



<u>Committee and Date</u>
COUNCIL
21 July 2011

<u>Item</u>
3
Public

MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 23 JUNE 2011
AT 10.00 AM

PRESENT:

Mrs B J Baker
Mr A Bannerman
Mr T Barker
Mrs J B Barrow
Mr K R Barrow
Mr M Bennett
Mr W Benyon
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 F Charmley
Mrs A M Chebsey
Mr J E Clarke
Mr S Davenport
Mr A B Davies
Mr T Davies
Mrs P A Dee
Mr D W Evans

Mr R A Evans
Mr J A Gibson
Mr J B Gillow
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
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 Mullock
Mrs E M Nicholls
Mr P A Nutting

Mr M J Owen JP
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 Taylor-Smith
Mr R Tindall
Mr G F Tonkinson
Mr A E Walpole
Mr M Whiteman OBE
Mrs C Wild
Mr B B Williams RD
Mr J M Williams
Mr L Winwood
Mr M L Wood
M P A D Wynn

17. APOLOGIES

The Chief Executive reported apologies for absence had been received from Mr P Adams, Mr T Bebb, Mr A Durnell, Dr J E Jones, Mrs J Jones, Mrs H M Kidd, Mr W M Parr, Mr P F Phillips, Mr D W L Roberts, Mr S J West and Mrs T Woodward.

18. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- (a) Mrs B J Baker declared a personal and prejudicial interest in Item 11 (Terms and Conditions) as her husband was an employee of Shropshire Council.
- (b) Mr M Bennett declared a personal interest in Item 11 as a retired member of the Telford Branch of Unison.
- (c) Mr V Bushell declared a personal interest in Item 11 as a member of Unite.
- (d) Mr S F Charmley declared a personal and prejudicial interest in Item 11 as his wife was an employee of Shropshire Council.
- (e) Mrs A M Chebsey declared a personal interest in Item 11 as a member of Unite.
- (f) Mr J E Clarke declared a personal interest in Item 11 as a member of the Transport and General Worker's union.
- (g) Mr J Hurst-Knight declared a personal and prejudicial interest in Item 11 as his wife was an employee of Shropshire Council.
- (h) Mr C J Mellings declared a personal and prejudicial interest in Item 11 as his wife was an employee of Shropshire Council.
- (i) Mrs. E A Parsons declared a personal and prejudicial interest in Item 11 as her daughter was an employee of Shropshire Council.
- (j) Mr M G Pate declared a personal interest in Item 11 as Chairman of the Shropshire Pension Fund.
- (k) Mr K Roberts declared a personal and prejudicial interest in Item 11 as his wife was an employee of Shropshire Council.
- (l) Mr G F Tonkinson declared a personal interest in Item 11 as his daughter was a district nurse.

- (m) Mrs C Wild declared a personal and prejudicial interest in Item 12 as she owned property in Shrewsbury town centre.
- (n) Mr J M Williams declared a personal interest in Item 11 as a member of Unite.

19. MINUTES

RESOLVED:

That the minutes of the meeting held on 12 May 2011, as circulated with the agenda papers, be approved and signed as a correct record, subject to the following:

- (a) The inclusion in Minute 7(c) of the following additional words after the Portfolio Holder's reply:

"During the course of the Portfolio Holder's reply Mr R A Evans asked to make a personal explanation. The Speaker ruled that the request be refused."

- (b) The inclusion of the following further additional words in Minute 7(c) after the addition in (a) above:

"At the conclusion of the debate Mr Mosley stated that he had proposed by way of an amendment, which had been seconded by Mr Hartin, that the matter be deferred for further analysis and discussion. The Speaker indicated that had not been made clear at the time and ruled that the original proposition be dealt with."

20. ANNOUNCEMENTS

20.1 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 of the Council on 12 May 2011 which had been circulated at the meeting.

20.2 HM The Queen Birthday Honours 2011

The Chairman announced that the following Shropshire residents had been awarded honours in the Queen's Birthday Honours List and that he would be writing to each one of the recipients to congratulate them on their achievement:

Knighthood

Christopher Anthony WOODHEAD

Chairman, Cognita Schools and Professor of Education
University of Buckingham
For services to Education

Officer of the Order of the British Empire (OBE)

Harold Edward WARDLE, JP

For services to the community in Shropshire

Members of the Order of the British Empire (MBE)

Richard James DAVIES

Director Marches Energy Agency.
For services to Sustainable Energy

Mrs Valerie GOOD

For services to Gardening, particularly to the
Sweetpea Flower in Wem, Shropshire

Louis Charles HYLTON

Constable, West Mercia Police.
For services to the Police

Mrs Margaret KERR

For services to Healthcare and to the
community in Oswestry, Shropshire

Robin Edgar Norman OAKE, QPM

For voluntary service to the Order of St. John
In England

Mrs Maxine PITTAWAY

Headteacher, St. Christopher's School,
Wrexham. For services to Special Educational
Needs

Michael SOMMERS

For Public Service

20.3 **Dave Morris – Shropshire Star**

The Chairman announced that the Shropshire Star's municipal correspondent, Dave Morris, was retiring at the end of this month and this was the final council meeting he would be covering. The Chairman indicated that Dave Morris had been reporting on council issues in Shropshire for many years and he offered Council Members' sincere

thanks for his work relating the discussions they had in the chamber to the people they represented. The Speaker and the Leader joined with the Chairman in paying tribute to the good working relationships that Dave had with Members and how he was a well-liked and respected figure in Shropshire and wished him all the best in his retirement.

21. PUBLIC QUESTION TIME

In the absence of the questioner, Ms C Barnes, the Speaker put the following question:

“I would like to know why it seems there are a growing number of people who do not apply for planning permission in the first instance before any building work has taken place or often in the second instance retrospectively?”

There appears to be no real enforcement. In my experience only after many letters and phone calls have taken place from locals does any action seem to be taken. I have difficulty seeing that the losing of 18 planning department posts helps the issue of enforcement in this area.

Can you confirm the localism bill will double retrospective planning application fees.”

Mr M T Price, the Portfolio Holder for Planning Policy, replied:

“There are a small proportion of all applicants for planning permission who submit applications retrospectively. Some of these cases are where there is a genuine mistake in understanding and development is undertaken that needs permission for a variety of reasons. In other cases there may be a deliberate breach although these cases are in the minority and we have no evidence to suggest that there is an increasing trend for this type of activity.

The Development Management Team has restructured to reduce costs and numbers by 20% and the enforcement team has been restructured as part of this process. Recognising the importance of enforcement, the reduction was less in this part of the service. In addition, the team is working through a process review to maximise efficiency and confidential quarterly reports on enforcement matters are reported to each planning committee.

Enforcement action is taken in accordance with the Council's compliance policy and having regard to legislation and government advice such as PPG18 - Enforcing Planning Control.

We are not in a position to confirm the fee structure in light of the localism bill, although the proposal to raise fees for retrospective applications would be welcomed.”

22. MEMBERS' QUESTION TIME

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

(a) Received from Mr J Tandy:

“In February 2011 the government issued a consultation paper on "Access to elected office for disabled people"; did Shropshire Council submit a response to this consultation and if so were any elected members involved in making the response.

When was the last review of Shropshire Council's disabled facilities carried out and which elected members and representatives of disabled groups were involved in the review.”

The Portfolio Holder for Disability, Mr S Charmley replied:

“Shropshire Council did not submit a response to this consultation. However, when vacancies arise, Shropshire Council ensures that the information sent out to applicants includes details of our commitment to equality and diversity and the support available.

A thorough review of all Council properties and disabled facilities will be undertaken as part of the asset management strategy currently being considered by Performance and Strategy Scrutiny Committee. This will ensure that the service requirements of all disability groups are considered and implemented as the Council plans, with partners and stakeholders, how public services will be delivered in future and from which properties.

Property audits were last undertaken in November 2010 and included an assessment of the suitability, sufficiency and operability of disabled facilities. Further audits and reviews will be prioritised after the Council asset management strategy has been approved by Cabinet on 3 August 2011. Council officers continue to meet regularly with Local Access Groups who represent disabled people across the county. Elected Members will be involved in future asset management plans and will be invited to participate in specific reviews, which will also involve local disabled group representatives.”

Mr Tandy asked by way of a supplementary question whether the work being undertaken could be complemented further by the provision of training for all disabilities under the establishment of a Charter.

Replying, Mr Charmley indicated that a review was being undertaken on how all disabilities could be accommodated.

(b) Received from Mrs E M Nicholls:

“Can the Portfolio Holder please advise when the road sign for Highley Park Homes is to be erected. I have been repeatedly informed since July of last year that the sign has been commissioned but it has yet to materialise. Ambulances and other emergency services cannot find the site because it is not registered on Sat Navs and there are approximately 85 (mostly elderly) households on the site.

Following repeated requests for information on the 40mph buffer zone to the south of Highley, can the Portfolio Holder please advise whether the scheme is to go ahead or not. Speed checks were carried out last year which clearly showed the need for the speed restriction and the Police gave their full support to the proposals. However, the scheme appears now to have stalled with no information forthcoming.”

The Portfolio Holder for Transport, Mr M T Price replied:

“The road sign for Highley Park Homes has been ordered from our contractors and it is due to be erected within 4 weeks. It will be a double sided sign and is to be mounted on the existing post opposite Netherton Lane. There has been an undoubted delay in installing this sign and we apologise for this.

The proposed 40mph buffer zone to the south of Highley is programmed to be carried out this financial year and we are now preparing a plan for statutory advertisement shortly. Assuming there are no objections following the 21 day consultation period, the scheme will be progressed on site as soon as possible with the signing and accompanying lining works as planned.”

(c) Received from Mrs E M Nicholls:

“Will the Portfolio Holder please confirm if Shropshire Council will transfer the management of Silverdale Terrace allotments to Highley Parish Council at a lease cost of £35 per annum. I have been informed that Shropshire Council may authorise the transfer but it is proving most difficult to make any progress with the administrative arrangements.”

The Portfolio Holder for Service Transformation and Organisational Development, Mr M Taylor-Smith replied:

“I have no previous history of the request to manage the allotments, at present we have the licences with the allotment holders. I will be happy to discuss the future of the site directly with the Parish council to agree the future management and organise the administrative arrangements.”

(d) Received from Mr R A Evans:

“One of the last acts of Shropshire County Council was to provide improvements in the concessionary fare scheme across the County. At its meeting in February 2009 it agreed that:

- those eligible to have bus passes could use them free all day, including before 9.30a.m.
- to have 100% fare reimbursement on all community transport essential journeys
- tokens or vouchers as an alternative to a bus pass
- carers to be eligible for a bus pass or alternative.

Can an update be given of what is on offer now together with what the cost savings for a full year are estimated to be by removing the concession for those with bus passes from using the Park and Ride scheme at anytime. How was this total arrived at and what were the actual savings achieved in April 2011 compared with April 2010.”

The Portfolio Holder for Transport, Mr M T Price replied:

“The current concessionary travel scheme (2011 - 2012) consists of a number of elements. Applicants are entitled to one of the following;

Bus Pass - Older or Disabled People

Concessionary bus pass for eligible passengers allowing free travel on any local bus service in England between 9.30 am and 11 pm Monday to Friday and all day at weekends and bank holidays. Shropshire pass holders are also able to travel on buses after 11pm within the County. Bus passes are no longer accepted on the Shrewsbury Park & Ride service.

Shropshire pass holders can also use their concessionary travel card to travel free on most Community Transport Schemes. Shrewsbury Dial-a-Ride charge £1 per trip on production of a valid pass.

Disabled passengers who find it difficult to use buses without assistance from another person may be eligible for a companion pass that allows their carer to travel free of charge when accompanying the individual. Companion or carer passes are available to anyone in receipt of either Attendance Allowance at the higher rate or high rate mobility component of DLA with the high rate care component. Companion or carer passes can only be used on journeys starting in Shropshire.

National Travel Tokens - Disabled people only

Applicants are entitled to National Travel Tokens to the value of £30 per year. Travel Tokens can be used for travel on public bus services, trains, community transport services and some taxis.

Senior Railcard - Older people only

The senior railcard entitles the holder to one third off the cost of rail travel for most national rail services. The cost is £5 per applicant and is valid for 12 months from the date of issue. Applicants receive a voucher which is redeemable at any staffed railway station to receive the railcard. Eligible passengers can have a bus pass and a railcard but will need to pay the full price of £28 for the railcard from a staffed railway station.

Community Car Vouchers - Older people only

The community car scheme assists local people to make essential journeys such as visits to medical centres, dentists and to visit family and friends in hospital. Applicants are entitled to 20 x £1 vouchers for use within the remit of the Community Car Scheme.

Bridgnorth Cliff Railway Voucher - Older people only

The Bridgnorth Cliff Railway voucher is free of charge and entitles the applicant to 36 return tickets for use on the service at anytime.

Budget consideration

The saving from the withdrawal of concessions from the P&R was calculated by taking the previous yrs reimbursement which at the time of calculating the saving was estimated to be £224,000. However it was also recognised that the removal of this concession will deter some concessionary pass holders from using the service and others will migrate on to the local bus network where they will be able to continue to use their passes. Therefore, saving the full level of expenditure on reimbursement for concessions on the P&R is likely to be offset by reduced levels of passengers and increased use of local bus services. It was estimated that not allowing concessionary pass holder's free travel on Park and Ride services would save in the region of £135,000 per annum.

The cost of allowing travel before 09.30 for financial year 2010/11 was approximately £260,700, around 8.6% of the total operator reimbursement. However, with the withdrawal of this enhancement a percentage of passengers will simply alter their travel arrangements to post 9.30 and therefore the full cost of the enhancement will not be saved. Should 50% of passengers, as it has been in other parts of the country, do this it will equate to a saving of around £130,000.

It is anticipated that reimbursement for concessionary travel in the current year will be within the revised budget."

Mr Evans asked by way of a supplementary question how much of the target savings in the budget from the removal of concessions had been achieved.

Replying, Mr Price stated that it had been the intention to provide eligible people with free travel in off peak periods but efforts have now

had to be made to provide as best a range of options possible within the funds available.

(e) Received from Mr R A Evans:

“When concessionary fare holders board a bus now, they are being issued a flat fare receipt. This cost is therefore no longer dependant on the length of the journey taken by the resident. Does the value of the ticket issued vary from route to route. Is the cost/benefit to the council being monitored and if so how. What are the expected savings in doing this especially as the number and frequency of rural buses, those with the longer routes are being reduced.”

The Portfolio Holder for Transport, Mr M T Price replied:

“The method of reimbursement is specified by the Department for Transport and Shropshire Council follows this guidance. Following the guidance ensures that Shropshire Council adheres to the underlying principal that the bus operator can be no better or worse off from taking part in the scheme whilst recognising that the scheme generates a significant level of passengers.

For a number of years reimbursement has been based upon an average fare calculated from a basket of products purchased by fare paying passengers including cash fares, daily tickets, weekly tickets etc... By following this methodology the reimbursement received by the operator takes into account any commercial discount that would have been applicable should the concessionaires purchased tickets. Therefore there is no requirement to record the journey undertaken by the passenger just the number of single trips that have been undertaken.

The average fare is calculated by operator however there is some flexibility in this to ensure reimbursement is based on actual conditions. For example some operators provide contracted services where the fare charged is specified by Shropshire Council and is low compared to commercial fares. It is therefore not appropriate to include these fares when calculating reimbursement for commercial services where a higher fare would be charged.

Reimbursement is paid to operators on a monthly basis and is calculated using the DfT reimbursement calculator. Operators are also required to supply ticket machine information to back up their claims.

There are no expected savings as reimbursement has been based upon the average fare principle for a number of years. Reimbursement costs are increasing as the average commercial fares increase. There will be a slight reduction in the reimbursement for concessionary travel due to the withdrawal of some services as specified within the bus strategy. This will mainly be from the reduction in Sunday and Evening services in

Shropshire. It is unknown what the level of saving will be as many passengers will simply travel at alternative times. Changes to bus services will happen in mid July after which reimbursement is likely to decrease.”

Mr Evans asked by way of a supplementary question whether the Concessionary Travel Scheme could be varied to permit concessionary bus pass holders to use their passes on bus journeys starting before the 9.30 a.m. threshold when they would reach their destination after that time.

In response, Mr Price undertook to look into the matter and provide Mr Evans with a written response.

(f) Received from Mr A Bannerman:

“What total income was achieved from parking charges in Shrewsbury Town Centre over the period April 1st – 30th 2010 and 2011 respectively. How does this equate to the number of vehicles in each year.”

The Portfolio Holder for Transport, Mr M T Price replied:

“In April 2010 income of £184,000 was raised from 86,356 paying vehicles.

In April 2011 income of £195,000 was raised from 76,684 paying vehicles.”

Mr Bannerman asked by way of a supplementary question whether, given the drop in town centre activities, the night time economy and the amount of people driving into town to park, the Portfolio Holder was confident that the current parking strategy for Shrewsbury was the right one.

In response, Mr Price indicated that he would address the points raised by Mr Bannerman later in the meeting during the debate on the motion received from Mr J Tandy.

(g) Received from Mr N J Hartin:

“Could the Leader advise what the cost has been to the Council of its membership of a) LGiU b) SOLACE over the last two financial years, including conference registration fees & accommodation booked & who has attended meetings of these bodies representing the Council over those years.

Looking forward could the Leader indicate whether this Council intends to continue membership of both LGiU & SOLACE in future years.”

The Leader of the Council, Mr K R Barrow replied:

“The cost of the initial LGiU annual membership taken from the 1st June 2010, was £11,350.

Membership of LG Flood Forum was taken from 1st July 2010, at a cost of £300, and this ends on 30 June 2011.

Membership of Sustainable Social Care Learning Network was taken from November 2009, to March 2010, at a cost of £500. This has not been renewed.

No conference registration fees were paid in this context. Four Elected Members of the Council attended related meetings in this period, (Cllrs Peter Phillips, Roger Evans, Madge Shingleton and Gwilym Butler), and the associated accommodation costs were £471.30

With regards to SOLACE, it has been the Council's policy to meet the costs of professional subscriptions required for senior staff, as part of their work. Within those arrangements, the cost of subscriptions for membership of SOLACE was £804 in 2009/10 (covering 4 members of staff) and £406 in 2010/11 (covering 2 members of staff). Conference registration fees for the Chief Executive in this context were £1,380 in 2009/10 (for 2 members of staff) and £690 in 2010/11 (for 1 member of staff). Related accommodation costs were £200 (approx) in 2009/10 and £95 in 2010/11.

As part of the Council's wider cost cutting measures, the annual membership subscription to LGiU was not renewed in January 2011, as this was felt not to represent value for money, given the relative benefits involved.

As part of wider changes to reduce staffing costs, the Council will no longer pay professional subscriptions for its staff, who can choose to do so for themselves in future.”

Mr Hartin asked by way of a supplementary question what measures would be put in place to ensure that full reports were received from those attending conferences.

Replying, Mr Barrow stated that he had asked the Chief Executive to monitor closely the conferences attended in future in terms of the value they would provide.

With the agreement of the Speaker, Mr R A Evans made a personal explanation stating that he had not incurred any accommodation costs when attending LGiU meetings and had paid his own travel costs.

23. REPORT OF THE LEADER AND PORTFOLIO HOLDER FOR PUBLIC CONFIDENCE

The Leader, Mr K R Barrow, presented his report, a copy of which is attached to the signed minutes, on undertaking his responsibilities as Portfolio Holder for Public Confidence and invited questions from Members.

Mr Mosley considered that the administration was not listening to the public as during the budget consultations undertaken the public had indicated that they did not wish to see any cuts in adult social care provision and yet cuts in that service were now being made. He also referred to public relations and information management and questioned the expense involved in officers accompanying the Leader on radio interviews and the use of the Council's credit card.

In reply, Mr Barrow explained that communications officers assisted him when he conducted radio interviews, with much valued off-air research and information checking, to enable him to achieve the best levels of communication with and response to the public. He also added that this included embracing modern technology using 'social media', such as 'twitter', in engaging with the public. With regard to the provision of social adult care, he indicated that there was a need to explore how the service could be delivered in the future to ensure that it was a service fit for the 21st Century which could support people if they wished to remain in their own homes. In respect of the Council's credit card, Mr Barrow explained that this was for ease of use in making travel and accommodation bookings for Members and Officers on Council business. Mr B Williams added that any use of the Council's credit card had to be cleared by the Council's Audit Service and assured Shropshire residents that due to the controls in place there was no misuse of the Council's credit card.

Mr Hartin considered that there was still work to do for the Council on openness and transparency as not everybody had access to electronic communications.

In reply, Mr Barrow confirmed the Council's commitment to communicate with and listen to the public and invited residents to ask questions of the administration by whatever means and they would be welcomed and responded to as the Council was working at being as open and transparent as possible.

RESOLVED:

That the contents of the report be received.

24. ANNUAL REPORT OF THE PERFORMANCE AND STRATEGY SCRUTINY COMMITTEE 2010/11

The Chairman of the Performance and Strategy Scrutiny Committee, Mr T Barker, presented the report, a copy of which is attached to the signed minutes, on the work of the Performance and Strategy Scrutiny Committees in 2010/11.

Mr Barker referred to the successful group working undertaken by Task and Finish Groups throughout the year, with the best results considered to have been produced by group work concentrating on a single matter within a short timescale. He indicated that it was proposed that reviews undertaken in the current year would be conducted in this way.

Mr R A Evans contended that meetings of Task and Finish Groups should be held in public and the papers for those meetings made available to other Members. He also expressed concern about meetings of Scrutiny Chairman with the Cabinet being held in private, with no record of those meetings being published and circulated to other Members, and questioned the arrangements that had been followed for scrutiny of the budget.

Mr Barker stated that the meetings of Scrutiny Chairman with the Cabinet were not a new initiative and had been held for many years and assured Members that the scrutiny process operated independently of the Cabinet. The Leader, Mr K R Barrow, stated that all Members would be welcome to attend all the meetings they wished, including meetings of the Scrutiny Chairman with the Cabinet.

In response to a query from Mr Kenny on the effect of the scrutiny process on Cabinet decisions and the implementation of scrutiny committee recommendations, Mr Barker cited the example of the work undertaken by a Task and Finish Group on the strategic development of the voluntary and community sector as deliverers of public sector services.

In conclusion, Mr Barker undertook to look into any areas where Members felt the scrutiny process could be improved.

RESOLVED:

That the contents of the report be received.

25. APPOINTMENTS TO COMMITTEES

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, be received and agreed.

RESOLVED:

- (a) That the appointment of Mr P Adams to replace Mr P Wynn on the Healthy Communities Scrutiny Committee; the appointment of Mr Wynn as a Conservatives Group substitute on the Healthy Communities Scrutiny Committee; and the appointment of Mr J M W Kenny to replace Mr T Davies on the Protecting and Enhancing Environment Scrutiny Committee be confirmed.
- (b) That Mr W Maddox and Mr J Till be re-appointed to serve as independent members on the Council's Standards Committee until the next review in June 2012 should this prove necessary.

26. AMENDMENT TO LJC CONSTITUTION

It was proposed by Mr G Butler, 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 Butler emphasised that the delegation of powers to the Community Action Officer to deal with urgent and time sensitive matters could only be authorised by a Member of Shropshire Council as the Chairman, or Vice-Chairman in their absence, of a Local Joint Committee. In addition, he indicated that, should the proposed amendment be accepted by Council, he had asked Community Action Officers to ensure that the amendment was submitted to the next meeting of each Local Joint Committee to enable them to consider whether they wished to give their Chairman such a responsibility and role and whether they also wished to place any local restrictions on the delegation of powers.

Mr Bennett confirmed that it would be open to the Chairmen to seek the views of all members of their Local Joint Committees to gauge whether there was a consensus on any time sensitive or urgent matter requiring decision between meetings.

Mrs Baker asked if the proposed delegation of the powers could be applied in Local Joint Committee meetings when decisions on the granting of funds could not be made as a quorum could not be achieved due to member's interests.

In response, Mr Butler indicated that this would be looked at in the future.

RESOLVED:

That the granting of delegated authority to Community Action Officers, in consultation with Local Joint Committee Chairmen or Vice-Chairmen in their absence, to determine urgent and time sensitive matters and the amending, with immediate effect, of the Local Joint Committee Constitution accordingly be approved.

27. STAFF TERMS AND CONDITIONS OF EMPLOYMENT

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 together with a paper circulated by the Chief Executive at the meeting giving supplementary information on the current position of the trade unions, and the recommendations contained therein, be approved.

Mr Barrow stressed that the proposed changes to staff terms and conditions, particularly the reduction in pay and salary, was not a decision that any administration would wish to take lightly, but it was considered that there was little alternative than to take such action without delay, to help address the Council's financial position, otherwise immediate large scale compulsory redundancies would have to be made to find alternative savings. He assured Members that everything possible would be done, by looking at other ways to meet the Council's savings targets, to avoid the need to implement the proposed second 2.7% pay reduction on 1st October 2012 or to at least keep any reduction as small as possible. Mr Barrow stated further that the pay reduction for staff was not intended to be permanent and indicated that, when the Council could afford it in the future, it would look at ways to increase staff earnings as part of a new system for rewarding high levels of performance, which was being developed by the Council.

Mr N J Hartin proposed by way of amendment, which was duly seconded by Mr R A Evans, the following:

"1) Amend exemption to lower paid staff as in Appendix 3 to protect staff from SCP grade 24 (£20,295) & below.

2) Amend as a consequence Recommendation A to take account of this (change to read "as detailed in Appendix 1 & 3 as amended")

As a consequence of this change, Finance & HR officers advise that an additional £2M will need to be found spread out as follows:

2011/12 £500K
2012/13 £1.5M
2013/14 £ 2.0M

This to be found by:

1) Utilising the £900K extra base budget reserve identified for 2011/12. This will result in a shortfall/overspend of:

2011/12 +£400k
2012/13 £200k
2013/14 £1.1M

The remaining shortfall to be found by utilising some of the sums set aside in the transformation budget of £1.3M year on year. This change will result in the ongoing transformation budget being reduced as follows:

2011/12 £1.3M (unchanged)
2012/13 £1.1M (£200k reduction)
2013/14 £200k (ongoing)

3) To task officers to reassess earmarked reserves currently totalling approximately £15M, to ascertain if further savings can be made to meet the resultant shortfall in the transformation budgets in 2012/13/14.”

Mr Hartin indicated that the purpose of the amendment was to increase the number of staff that would be exempted from the proposed pay reduction. He considered that his Group’s proposals were achievable, as they had been prepared with advice from Council Finance and HR officers.

Some Members, including Mr R A Evans, Mr Clarke and Mr Kenny, questioned the need for such reductions in staff pay when the Council, as part of its budget strategy, was placing money in its reserves.

Several Members, including Mr Barker, Mr Bennett, Mr Whiteman and Mr B Williams, emphasised that the sums set aside to support the Council’s planned transformation of service delivery were required to achieve the Council’s agreed savings targets and the Council’s low reserves needed reinforcement at a time of severe financial uncertainty.

Mr Barrow considered that to take funding from the transformation programme would worsen the Council’s future financial position and expressed the view that it would be too high a risk for the Council to carry a low level of reserves. These needed to be bolstered whilst, at the same time, doing all that was possible to protect jobs and provide staff with some certainty about their future employment position.

On being put to the vote the amendment was defeated, with 10 Members voting in favour, 39 Members voting against and 5 abstaining.

Mr A N Mosley proposed by way of a second amendment, which was duly seconded by Mr J Tandy, the following:

“That the proposals be referred back to allow further consultations with the staff and trade unions.”

Mr Mosley and Mr Tandy considered that there was still time for meaningful discussions to enable a more acceptable agreement to be achieved with the staff.

On being put to the vote the amendment was defeated, with 5 Members voting in favour, 39 Members voting against and 10 abstaining.

In speaking to the original proposition, Mr Taylor-Smith stated that the measures proposed were intended to protect jobs and services in the Council, and the approach being taken was largely supported by the public.

Mr Barrow reiterated that he considered that there was little alternative to making the proposed changes to staff terms and conditions to avoid large scale compulsory redundancies having to be made, given the Council's financial position. He confirmed that he strongly supported discussions with the trade unions continuing, in an effort to achieve a collective agreement on the way forward, if possible.

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

RESOLVED:

- (a) That the implementation of the changes to Shropshire Council staff terms and conditions, as set out below, be approved:

Additional Hours (Overtime)

The current position for those areas where an enhancement is already paid for night work, weekend and bank holiday working will be maintained. All other additional hours and overtime will be paid at plain time. These areas will be reviewed in greater detail as part of the pay and grading work already underway.

Standby and Call-Out

The current position will be maintained with no change made to the current payments for standby and call-out, but they will be reviewed in greater detail as part of the pay and grading work already underway.

Shift Allowance

These allowances will be removed from Monday 19th September 2011, except where this is an explicit condition of an individual's contract of employment, e.g. sleeping in allowance for residential staff.

Allowances (Fire Wardens, First Aiders, Professional Subscriptions, Subsistence and Relocation Expenses)

Subsistence payments for breakfast, lunch, tea and evening meal will no longer be made, apart from where an employee is required to stay away from their home overnight. For those cases, the current allowances for breakfast and evening meal will continue.

The allowances for fire wardens, first aiders, professional subscriptions and relocation expenses will remain unchanged.

Annual Leave

From 1st April 2012, the Council will move to a flat scheme of 25 days annual leave plus bank holidays, with 5 days extra awarded after 5 years service, giving a maximum entitlement of 30 days a year. There

will be a phased reduction over a two year period where staff entitlement is currently greater than this, so that all staff are subject to the new scheme by 1st April 2014.

Proposals will be prepared for staff to be able to buy further annual leave or to sell days of leave back to the Council, up to a maximum of 5 days in each case, in any one leave year. These arrangements to be subject to the operational needs of services.

Sick Pay

The Council will no longer pay sick pay for the first three working days of sickness, where an employee has already had one or more periods of sickness absence in the previous twelve months and will reduce the period of long term sick pay to:

During 1 st year of service	1 month's full pay
During 2 nd year of service	2 months' full pay
During 3 rd year of service	4 months' full pay
During 4 th and 5 th years of service	5 months' full pay
After 5 years of service	6 months' full pay

Periods of sick pay will be able to be extended in exceptional circumstances for a period of up to three months, subject to Director authorisation.

Office Hours

From 19th September 2011, the Council will move to standard office hours of 7am to 7pm, Monday to Friday and 8am to 1pm on a Saturday. These will be the public opening hours for Shropshire Council.

Staff will be moved to Annualised Hours with the number of hours an employee is required to work in any one year being their current weekly contracted hours, multiplied by 52.14, minus annual leave. These total hours will then be turned into a weekly rota, by agreement between the member of staff and their line manager. This will allow more staff to work the hours that best suit their lifestyle, subject to the operational needs of services.

The current Office Hours / Flexi Time policy will end. A new system for requesting 'Flexible working' will be introduced, with staff encouraged to apply for more flexible working patterns such as term time only, a '9-day' fortnight, compressed working weeks, and weekend working, subject to the operational needs of the service.

Reduction in Pay and Salaries

A reduction of 5.4% in the pay and salaries of all Shropshire Council Employees (excluding directly-employed schools employees), without any equivalent reduction in working hours.

A 2.7% reduction will be made on 1st October 2011 and a further 2.7% reduction will be made on 1st October 2012.

The only excluded group of employees (other than directly-employed schools employees) will be those on 'pay protection' having already taken a drop in salary to remain working for the Council.

All other staff will be included, subject to consultation with Senior Pay Band Managers and staff working less than 17 hours per week, who were not previously asked for their views on the proposed changes now affecting them directly.

Spinal Column Points 4-10 will have a smaller reduction in order to keep them above the National Minimum Wage whilst retaining sufficient room between each point, in order to protect lower-paid staff.

- (b) That the seeking of a Collective Agreement to be signed between Shropshire Council and the Trade Unions on the changes in (a) above be endorsed.
- (c) That, as the Collective Agreement referred to in (b) above had not been reached by the time of this Council meeting, the dismissal and re-engagement of all directly employed Shropshire Council employees, with due notice, be agreed.
- (d) That the changes and the arrangements for their implementation, referred to in (a) to (c) above be fully endorsed.

28. MOTIONS

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

“Given that it is halfway into the current Administration's term of office and one year into that of the Tory led coalition Government's, this council is increasingly concerned at the serious and irreparable harm being imposed as a consequence of the swingeing cuts in our budget. We can identify significant cuts in service levels, rising fees and charges, increasing concerns amongst residents, low staff morale and a general demise in the principles of public service which will particularly impact on our more vulnerable residents. We also recognise that this downward process will accelerate as the full implications of the MTFP become clearer.

We are also aware of cuts being imposed on our public sector stakeholders and hence, the cumulative effects on residents.

We therefore call upon all political groups in Shropshire to make urgent representations to their MP colleagues and ministers, urging that they change current economic policy as leading to public sector cuts which are unfair, too deep and too rapid. Moreover such policies are not conducive to growth and economic recovery.”

Speaking to the motion, Mr Mosley referred to low staff moral and public discontent arising from the level of cuts being made to public service, police and NHS budgets. He stated that as the Council now faced with deeply receding budgets, with some services at threat of ceasing, and strike action, together with economic recovery stagnating and inflation rising, the motion was a plea for an alternative plan of action to be developed and implemented.

Seconding the motion, Mr J M Williams referred to the alternative measures, through tax reforms, that were available to reduce the country’s budget deficit and emphasised how the action having to taken by the Council to make budget savings was damaging to the staff and hoped that it did not prove to be damaging to the Shropshire economy.

Mr T Barker proposed by way of amendment, which was duly seconded by Mr K R Barrow, the following:

“We are aware of the actions the Coalition Government has had to take to address the economic chaos which was the legacy of thirteen years of Labour rule. This Council recognises that we will continue to mitigate the effects of the toxic legacy on both residents and staff, by continuing to deliver no increase in Council Tax.

We therefore call upon all political groups in Shropshire to work together, with our partners, in the Public, the Voluntary, the Community and the Private sectors to ensure that our new ways of working and redesigned service delivery models give the best to the most vulnerable people and provide a sound basis for a vibrant local economy.”

Mr N Hartin indicated that the Liberal Democrats would continue to join cross party representations and asked that the scope of the amendment be widened to include continuing to work with Ministers and MP’s.

Mr Tandy stated that the Labour Government took a great deal of action to ensure that the economic crisis was not a great deal worse and expressed the view that the economic crisis had been caused by the banking industry and they should repay the financial assistance provided by the Labour Government.

Mrs Chebsey considered that the difficult economic situation had to be accepted, no matter who was to blame, and the Coalition Government

had to take the action it felt necessary to deal with it. She questioned that if it was so easy to resolve, where was the Labour Party's alternative plan?

Mr Barrow considered that the Labour Group had not come forward with any solutions to address the financial difficulties being faced by this Council, as opposed to the Liberal Democrat Group who had at least tried to come forward with suggestions. He stated that the measures taken at today's meeting to achieve savings in the Council's budget were unpalatable but had to be done.

Replying, Mr Mosley indicated that, contrary to the Conservative Party view on the Labour Government's handling of the economy, the conclusion of the International Monetary Fund's strategic report on the state of the UK economy in 2009 was that the bold and wide ranging actions that had been taken by the Labour Government to address the economic crisis had set the stage for a sustainable recovery.

On being put to the vote, the amendment was carried with a substantial majority voting in favour to five members voting against and it was

RESOLVED accordingly.

- (b) The following motion was received from Mr J Tandy and was duly seconded by Mrs Parsons:

"In light of news that various supermarkets in Shrewsbury plan to apply either to increase the size of existing stores or to build a new store, as well as the concerns about parking charges recently expressed by businesses in Shrewsbury town centre, this Council will review its parking fees structure and Park & Ride fares in Shrewsbury and also work with all of the town's businesses to increase footfall."

Mr M J Owen proposed by way of amendment, which was duly seconded by Mr M T Price, the following:

"Shropshire Council will work with Shrewsbury Town Council, Town Centre Retailers' and Traders to Promote and enhance the shopping offer in Shrewsbury and to increase the footfall.

A meeting is being arranged with all interested parties to explore all issues and options available to achieve the objectives above.

We have an established partnership – Destination Shrewsbury – which is a partnership of the Shop in the Loop, Chamber of Trade, Shrewsbury Tourism Association, Shrewsbury Town Council. This is chaired by Edward Goddard of Morris Leisure.

We already have this partnership of interested parties working to achieve these objectives.”

Seconding the motion, Mr M T Price expressed the view that the out of town sale of non-food goods was an issue that had to be addressed through the planning process. He considered that other issues to be examined in an effort to assist Shrewsbury town centre trade could include parking charges being paid on exiting car parks, Sunday charging rates, the Park and Ride hours of operation, town centre events being staged on Sundays, out of town businesses contributing to the town centre economy and exploring whether to seek Business Improvement District (BID) for the town centre.

Mr Mosley welcomed the clear commitment to engage with business and business organisations as he considered that businesses also needed to take action to enhance Shrewsbury’s reputation and visitor experience.

Mr Taylor-Smith indicated that income to the Council from parking charges in Shrewsbury had been reduced as a direct result of initiatives introduced to aid the town centre economy. He added that he understood that some shop holders were looking into reimbursing shoppers parking costs for purchases in their store.

Mr Bannerman considered that there was still an inconsistency in the application of parking charges and he sought an assurance that car parking would be included in the discussions with businesses and a consistent and clear charging strategy was formulated.

Mr Barrow stated that the existing parking charges had to remain to meet budget requirements. He indicated that he would be meeting the business community to work with them in partnership to assist the town centre economy. Best practice from elsewhere would be examined and ideas from businesses would be explored.

Mr Tandy indicated that he accepted the amendment.

On being put to the vote, the amendment was carried unanimously and it was

RESOLVED accordingly.

Speaker

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Date

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The meeting closed at 1.10 p.m.