000
TOTAL VIREMENTS	<u>£1,764,500</u>

76. REVENUE BUDGET 2011/12 AND MEDIUM TERM FINANCIAL PLAN 2011/12 – 2014/15

It was proposed by the Leader, Mr K R Barrow and seconded by Mrs E A Hartley 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, the Leader stated that he wished to withdraw consideration of Appendix 6 to the report and that the savings on contracts due for re-tender across voluntary and independent sector, totalling £421,000, should also be excluded and added to List 2 which would be considered by Cabinet on 13 October 2010.

Mr N J Hartin remarked on the need for an holistic view to be taken of the effects of the proposed service reductions on individuals and communities. The need for clear strategic guidance and prioritisation of services to indicate the direction the Council was taking was essential, but was not yet available.

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He therefore proposed by way of amendment, which was seconded by Mr P F Phillips that the report be referred back to Cabinet.

Speaking in support, Mr Phillips said that in order to set its priorities, the Council's strategies would need to be prepared. These had not yet been seen, so it was not possible to judge the cuts against agreed priorities. If the Council was to approve the list of proposed reductions, it would fetter its discretion in other areas. He asked whether work had been undertaken to identify which groups would be disproportionately affected by the cuts now being proposed.

Mr A Mosley and Mrs H M Kidd also highlighted the impact of the proposed savings on the most vulnerable sections of the community, particularly the young and the elderly, and expressed hope that this would not result in a loss of dignity or quality of life for either groups.

Mrs D M Shineton referred to the need to protect monies made available to parish/town councils for maintaining rural roads which had saved the Council thousands of pounds in recent years.

Responding, the Leader stated that the Council was not cutting the budget to parish and town councils for highway maintenance, merely reducing it. Further, the savings contained within List 1 were in management areas with no service impact. However, as regards the wider debate, the need to save £50 million over the next three years meant that difficult choices would have to be made.

On being put to the vote, the amendment was declared lost, with a significant majority voting against.

Dr J E Jones stated that earlier comments regarding an uncoordinated approach to identifying proposed savings was incorrect. There was a clear focus and it was on children and young people. While the suggestion was that the impact would be minimal, it was very important that rigorous impact assessments were undertaken to protect these groups and imperative that the position continued to be monitored. Speaking in support, Mr J Tandy and Mrs E A Parsons added that it was easy to overlook the cumulative effect of deleting managerial and supervisory posts on frontline services.

Mrs H M Kidd accepted the need for savings to be made, but suggested that this needed to be done in a co-ordinated way so that the full impact could be understood. Mr P F Phillips concurred and added that it was important for the Council to first identify its priorities so that the effect of cuts could be measured and clear guidance provided to officers. Further, a focus on clients would enable the Council to establish whether cuts would have a disproportionate effect on particular service users and, finally, it was essential that partner agencies were also fully engaged in a strategic assessment of priorities.

Replying, the Leader thanked Mrs Kidd and Mr Phillips for their remarks and confirmed that these would be taken into account. He concluded by stating that no one believed that savings were not possible and hoped that the Labour Group would provide good ideas that would contribute to finding the best possible solutions.

RESOLVED:

- (a) That, subject to the foregoing, the “management initiated saving” proposals identified for 2011/12 (Appendix 5) as recommended by the Leader and his Cabinet, be approved.
- (b) That the proposed consultation routes and next steps be noted.

77. APPOINTMENTS TO OVERVIEW AND SCRUTINY COMMITTEES

It was proposed by the Leader, Mr K R Barrow, and seconded by Mrs E A Hartley, that the report attached to the signed minutes and the recommendations contained therein, be received and agreed.

The Leader drew attention to the revised appendices and meeting dates which had been tabled at the meeting.

RESOLVED:

That the membership of the new Scrutiny Committees, as indicated in the revised appendices and in accordance with the wishes of the respective political groups leaders as requested by Section 15, Local Government and Housing Act 1989, be confirmed and that the revised meeting dates be noted.

78. CREATING A BETTER FUTURE TOGETHER – SHROPSHIRE COUNCIL’S PROGRAMME FOR TRANSFORMATION – DRAFT BLUE PRINT

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

The Leader commented on the need for some minor adjustments to the wording of the draft Blue Print document but urged members to give it approval in principle.

RESOLVED:

That the “Creating a Better Future Together” draft document be approved as the framework for taking forward the Council’s programme of transformation, but that further work be undertaken on the draft document, given its strategic importance.

79. REVIEW OF MANAGEMENT ROLES AND RESPONSIBILITIES

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

Referring to paragraph 16 of the report, Mr N J Hartin asked for clarification of the number of senior posts which would be lost as a result of the reorganisation, due to this not being consistent with the structure diagram in Appendix 5 of the report. He also asked for the latest information on the terms on which redundancies would be made.

Mrs D M Shingleton welcomed the sharper, clearer decision making model but added that she hoped the Council would not lose its most experienced staff as a result of the impending redundancies.

Mr A N Mosley made reference to the “good” standard used in the report where previously the Council had chosen an “excellent” standard. He asked whether the categorisation had changed, or whether this was a diminution of the Council’s aspirations.

The Chief Executive advised that the structure diagram did not show all of the Service Manager appointments in the top four tiers; hence the discrepancy with paragraph 16 of the report.

The severance arrangements were still the subject of discussion with the trade unions, but it was anticipated that the new terms and conditions would be known and in place well before redundancies took effect.

RESOLVED:

That the Council approves the proposed new operating model and senior management structure for the Council, together with the process and timetable for its implementation, in order to ensure the early realisation of the benefits arising from these changes.

80. DECLARATION OF DESIGNATED PUBLIC PLACES

It was proposed by Mr M J Owen 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 Owen explained that local authorities had the power to designate areas that had experienced alcohol related disorder or nuisance so that there could be restrictions on public drinking. While it was not an offence to consume alcohol within a “designated” area, the police had powers to control the consumption of alcohol within that place. However, drinking only became an offence if the person concerned refused to comply with a request from a police officer to desist.

RESOLVED:

(a) That the Council makes designated public places orders for each of the following areas as defined in the appendices to the report:

1. Oswestry Town (Appendix 1)
2. Oswestry Town (Appendix 2)
3. Oswestry Town (Appendix 3)
4. Oswestry Town (Appendix 4)
5. Oswestry Town (Appendix 5)
6. Oswestry Town (Appendix 6)
7. Weston Rhyn (Appendix 7)
8. Weston Rhyn (Appendix 8)
9. Chirk Bank (Appendix 9)
10. Gobowen Playing Field (Appendix 10)
11. St Martins (Appendix 11)
12. Becks and Burrs Field, Shrewsbury (Appendix 12)

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- (b) That Part 8 of the Constitution be amended such that the Chief Executive be given delegated authority to make designated public places orders under the Criminal Justice and Police Act 2001 and Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2007.

81. MOTIONS

The following motion was received from Mrs E A Parsons:

“Shropshire Council supports the coalition Government’s desire “to achieve health care outcomes that are amongst the best in the world” and endorses the principle of shared decision making with patients and the strengthening of the collective voice of patients and the public in health matters, as set out in the White Paper.

However, Council resolves to oppose changes to health services which will fragment and undermine the truly national nature of the service, remove the separate scrutiny function for health from within the Council and transfer commissioning of services to GP consortia.

Council resolves to uphold the spirit of the NHS which is based on co-operation and integration to achieve better health outcomes for all”.

Speaking to the motion, Mrs Parsons said that, with the support of her Secunder, Dr J E Jones, she wished to add the following to the second paragraph:

She said that this motion was an attempt to draw attention to the massive changes proposed in the series of White Papers on health of which there had been relatively little coverage in the press and other media so people were possibly unaware of them. And, unless there were changes as a result of the consultation, then there was a real threat of fragmentation and a move away from what patients recognise as a national health service. Even those who support market and commercial proposals for the health services had expressed dismay at the radical and untested nature of some changes.

The proposals also planned for the creation of health and well being boards within local authorities to:

- Assess the health needs of the population;
- Promote partnership working and joined up commissioning across NHS, social care and health;
- Support joint commissioning and pool budget; and
- Undertake a scrutiny role in major service redesign.

Mrs Parsons stated that the scrutiny function needed to be completely separately from these other roles and to do otherwise was a mistake. Further, it was intended that the commissioning of services should be transferred to GP consortia. Responsibility for £80 billion worth of funding would be thrust on GPs, many of whom were unhappy about the decision. The BMA also had reservations and there was no evidence that this new system would work.

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GPs would have to rely on former PCT staff to guide them and the probability that they would have to buy in other private providers to assist as they did not have the required expertise. Local authorities would be better placed to have strategic responsibility for integrated commissioning.

She added that others have voiced their concerns about the lack of democratic accountability, pointing out how it was essential for the Government to set out a clear framework to ensure robust rules on transparency and accountability. So while there were some very good points in the White Papers, including giving patients access to information and control over care records and requiring hospitals to be open about mistakes they had made, there was a need to consider the uniqueness of the National Health Service. It remained the envy of the world and the motion sought to retain the core values on which that service had been based.

Mr G L Dakin proposed by way of amendment, which was duly seconded by Mrs J Jones:

“Shropshire Council supports the coalition government's desire "to achieve healthcare outcomes that are among the best in the world" and endorses the principle of "shared decision making with patients and the strengthening of the collective voice of patients and the public in health matters, as set out in the White Paper.

However, Council regrets that the perilous state that the previous Labour Government under Gordon Brown left the country's finances in, makes this difficult for the Coalition Government to achieve.”

Mr P F Phillips said that he regretted the form of the amendment which politicised the debate and had removed the criticisms regarding the limited opportunity for democratic accountability and the removal of the obligation to scrutinise health proposals which all members shared

He stated that the new Health and Well Being Board was to be given both Executive and Scrutiny powers. This raised the question of a potential conflict of interest if it was being asked to scrutinise its own decisions.

It was likely that the necessary legislation would be enacted in the spring and the proposals brought into force within a further 18 months. The consultation deadline was 13 October and it would be regrettable if the Council did not submit a formal response.

Responding, Mr G L Dakin stated that the consultation paper was being considered by the Health Overview and Scrutiny Committee on Friday, 8 October 2010 and the comments would subsequently be reported to Cabinet.

On being put to the vote, the amendment was carried, with a substantial majority voting in favour.

RESOLVED:

That Shropshire Council supports to coalition Government's desire “to achieve health care outcomes that are amongst the best in the world” and endorses the principle of

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“shared decision making with patients and the strengthening of the collective voice of patients and the public in health matters”, as set out in the White Paper.

However Council regrets that the perilous state that the previous Labour Government under Gordon Brown left the country’s finances in, makes this difficult for the coalition government to achieve.

82. REPORT OF THE WEST MERCIA POLICE AUTHORITY

It was proposed by the Speaker and seconded by the Chairman that the report of the West Mercia Police Authority, a copy of which is attached to the signed minutes, be received and noted.

Mrs H M Kidd asked whether there was any further information available on the Government’s proposals for elected Police Commissioners?

In reply, Mr J M W Kenny advised that, while the Government was committed to this, there had not been either a White or Green Paper issued but it was expected that the legislative proposals would be finalised around the turn of the year. He considered the idea to be flawed for an area such as West Mercia and that the politicisation of the Police Force would be to the country’s detriment.

RESOLVED:

That the report be noted.

83. REPORT OF THE SHROPSHIRE AND WREKIN COMBINED FIRE AUTHORITY

It was proposed by Mr S J West and seconded by the Speaker that the report of the Shropshire and Wrekin Combined Fire Authority, held on 21 July 2010, a copy of which is attached to the signed minutes, be received and noted.

RESOLVED:

That the report be noted.

(The meeting ended at 12.40 p.m.)

SPEAKER :

DATED :