



| <u>Committee and Date</u> |
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| COUNCIL                   |
| 15 December 2011          |

| <u>Item</u> |
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| <b>3</b>    |
| Public      |

## MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 24 NOVEMBER 2011  
AT 10.00 AM

PRESENT:

Mr P Adams  
Mrs B J Baker  
Mr A Bannerman  
Mr T Barker  
Mrs C A Barnes  
Mrs J B 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 A Durnell  
Mr D W Evans

Mr R A Evans  
Mr J B Gillow  
Mr N J Hartin  
Mrs E A Hartley  
Mr R Huffer  
Mrs T Huffer  
Mr R Hughes  
Mr J Hurst-Knight  
Dr J E Jones  
Mr S P A 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 Mullock  
Mrs E M Nicholls  
Mr P A Nutting  
Mr M J Owen JP  
Mr W M Parr

Mrs E A Parsons  
Mr M G Pate  
Mr M T Price  
Mr K Roberts  
Mrs D M Shineton  
Mr J Tandy  
Mr R Tindall  
Mr G F Tonkinson  
Mr A E Walpole  
Mr S J West  
Mr M Whiteman OBE  
Mrs C Wild  
Mr J M Williams  
Mr M L Wood  
Mrs T Woodward  
M P A D Wynn

## **64. APOLOGIES**

The Chief Executive reported apologies for absence had been received from Mr K R Barrow, Mr G L Dakin, Mr E J Everall, Mr J A Gibson, Mr V J Hunt, Mrs J Jones, Mr D W L Roberts, Mr M Taylor-Smith, Mrs R Taylor-Smith, Mr B B Williams RD and Mr L Winwood

## **65. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

- (a) Mrs T Woodward declared a personal interest in Item 12 (Community Infrastructure Levy Charging Schedule) as her husband worked in the construction industry and her sister worked in the development industry.
- (b) Mr A N Mosley declared a personal interest in Item 5 (Public Question Time) in respect of the petition as he was a member of the Ramblers Association.

## **66. MINUTES**

### **RESOLVED:**

That the minutes of the meeting held on 22 September 2011, as circulated with the agenda papers, be approved and signed as a correct record.

## **67. ANNOUNCEMENTS**

### **67.1 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 22 September 2011 which had been circulated at the meeting.

### **67.2 Video – Wenlock Olympic Heritage**

The Speaker referred to the role that the Council would now have with the route of the Olympic Torch on its journey through Shropshire and a short video on the Wenlock Olympic Heritage was shown.

### **67.3 Industrial Action – 30<sup>th</sup> November 2011**

The Chief Executive appraised Members of the contingency arrangements being prepared, including how emergency arrangements would be maintained, in respect of the forthcoming day of industrial

action on 30<sup>th</sup> November called by the trade unions in response to the governments changes to pension schemes. Guidance to managers would be issued shortly and Members would be provided with those details when available.

## **68. BISHOPS CASTLE ELECTORAL DIVISION**

The Chief Executive reported that Mrs Charlotte Ann Barnes had been elected as Councillor for the Bishop's Castle Electoral Division at the by-election held on Thursday, 29 September 2011.

## **69. PUBLIC QUESTION TIME**

The Speaker announced that Mr P Philips and Mrs H Lillington had given notice of their intention to ask questions in accordance with Procedural Rule 14.

- (a) Mr P Phillips asked the following question of the Deputy Portfolio Holder for Education and Skills:

### **1. Shropshire Youth**

There have been large cuts in the funding for Shropshire Youth this year. How many posts have been lost from 1st January 2011 to the present day through:

- Redundancies
- Voluntary severance from re-structuring
- Not filling vacancies

What do these reductions in posts amount to as a percentage of the establishment on 31st December 2010.

2. What steps is the Council taking in response to the government's discussion paper, "Positive For Youth"?

Mrs K Burgoyne replied as follows:

"1. Shropshire youth was split into 4 new teams in May 2011, in order to reshape more effective provision for young people locally. This question spans the period of change, during which time the composition of the service was rebalanced as part of these improvements and a move to give local people greater value for money. There has been no diminution of service.

These changes had the following effect:

|  |                |
|--|----------------|
| Compulsory Redundancies<br>(however, 5 were redeployed, 1 appeal was successful, so 8 (6 FTEs) in total) | 14 (10.4 FTEs) |
| Voluntary Severance  | 30 (21 FTEs)   |
| Ending of Fixed Term Contracts   | 3 (2.6 FTEs)   |

2. The Government, through the Department for Education, released a discussion paper in May 2011, entitled "A Vision for a Society that is Positive for Youth"; comment was invited from interested parties by 15<sup>th</sup> September 2011.

Shropshire Council is well placed to respond positively to the new cross-Government policy statement on services for young people, which will be published in the autumn. It has reshaped its integrated youth support service into 4 new teams, which have been placed in different parts of the council's new structure, to best respond to this developing policy agenda.

The third bullet point under supportive relationships in the vision:

- Encouraging community activities where young people can develop relationships with trusted adults, experience social mixing with their peers, and enjoy spending time with older people.

relates directly to the particular youth work activities delivered through the Positive Activities Team. This includes a significant investment in more extensive voluntary sector support and delivery. It is our ambition that a greater percentage of positive activities be delivered by the voluntary/not for profit sector, as their capacity grows, with help from our positive activities team over the coming years. This is in accordance with the policy of the Coalition Government.

The Government's discussion paper relates directly to young people aged 13 to 19. Shropshire Council has gone one step further in acknowledging that early intervention, social education and the development of self esteem needs to be developed earlier in the life of young people to be most effective. The Positive Activities team, therefore, work with 10 to 16 year olds, leaving the Information Advice & Guidance (IAG), Target Youth Support (TYS), and Engaging with Young People teams to concentrate on 13 to 19 year olds. All 4 teams work with disabled young people up to their 25<sup>th</sup> Birthday, to provide a comprehensive, high quality service."

Mr Phillips thanked Mrs Burgoyne for the response and by way of a supplementary question, asked for confirmation of the unfilled vacancies and what the reductions in posts amounted to as a percentage of the establishment on 31st December 2010.

In reply, Mrs Burgoyne indicated that the number of unfilled vacancies was nil and undertook to send Mr Phillips the remainder of the details he still required.

(b) In the absence of the second questioner, Mrs H Lillington, the Speaker put the following question to the Deputy Leader:

“1. From June 2005 to present date:

- How many employees, faced with redundancy or dismissal from their job with the Authority for any reason, have pursued legal redress through either Employment Tribunal or Civil Court action?
- How many of those cases have resulted in an out of court settlement with the Authority?
- Of these cases, how many out of court settlement agreements have included one or more confidentiality clauses or binding non-disclosure clauses or what is commonly known as a “gagging order”?
- In which year were these settlement agreements made?

2. From 31<sup>st</sup> March 2010 to the present date:

- How many employees who have left their job with the Authority, have had additional confidentiality clauses/binding non-disclosure clauses/gagging orders included in their settlement agreement above and beyond those non-disclosure commitments pertaining to the normal and reasonable confidentiality requirements of their job role?
- Have any such confidentiality clauses applied specifically to the settlement agreement rather than to the employee’s job role?
- Has the Authority made any discretionary payments associated with the agreement of such confidentiality clauses?

3. Why were the details of a former employee, the Director of Resources’ dismissal, including a severance payment of £115,000, not published in the Council’s Accounts or budgets?”

Mrs A Hartley replied as follows:

“On average, about 6 ex-employees a year bring ET claims as a consequence of their dismissal. A total of 30 ET claims, (including those from teachers in local schools) were lodged since June 2006, and this is not an unusual number. The reasons for dismissal will include misconduct, poor performance, and ill health, as well as redundancy. It is the right of any employee who is either dismissed (for whatever reason) or who is made redundant to pursue a claim before the civil courts, whether the claim has merit or not.

Unless the Authority pursues a case to a full hearing, settlement of a claim prior to this is based on an assessment of a number of risk factors. For example, that a Tribunal will find against the Authority as a consequence of how the evidence has been interpreted by the Tribunal; the potential financial risk of any award that could be ordered if the employee's claim succeeds; and the administration and legal costs to the Authority of disputing the claim even if it feels it has a good case and chance of successfully defending its actions. Many claims lack merit and are undertaken unreasonably by a disgruntled ex-employee and can result in unnecessary cost for the Authority. In total, 22 cases were settled 'out of court' by the Council, in the above period. Any consideration of early settlement takes all these factors into account.

It is quite wrong to refer to confidentiality agreements as 'gagging orders'. It is accepted employment practice that, where there is a dispute between an employer and employee, and both parties agree to a settlement of the proceedings without recourse to a full contested hearing, both parties will agree to terms and conditions of settlement which are beneficial to both parties. This often includes a 'non disclosure' clause for both parties not to discuss the terms of the agreement, to enable them to resolve disputes without any potential detriment to either party's reputation.

Settlement agreements are a common practice for all employers and are good employment practice. The Council uses such agreements to assist in maintaining good employer/employee relations, but only a handful of such agreements are completed every year- only four have been used in the past 18 months.

Any settlement agreement relies upon some form of consideration from both parties. However, there is no agreement that has been undertaken by the Council that specifically applies to any employee being offered any settlement money as a consequence of maintaining confidentiality.

It is an important point of fact that the particular ex-employee referred to was not dismissed from the Council's service, but rather was made redundant as a result of organisational restructuring to reduce costs. Accordingly, a redundancy payment was made in compliance with the Council's severance policy at that time.

As has already been publicly stated, the reference to a redundancy payment was not included in the Statement of Accounts presented to Council on 22 September, because we were waiting for advice from the Audit Commission about the need to do this. Subsequently, it was clarified that the redundancy figure should be included, so the final public version which was uploaded to our website on Friday 30 September had the figure included. The District Auditor has confirmed that there was nothing improper in the way this matter was reported. Indeed, the explanation is a simple one - as soon as the Council had clarified what the legal requirements on this were, the details were made publicly available (on our website), without delay. We simply had not been able to do this before the Council meeting on 22 September."

The Speaker advised that a petition bearing more than 1,000 signatures relating to the Rights of Way budget has been received from the Ramblers Association. Under the Council's Petition Scheme, the Ramblers Association would be given up to 5 minutes to open the debate by outlining their case, after which members would have 15 minutes to deliberate before the Portfolio Holder for Health and Wellbeing, Mr S Charmley, would reply.

He then invited Mr Rodney Whittaker, of the Ramblers Association, to open the debate during which he requested the Council to suspend any further planned cuts to the Rights of Way budget and, when financial conditions had improved, to restore the funding already cut. During the course of his address expressing concern at the impact of the budget reductions on the rights of way network and the wellbeing of Shropshire residents, Mr Whittaker asked the Council to undertake, with the Ramblers Association, a joint condition survey of the rights of way network in Shropshire to which the Ramblers Association would contribute up to £5,000 of the cost.

A number of members spoke in support of adequate funding being provided to ensure that the rights of way network was maintained and considered that the appropriate scrutiny committee should be asked to investigate measures to achieve this.

At the conclusion of the debate, the Portfolio Holder thanked the Ramblers Association for the work they had done with the Council and stressed the significant investment that had been made since 2004 in improving access to the Shropshire countryside and promoting Shropshire as a walking area. He considered that the rights of way network in Shropshire was in good condition and confirmed that due regard had already been taken of the Ramblers Association's views, as great efforts were being made to ensure that any savings achieved in the rights of way service would have no detrimental affect on the network, with priority being given to maintaining the most popular and well used routes.

It was proposed by Mrs H Kidd, and seconded by Mr A N Mosley that the reductions in the rights of way budget be referred to the appropriate scrutiny committee to investigate measures and ways of working with partners to both promote tourism across Shropshire and negate the impact of the budget reductions on the rights of way network.

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

It was then proposed by Mr S Charmley, and seconded by Mrs C Wild that no action be taken on the petition.

On being put to the vote, the motion that no action be taken on the petition was carried by a substantial majority.

## 70. QUESTIONS FROM MEMBERS

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

(a) Received from Mr T Clarke:

“What efforts were/are being made by this Council to persuade the Lord Chancellor’s Department to retain local County Court provision in Shropshire?”

Reported closure announcements now seem to leave Shropshire entirely un-provided for. Residents requiring access to the Civil Courts system will in future have to travel considerable distances “out of County” to pursue/defend their rights.

Will this Council lobby for the retention of our County Court and District Registry in Shrewsbury at least; perhaps co-located in the Magistrates building opposite Shirehall?”

The Deputy Leader, Mrs A Hartley replied:

“Shropshire Council previously considered this matter on 22 July 2010, when it resolved to raise concerns about the closure of Shropshire’s courts and the impact for Shropshire residents with the Ministry of Justice. This was in response to the Government’s public consultation on the future of the Court Service; which at that time proposed the closure of 103 magistrate’s courts and 54 county courts in England & Wales, in order to reduce costs.

As Members will be aware, courts at Market Drayton, Ludlow and Oswestry closed earlier this year. With effect from 30 September 2011, Shrewsbury County Court closed, with all work being processed at Telford County Court.

As a result of our lobbying, and that by others locally, Shropshire has been successful in retaining some County Court functions, which are co-located at Shrewsbury Magistrates Court. A District Judge hears cases at Shrewsbury Magistrates Court each week on a Wednesday, Thursday and Friday. It is likely that the weekly hearings will be reduced to two days a week from April 2012.

Clearly, there will be additional journey time and cost implications for Shropshire residents who are using the court service; particularly for those users who reside in the North and South of the County. However, consideration is being given to ways in which witnesses could give evidence by video links from local police stations, to avoid the need for travel to the court. There has also been some impact on local businesses in the market towns where court closures have taken place, but the scale of this is difficult to measure.



Shropshire has been successful in retaining some County Court provision, and we will continue to lobby to ensure that this provision remains at Shrewsbury Magistrates Court.”

Mr Clarke asked by way of a supplementary question whether an accessible County Court office would also be provided at the Magistrates Court building.

Replying, Mrs Hartley indicated that she would take this up and confirm the position with Mr Clarke.

(b) Received from Mr J M Williams:

“Shropshire Council is to be highly commended on achieving a recycling rate of 54%, well above the average for local authorities, but still some way short of some of the best performing councils who are achieving in the high 60% and some already as high as 75%.

However, what the domestic cardboard report reveals is that the Council and it’s contractor has fallen well short of best practice with regards to cardboard in continuing to compost cardboard when the majority of composting facilities produce a high quality product, thanks to advances in technology and equipment. So why does the problem of contamination only seem to be affecting two councils?! Have the other local authorities anticipated the problem or is it because Veolia facilities are not up to removing contaminants? At High Peak the solution is to recycle the cardboard with the paper.

And there is also the issue of why we are still composting cardboard in the first instance. In the report (4.3 and 5.4) it states that if 1,000 tonnes are diverted from composting into recycling the Council benefits from £50,000. And according to 4.3 they estimate we are composting 4,000 tonnes of cardboard/annum. If so for the last several years the council has been composting £200,000/annum, or is the 4,000 tonnes a gross UNDER estimate? At today’s prices (£95-£105/tonne) we are composting £400,000/year. So why does the report quote the price as £50/tonne – half what it has been throughout this year?

Are we therefore to conclude that the problem that is only very belatedly being addressed is only a problem for us and High Peak? Is this because we have not managed our waste in line with best practise for several years, as we seem to have been composting nearly £0.25m/annum?

Would the Council agree that pressure should be put onto Veolia to invest to provide the service that other commercial waste collectors provide for the retail trade and other commercial operators? Almost every authority in England moved away from Composting Cardboard a few years ago as the value of recycled cardboard rose. For years

Cardboard for recycling was worth £50/tonne, it dropped for a few months to £20/tonne on the spot market but has been over £100/tonne for most of 2011.

Does the Council agree that composting cardboard is costing the council substantial money and that our best course of action is for the Council to instruct Veolia not only to cease composting cardboard but to collect cardboard as a recyclable and process it in line with best practice, which is clearly commercially in the Council's interest and is certainly better environmentally."

The Portfolio Holder for Economic Growth and Prosperity, Mr M Owen replied:

"There are a series of questions here which I will answer sequentially.

Firstly, the inclusion of cardboard with garden waste for composting has provided a successful and popular service and, combined with our dry recycling collections, has resulted in achieving a 54% recycling & composting rate in Shropshire.

This approach was encouraged in the past to boost recycling and composting rates. It was deemed to be a cost effective and environmentally beneficial method of diverting cardboard from landfill. Best practice methods for waste management take into consideration the geography of the collection area. In a rural area such as Shropshire, where long distances are covered in the collection of waste, the collection of cardboard with compostable waste is a sensible option, spreading the collection task more evenly across the fleet, and enabling the use of compacting vehicles. Using composting as the main treatment method also reduces the distances which waste has to be transported, as the composting sites are within the county. It was also a simple system for residents to use.

It is not the case that only two councils have this problem. Under the new PAS 100 standards which have triggered changes in Shropshire and elsewhere, it will not be possible to compost general household cardboard anywhere in England and still meet the standard. With regard to removal of cardboard at composting facilities, this has been explored with the compost producers and was eliminated from further consideration, as it would have required major changes to the composting facilities that are being used at the moment and would have no guarantee of removing the cardboard, now deemed to be contamination. One of the companies at work locally already sorts at the facility, but were unable to meet the new standard on the trials they carried out, as it is difficult to remove cardboard from the green waste once it is wet.

Cardboard prices have reached a record high in 2011. However, those prices were only achieved after significant sorting and grading, which in itself is an expensive process. The current market value of mixed cardboard is an estimated £50 per tonne. This value is likely to fluctuate, depending on the quality and geographical location of the market, and is not the same price nationally

The material would also need to be separately collected. Other Councils have different systems of collection, where recyclates are separated by machine and hand in a factory environment, not on the kerbside as happens in Shropshire. The 4,000 tonnes quoted in the report is a best estimate of the total mixed cardboard collected with garden waste. So the potential income of £200,000 would be outweighed by having to provide additional vehicles and staff for collection of this material, added to sorting costs.

The changes to the PAS 100:2011 standard were only recently announced, and we have only recently been informed that the compost producers no longer accept cardboard. In the short time available, Shropshire Council and Veolia have been working together to explore whether there was a practical and affordable way to avoid making the change. That proved to be impossible to achieve, which is why we are now exploring other affordable methods of collecting cardboard. In the meantime, local residents are able to dispose of cardboard with their general waste, and are not inconvenienced by the change.

The national policies leading to this change have been implemented without consulting local authorities, who are the end users of the service, and the change has been brought in under an unnecessarily tight timescale. The Council and its contractor Veolia are seeking to identify sustainable ways of reintroducing cardboard into the recycling stream in a sustainable and cost-effective way. There are several alternative methods of doing this, all of which will require changes to the way that residents deal with cardboard, the use of our collection fleet, or possibly major changes to the number and type of vehicles used. For these reasons, the operational and financial implications of any alternative approach need careful consideration, rather than a knee-jerk reaction. “

Mr Williams asked by way of a supplementary question why action had not been taken earlier in the year in an effort to negate the costs involved in changing from composting cardboard to recycling cardboard. In addition, he sought confirmation that the recycling service was being designed to keep a control on costs with vehicle movements being minimised whilst seeking to maximise recycling.

Replying, Mr Owen indicated that the Council was not informed of the new PAS 100 standards until the end of June 2011 and the impact of such changes were unclear until September/October 2011. Therefore, there had been very little planning time available to respond to the

change and implement a long term alternative cost efficient method of recycling cardboard from the outset. Responding to Mr Williams' second point, Mr Owen confirmed that the Council worked very closely with its contractor to ensure that a cost efficient recycling service was delivered and this included minimising vehicle movements whilst maximising recycling, which in-turn reduced the environmental impact of the service.

## 71. YOUTH PARLIAMENT PRESENTATION

The Speaker welcomed three Members of Shropshire's Youth Parliament (MYP) who in turn introduced themselves. They were James Ellsmoor MYP, plus Deputies Kat Brooke and Will Coles. (Olivia Barber, MYP, sent her apologies, due to ill health). Leona Marsh from the Speak Out Group also helped out with the presentation.

A joint presentation was given by those present about their work and how they had been elected in the elections that took place in schools and colleges across Shropshire in December/January. Due to a heavy workload, it was explained that the MYP's and their Deputies were supported by a Speak Out Group (SOG); a group of young people feeding in their views to the MYP's on a monthly basis and highlighting issues of importance for young people.

This year, the MYP's, supported by SOG, had been involved in a variety of projects and events:

- Attending consultations about school reorganisation
- Working closely with the Police as a pilot group to help them engage better with young people.
- Young people like to engage with social media, so a new Shropshire Youth Facebook page had been created.
- West Midlands Regional meetings had been attended, where transport issues had been discussed.
- The national MYP Conference at Leeds University had been attended.
- Promotion of 'Hearing Unheard Voices' had been supported; improving facilities for young people in care.
- Roadshows had been organised to promote Local Democracy events and forthcoming MYP elections.
- Three very successful 'Question Time' events had been held across the county with local MP's, Councillors and Area Director's participating.
- On 4 November 2011 a national debate had been attended at the House of Commons, London
- A joint meeting had been held with Chris Childs and Telford MYP's about the 2012 Olympics
- A civil ceremony had been attended for the opening of the new youth centre Myplace in Oswestry.
- A meeting had been held with Cabinet to discuss young people's issues including the five UKYP national debate topics;

- Make Public Transport Cheaper, Better and Accessible for All
- No to Tuition Fees, Yes to Graduate Tax
- Zero Tolerance towards Bullying in Schools
- End Child Poverty
- A greener Future for Britain.

In summary, James Ellsmoor stressed that Members of the Youth Parliament were only too happy to help with anything that Members might want their perspective on at any time in the future, including organising events and providing materials. He reminded that to keep up to date with their news you could visit the website [www.shropshireyouth.com](http://www.shropshireyouth.com) or the Facebook page [facebook.com/shropshireyouth](https://www.facebook.com/shropshireyouth)

A Question and Answer session ensued. Offers to sit in on Briefing meetings in future were offered to the MYP's by both the Conservative Group and the Liberal Democrat Group, which were welcomed.

Mrs A Caesar-Homden thanked everyone for their excellent work. They were doing a great job and their input into the work on school reorganisation was much appreciated. She wished everyone well for the future.

Mr N J Hartin welcomed their input into the rural transport issue and thanked them for an informative presentation. Mrs P A Dee also congratulated everyone on their outstanding work and asked if they had enjoyed Democracy Week; did they feel it was worthwhile and did they get their questions answered? James Ellsmoor replied that yes they had received thorough answers from Members. They felt that they had been listened to and had received a lot of positive feedback.

In summary Mrs A Hartley thanked the Members of the Youth Parliament and Speak Out Group for an outstanding presentation. Their maturity had won the support, admiration and respect of councillors. She referred to the very productive meeting that had been held with Cabinet recently and stated that it was intended to diarise more meetings in the future. Finally, she asked what the young people thought of the new interactive style Council Plan document. The MYP's commented that they would like to see a specific reference within the document for Young People, aside from that, they were pleased to see something more interactive, stating that they felt the electronic format would be much more efficient and hopefully get more young people interested in the work of Shropshire Council.

## **72. REPORT OF THE PORTFOLIO HOLDER FOR ECONOMIC GROWTH AND PROSPERITY**

Mr M Owen, presented his report, a copy of which is attached to the signed minutes, on undertaking his responsibilities as Portfolio Holder for Economic Growth and Prosperity and invited questions from Members.

In highlighting activities in respect of enterprise and business, Mr M Owen emphasised that the occupancy of Council owned land and buildings was high; this year had seen the highest number of bids for external funding ever and market towns were going from strength to strength benefitting from the Council's revitalisation programme. In respect of the visitor economy, he drew attention to the promotion of Much Wenlock and Shropshire as a key priority and opportunity in connection with the London 2012 Olympic Games. In addition, he indicated that the museum development of the Shrewsbury Music Hall was progressing well. Referring to commissioning and procurement, Mr M Owen highlighted the procurement savings targets being met and the targets set for future years; the outsourcing of leisure centre facilities and the new cost effective highways contract that had been achieved. In respect of the environment, Mr M Owen referred to the introduction of kerbside plastic recycling; the opening of the Craven Arms Integrated Waste Management Facility; and the commencement of the long term agreement with Co-operative Funeral Services Ltd for the operation and management of the Council's Bereavement Services.

Responding to a question from Mrs M Shingleton, Mr M T Price indicated that discussions were being held with the developers of the Riverside site and residents on the relocation of the Riverside Medical Practice in Shrewsbury.

Mr A N Mosley requested that Members be provided with the details of the terms of the leisure centre procurement contracts. In response, Mr S Charmley undertook to share the details of the contracts with Mr Mosley.

Referring to the funding secured to provide super fast broadband in Shropshire, Mrs H Kidd stated that much of her Division could not access basic level broadband and asked the Portfolio Holder for a timeline on its provision throughout the rural area. Mr Owen undertook to provide the information in writing in due course.

Mr R Evans referred to the proposed re-tendering of the frozen meals service in 2012/13 and stated that if the specification for the service was proposed to be lowered or altered then the new specification should first be scrutinised by the Task and Finish Group for this. Responding, Mrs A Hartley assured Members that great care was taken in the provision of services to the elderly when trying to achieve best value. She added that Task and Finish Group had already contributed valuable work in looking at alternative services and did not anticipate that the group would need to be reconvened.

Referring to waste management services, Mrs E M Nicholls sought an assurance that disabled households would not be affected by the change to the end of lane refuse collection arrangements. In response, Mr J Hurst-Knight confirmed that assisted collections were provided to elderly and disabled persons that needed them on request.

On the visitor economy, Mr M Kenny asked about disabled access provision at the Shrewsbury Music Hall development. On the same service area,

Mrs B J Baker requested a breakdown between Shropshire and Telford and Wrekin of the £8.21M from Broadband Delivery UK for the provision of super fast broadband; asked where the £310,000 funding committed by the Shropshire Business Enterprise Board was coming from to support new start-up and existing businesses; and requested the provision of figures showing the increased attendances at Theatre Severn and the Old Market Hall in Shrewsbury. Referring to employment and skills Mr A N Mosley asked the Portfolio Holder for details of the total number of posts deleted from Shropshire Council's establishment and the number of posts lost across Shropshire due to the government's economic policies. Mr Owen undertook to provide the questioners with written answers in due course.

Referring to recycling targets, Mr J Tandy expressed concern that the amount of recycling achieved would decrease as cardboard was no longer being recycled, particularly with the change in service occurring in the lead-up to Christmas. Responding, Mr Owen reiterated the position he gave earlier in the meeting to state that due to the short notice of the changes to the PAS 100 standards there had been insufficient time to plan for and introduce affordable service changes required to maintain cardboard recycling. The Council and its contractor Veolia were now seeking to identify sustainable ways of reintroducing cardboard recycling in a cost-effective and consistent way across Shropshire.

**RESOLVED:**

That the contents of the report be received.

**73. ANNUAL REPORT OF THE ENTERPRISE AND GROWTH SCRUTINY COMMITTEE 2010/11**

The Chairman of the Enterprise and Growth Scrutiny Committee, Mr S Davenport, presented the report, a copy of which is attached to the signed minutes, on the work of the Enterprise and Growth Scrutiny Committee in 2010/11.

Mr S Davenport referred to the work completed by the Committee, the work currently being undertaken and the Committee's future work plans which were detailed in the report. He thanked Mrs Amanda Holyoak, the Scrutiny Committee Officer, for the invaluable assistance she had provided the Committee throughout the year.

Several Members welcomed many aspects of the work undertaken by the Committee. With reference to the Single Plot Exception Sites Policy, Mr S Davenport indicated to Dr J E Jones that the Task and Finish Group would be investigating concerns that the policy could provide loopholes for inappropriate development. Referring to the membership of that Task and Finish Group, Mr T Barker stated that it had been settled with the Group Leaders in accordance with the Council's political balance. However, all members were entitled to attend meetings and contribute to the deliberations.

On the Committee's prospective examination of employment land provision, Mrs M Shingleton expressed concern at the possible loss of employment land sites to housing. In response, Mr S Davenport encouraged Mrs M Shingleton to attend the Task and Finish Group once it was established to make her views known.

**RESOLVED:**

That the contents of the report be received.

**74. DRAFT SHROPSHIRE COUNCIL PLAN 2011 - 2013**

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

Mrs A Hartley stated that she would take up the views of the MYP's on the Council Plan, as outlined previously at Minute 71, with the Leader and Cabinet members. In seconding the recommendations, Mrs A Caesar-Homden emphasised how the interactive Plan document was an innovative way of presenting the Council's proposals that would help to engage young people.

Responding to points raised by Members, Mrs A Hartley considered that the Plan document helped to achieve the Council's aim of encouraging continual consultation with relevant stakeholders and communities in a targeted and meaningful way.

**RESOLVED:**

That the draft Shropshire Council Plan 2011-2013 be approved without amendment and be reviewed as part of the Council's corporate planning cycle.

**75. COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE**

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

Mr M T Price paid tribute to the work of the officers involved in formulating the Community Infrastructure Levy (CIL) policy and indicated that only one objection to the proposal had been received when it had been presented to Cabinet. He referred to a further representation received on the consultation process and his response thereon that had been circulated round the Council Chamber as follows:

"Legislation covering CIL consultation requirements is contained in the Planning Act 2008 and the CIL Regulations 2010 and 2011.



The CIL Charging Schedule has been through the necessary consultation as required by this legislation. This has been ratified by a Planning Inspector through a Public Hearing. The CIL would not have been found sound if these requirements had not been met.

The Codes of Practice referred to are not the legislative requirements for CIL consultation.

Whilst it is always unfortunate that individuals are unaware of proposals it is not possible to consult everyone. The Council has met the requirements of the legislation as set out briefly below. It has worked closely with the development industry, fully briefed Local Members and Parish and Town Councils, and given considerable coverage in the local press through the Shropshire Star, and in the professional media.

There is always potential for more and more consultation. The Council considers it has adopted a reasonable approach to CIL consultation balancing legislative requirements with costs, timescales, and progress. One of the aims of the consultation was to engage with those who will be most affected, namely the development industry. The Council is continuing to work with the development industry and other alerting individuals and organisations of the planned implementation of CIL from 1<sup>st</sup> January 2012.”

Mr N J Hartin considered there was a need for further consultations to be undertaken among the parishes in the evenings. Mr M T Price indicated that four further presentations were due to be held around Shropshire and he would look into whether further evening consultation meetings with the parishes could be accommodated.

In response to points raised by Mr P Nutting, Mr M T Price indicated that he would pay close attention to how CIL money should be distributed to town and parish councils and whether a mechanism for this needed to be developed. He also undertook to ensure that further discussions were held on the use of CIL money from the south west urban extension of Shrewsbury and how much of this would be allocated to the parish of Bicton.

Mr P Nutting requested that the effect of the CIL policy on small developers in the rural area be monitored and that a report be made to Council in 12 months time on how the scheme was operating in this respect and generally.

Responding to Mrs M Shingleton, Mr M T Price indicated that CIL moneys would be held by the Council to work with local neighbourhood plans with 90% of the net levy funds to be spent in the settlement in which the development occurred and 10% of the net levy funds to be spent on strategic infrastructure.

Mrs C Motley expressed concern that the levy rate for the rural area was likely to lead to the development of higher priced housing provision when there was a need for more affordable housing. Mr M T Price acknowledged

her concerns but considered the greater infrastructure costs associated with higher cost developments might temper such a possible trend.

**RESOLVED:**

- (a) That the CIL Charging Schedule, to become effective from 1<sup>st</sup> January 2012, be approved.
- (b) That authority be delegated to the Corporate Head of Strategic Planning, the Corporate Director of Places and the Area Directors to implement the Community Infrastructure Levy.

**76. TREASURY STRATEGY 2011/12 – MID YEAR REVIEW**

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

**RESOLVED:**

- (a) That the prudential indicators set out in paragraph 9.2 of the report by the Corporate Head of Finance and Commerce, which required revision due to the Housing Revenue Account reform, be approved
- (b) That the mid year position in respect of the Treasury Strategy as set out in the report be accepted.

**77. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2011**

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

Mr T Clarke indicated that, in respect of the Bayston Hill, Column and Sutton Division the number of electors at Bayston Hill Memorial Hall should read 2,545 and the number of electors at Mereside Community Hall should read 1,160.

Mrs T Woodward expressed her thanks to the Headteacher at Claverley Primary School for allowing the use of the school to be used as a polling station for all future elections in Claverley, instead of the local village hall which had now been deemed unsuitable for such purpose.

**RESOLVED:**

- (a) That the following changes be approved for implementation on or by 1st December 2011:

| <b>Division</b>               | <b>Proposed Changes</b>  |
|-------------------------------|--|
| Alverley and Claverley        | That Claverley Primary School replaces Claverley Village Hall as a polling station.  |
| Bridgnorth West and Tasley    | To move the polling district boundary to follow Westgate and Wenlock Road.   |
| Prees                         | That Fauls Village Hall replaces Lower Heath Primary School as a polling station.  |
| Bagley                        | That Bagley Sports and Social Club replaces Greenfields United Church Hall as a polling station<br><br>That the Elim Church replaces the Grange Centre as a polling station.   |
| Battlefield                   | That the Welti Fitness Centre replaces the Breakfast Club Room at Harlescott Junior School as a polling station.   |
| Castlefields and Ditherington | To correct the register with regard to Ditherington Road, Mount Pleasant Road and Rowena Terrace to enable them to vote at Ditherington Community Centre.  |
| Harlescott                    | That Mount Pleasant Primary School replaces the Grange Centre as a polling station.  |
| Monkmoor                      | To move electors living on Calder Close, Fairness Close, Fearn Drive, Frith Close, Galton Drive, Ledwych Close, Longbridge Close, Shaw Road, Tenbury Drive, Twyfords Way, Weald Drive and at 1 Upton Lane to vote at Forest Way Grouped Dwelling Scheme instead of Porchfield Grouped Dwelling Scheme. |
| Albrighton                    | That the Red House replaces Albrighton Table Tennis Club as a polling station for Albrighton North.  |
| Shifnal North                 | That Sheriffhales Village Hall replaces Sheriffhales Primary School as a polling station.  |

- (b) That Option 1 with regard to Cleeton St. Mary electors, which will require 53 Cleeton St. Mary electors to vote at Bitterley Village Hall in future at a possible increased cost of £420 for a by-election, be approved.

## **78. APPOINTMENTS TO COMMITTEES**

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

### **RESOLVED:**

That the appointment of Mrs C A Barnes to replace Mr N Hartin on the South Planning Committee; the appointment of Mrs H M Kidd to replace Mrs T Huffer as a Liberal Democrat Group substitute on the South Planning Committee; and the appointment of Mrs K D Calder to replace Mr J A Gibson on the Safe and Confident Communities Scrutiny Committee be confirmed.

## **79. GURKHA CAMPAIGN FOR PENSION PARITY**

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

### **RESOLVED:**

That this Council's support for the Gurkha campaign for pension parity be approved.

## **80. MOTIONS**

It was proposed by Mr R A Evans and seconded by Mr M T Price:

Council is asked to support the following statement being circulated and supported by many other Local Authorities, large and small:

"Shropshire Council supports efforts being made by Parish and Town Councils in ensuring they are fully consulted when any significant planning applications are received within their area.

In doing so we already positively encourage applicants to consult with Parish & Town Councils prior to submission of major planning applications and cases where a proposal might be locally significant.

Many applicants engage with this process as consultation and discussion provides them with useful feedback and helps them to shape schemes that respond to local issues.

In supporting this process we ask the current Minister at the Department of Communities and Local Government (Greg Clark MP) to make the following planning policy/guidance to apply to major/significant planning applications in the area of a Town or Parish Council:

1. That any applicant or representatives of any applicant who submits such an application that will have a significant effect on an area must, if requested by the Town or Parish Council attend a meeting of
  - (i) that Council to answer questions from elected councillors; and
  - (ii) a Town or Parish Meeting, should one be duly called, to answer questions from all electors.
2. That any applicant who submits such an application that will have a significant effect on an area must, if requested by the Town or Parish Council, or a Town Meeting, contribute to the cost of getting an independent assessment carried out as to how the proposed development will affect the sustainability of the local communities.”

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

**RESOLVED ACCORDINGLY.**

It was further proposed by Mr M T Price and seconded by Mr R A Evans that the Association of Local Councils be invited to support and jointly submit the motion with the Council.

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

**RESOLVED ACCORDINGLY.**

## **81. REPORTS OF THE WEST MERCIA POLICE AUTHORITY**

It was proposed by Mr M L Wood 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.

Mr M L Wood indicated that he would invite the new Chief Constable of West Mercia Police, Mr David Shaw, to the Council to welcome him and take part in a question and answer session with Members.

**RESOLVED:**

That the report be noted.

**82. REPORTS OF THE SHROPSHIRE AND WREKIN FIRE AUTHORITY**

It was proposed by Mr S J West and seconded by Mr J Hurst-Knight that the reports of the Shropshire and Wrekin Combined Fire Authority, copies of which are attached to the signed minutes, be received and agreed.

**RESOLVED:**

That the reports be noted.

Speaker

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Date

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The meeting closed at 1.10 p.m.