



<u>Committee and Date</u>
COUNCIL
12 May 2011

<u>Item</u>
<b>5(iii)</b>
Public

## MINUTES

OF AN

EXTRAORDINARY MEETING OF SHROPSHIRE COUNCIL

HELD ON 17 MARCH 2011  
AT 10.00 AM

PRESENT:

Mr P Adams  
Mr A Bannerman  
Mrs B J Baker  
Mr T Barker  
Mrs J B Barrow  
Mr K R Barrow  
Mr T Bebb  
Mr M Bennett  
Mr T H Biggins  
Ms K Burgoyne  
Mr V Bushell JP  
Mr G H L Butler  
Mrs A J Caesar-Homden  
Mrs K D Calder  
Mr S Charmley  
Mr J E Clarke  
Mr G L Dakin  
Mr S Davenport  
Mr A B Davies  
Mr T Davies

Mrs P A Dee  
Mr A Durnell  
Mr R A Evans  
Mr E J Overall  
Mr J A Gibson  
Mr J B Gillow  
Mr N J Hartin  
Mrs E A Hartley  
Mr R Huffer  
Mrs T Huffer  
Mr V J Hunt  
Mr J Hurst-Knight  
Mrs J Jones  
Mr S P A Jones  
Mr J M W Kenny  
Mrs H M Kidd  
Mr D G Lloyd MBE  
Mr C J Mellings  
Mr A N Mosley  
Mrs C M A Motley

Mrs E M Nicholls  
Mr M J Owen JP  
Mr W M Parr  
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 Taylor-Smith  
Mr G F Tonkinson  
Mr A E Walpole  
Mr S J West  
Mr M Whiteman OBE  
Mrs C Wild  
Mr B B Williams RD  
Mr M Williams  
Mrs T Woodward  
Mr M L Wood

## **157. APOLOGIES**

The Chief Executive reported apologies for absence had been received from Mr W Benyon, Mrs A M Chebsey, Mr D W Evans, Mr R Hughes, Dr J E Jones, Mr C Lea, Mr D J Minnery, Mrs M Mullock, Mr P A Nutting, Mrs E A Parsons, Mr K Roberts, Mr R Tindall, Mr L Winwood and M P A D Wynn

## **158. DECLARATIONS OF INTEREST**

No declarations of interest were made.

## **159. NHS REORGANISATION**

The Speaker opened the meeting by questioning the need for the meeting when the reasons stated in the summons today - to discuss at full council the consultation by Sath on their proposals – had been rejected by the Council as recently the 24 February.

He advised that he had given the request from the Leader of the Liberal Democrats Nigel Hartin, serious consideration, but had rejected it for two reasons.

First, it was an echo of what had been considered at Council only four days earlier. Secondly, the Leader had given an assurance that members would be invited to attend and speak at the extra Cabinet meeting devoted to the consultation on the proposed reconfiguration of Health Services in Shropshire that took place on 9 March.

The Speaker stated that many members, plus members of the public had contributed to what proved to be a valuable debate which had been reflected in the Cabinet's response. Constitutionally, the Council had absolutely no power to amend, reject, or ratify the decision of Cabinet, as Part 3 stated: Formal responses on behalf of the Council to consultation by other bodies on matters that affect the Council as a whole or have widespread effect across the Council, shall be the responsibility of Cabinet.

This interpretation has been confirmed by the Council's chief legal officer, but if any member or group of members wished to respond differently they could of course make personal representations. The Cabinet's response had been copied to all members and could not now be changed.

All of these facts had been made known in advance of the request being made. Further, the agenda made it clear that there was no provision for questions or statement from members or the public. Neither was there a motion, due notice of which had been given in the summons, before the Council and as a matter of courtesy this was pointed out to Cllr Hartin. Therefore in the absence of a valid motion within the constitutional remit of the Council, there was no opportunity for a further debate of the subject.

Referring to the suggestion from the Liberal Democrats that there needed to be a reconsideration of the Council's constitution, the Speaker gave an assurance that the next meeting of the Political Structures Monitoring Group would give urgent consideration to the issue of calling an Extraordinary Meeting right on the heels of a full Council so members did not find themselves in this position again. He added that

all public bodies must work within their constitution and this included Shropshire Council. In response to the Speaker's invitation, the Leader then explained in detail how the Cabinet had dealt with this matter.

The Speaker then concluded matters by stating that, because there was no motion to debate or to vote on, he was declaring the Extraordinary Meeting closed.

Speaker .....

Dated .....

(The meeting closed at 10.15 a.m.)