



Committee and Date
COUNCIL
3 May 2012

Item
5
Public

MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 23 FEBRUARY 2012
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 K R Barrow
Mr M Bennett
Mr W Benyon
Mr T H Biggins
Mr V Bushell JP
Mr G H L Butler
Mrs K D Calder
Mr S F Charmley
Mrs A M Chebsey
Mr J E Clarke
Mr G L Dakin
Mr S Davenport
Mr T Davies
Mrs P A Dee
Mr A Durnell
Mr D W Evans
Mr R A Evans
Mr E J Everall

Mr J A Gibson
Mr J B Gillow
Mr N J Hartin
Mrs E A Hartley
Mr R Huffer
Mrs T Huffer
Mr V J Hunt
Mr J Hurst-Knight
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 Minnerly
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 M G Pate
Mr M T Price

Mr D W L Roberts
Mr K Roberts
Mrs D M Shingleton
Mr J Tandy
Mr M Taylor-Smith
Mrs R Taylor-Smith
Mr G F Tonkinson
Mr A E Walpole
Mr S J West
Mr M Whiteman OBE
Mrs C Wild
Mr B B Williams RD
Mr J M Williams
Mr L Winwood
Mr M L Wood
Mrs T Woodward
M P A D Wynn

96. APOLOGIES

The Chief Executive reported apologies for absence had been received from Mr T Bebb, Mrs K Burgoyne, Mrs A J Caesar-Homden, Mr A B Davies, Mr R Hughes, Mr W M Parr, Mrs E A Parsons and Mr R Tindall.

97. DECLARATIONS OF INTEREST

The following declarations of interest were made:

- (a) Mrs B J Baker declared a personal and prejudicial interest in Item 10 (Financial Strategy 2012/13 to 2020/21, including Phase 3 Savings 2012/13 and 2013/14) as her husband was an employee of Shropshire Council.
- (b) Mr T Barker declared a personal interest in Item 12 (Treasury Strategy 2012/13) as a Director of Severnside Housing Association.
- (c) Mrs P A Dee declared a personal interest in Item 12 as a member of the Meres and Mosses Housing Association.
- (d) Mr R Evans declared personal interests in Item 5 (Public Question Time) as a member of the Shropshire Older Peoples Assembly, Item 12 as a member of Shropshire Rural Housing Association and item 19 (Motions) as a pension holder of a power company that was submitting a planning application for the provision of wind farms across the County.
- (e) Mr N J Hartin declared a personal interest in Item 10 in respect of the early year's foundation as his wife ran a playgroup.
- (f) Mrs H M Kidd declared a personal interest in Item 12 as a member of Shropshire Rural Housing Association.
- (g) Mr C J Mellings declared a personal and prejudicial interest in Item 10 as his wife was an employee of Shropshire Council.
- (h) Mrs E M Nicholls declared a personal interest in Item 19 as a member of the South Planning Committee in respect of the reference to wind farms.
- (i) Mr K Roberts declared a personal and prejudicial interest in Item 10 as his wife was an employee of Shropshire Council.
- (j) Mrs D M Shineton declared a personal interest in Item 12 as a member of Shropshire Rural Housing Association.
- (k) Mr B B Williams declared a personal interest in Item 12 as a member of the Meres and Mosses Housing Association.

98. MINUTES

RESOLVED:

That the minutes of the meeting held on 24th November 2011, as circulated with the agenda papers, be approved and signed as a correct record.

99. ANNOUNCEMENTS

99.1 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 15th December 2011 which had been circulated at the meeting.

99.2 New Years Honours List 2012

The Speaker reported that the following Shropshire residents had been awarded honours in the Queen's New Year's Honours List and advised that he would write to each one to congratulate them on their achievement.

Officers of the British Empire

Martyn CRIBB

City Challenge Adviser for the Black Country, for Services to Education.

Grenville JACKSON

Lately Deputy Director, Skills, Higher Education and Lifelong Learning, Welsh Assembly Government.

Professor Peter Charles Russell LATCHFORD

For services to Business and to the community in the West Midlands.

Members of the Order of the British Empire

Thomas Francis BAKER

Founder of the Hopton Castle Preservation Trust, for services to Heritage.

Ms Ruth Elizabeth EVANS

Chief Executive, Brewing and Beverage Industry Supplies Association, for services to Exports.

Cyril GITTINS

Estate Yard Foreman to the National Trust at Attingham Park, for services to Heritage.

Lawrence HOUGHTON

Senior Officer, Compliance and Technical Liaison Officer Bootle, HM Revenue and Customs.

Geoffrey Arthur VERNON

For services to Market Drayton Festival Centre, Shropshire.

99.3 Recent Bereavements

The Speaker reported with great sadness on the following recent bereavements:

Ted Sharpe – who died just before Christmas. He was a former County Councillor and Senior office holder in the Shrewsbury & Atcham Conservative Association.

Bill Jenkins (William Henry Jenkins) – who died suddenly on 22nd January aged 67 years. He was a former County Councillor, Oswestry Borough Councillor, Parish Councillor and Honorary Alderman of the County.

Mrs Pamela Coles – who died on 19th December, aged 71. She was a well known county figure and wife of former Chairman of Shropshire County Council, Major Adrian Coles MBE, TD.

Mr William (Bill) Parr (Senior) – who died at the weekend, he was a former Bridgnorth District Councillor and father of Councillor William Parr.

100. PUBLIC QUESTION TIME

The Speaker announced that Heather Osborne, the Chairman of the Shropshire Older Peoples Assembly, had given notice of her intention to ask questions in accordance with Procedural Rule 14.

- (a) In the absence of Heather Osborne, the Speaker put the following question to the Portfolio Holder for Health and Wellbeing:

“The Council has already voted to make savings of £500,000 from day care services over the next three years. At the last public Assembly meeting Stephen Chandler advised us that in future people will have a wider choice using personalized budgets and can choose other alternatives as well as day care. However, there may be many older people who would still wish to access day care with their personal budgets. What impact assessment has the Council carried out on the future sustainability of day care services, given the above reductions, to ensure that older people truly do have choice and can still access day care if they wish to?”

Mrs E A Hartley replied as follows:

“An equality impact assessment has been completed on the provision of block purchased day care and the provision of in house day care. There are no plans to close specific day centres. However, as people choose to use their personal budgets differently, it is probably inevitable that some day centres may not continue to operate in their current format. The choices of personal budget holders will shape demand and therefore provision of services. We have already observed a reduction in demand in some centres, as people identify other alternatives they prefer. We think the measures that we are taking to promote personalisation will enhance choice and the quality of the services that people receive.”

(b) In the absence of Heather Osborne, the Speaker put the following question to the Portfolio Holder for Health and Wellbeing:

“The Council also proposes to make substantial savings by reducing admissions to residential care. This will require significant investment in preventative services and services to support people to remain at home with support instead. What investment is the Council proposing to make into preventative services, assistive technology and support at home to ensure this saving is achievable?”

Mrs E A Hartley replied as follows:

“The Council has already restructured its assessment and eligibility service into long and short term care, with the focus in the short term team on enablement and promoting independence through intensive initial support. This is being delivered through existing budgets, with the aim of reducing or delaying admissions to residential care, which not only saves money but also supports individuals to remain living at home for longer. This approach will ensure that sufficient funds are available for those individuals who require a higher level of support.

The most significant change is the investment in and commissioning of a telephone alarm system which vulnerable people can access from within their own homes, a response service and the supply and fitting of assistive technology. Capital funding is available for this key investment in service improvement.

Finally, the recommissioned supporting people services and the development of community hubs around the County, will provide preventative support which will be available to all older people regardless of tenancy status.”

(c) In the absence of Heather Osborne, the Speaker put the following question to the Portfolio Holder for Health and Wellbeing:

“Finally given the current financial climate does the Council anticipate having to make any further savings from the adult social care budgets than those already proposed?”

Mrs E A Hartley replied as follows:

“There are no plans to make further savings from the Adult Social Care Budget within the period of this Financial Plan. However, given the uncertain national and international situation, it is not possible to give absolute guarantees in relation to any of the Council’s areas of spend in the longer term. But, the Council remains committed to protecting support for our most vulnerable residents, as a high priority.”

101. QUESTIONS FROM MEMBERS

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

(a) Received from Mr J E Clarke:

“Could the Leader/Portfolio Holder please give a full account of Shropshire Council’s use of the £20/30 million cash balances it inherited from the former Shrewsbury & Atcham Borough Council in April 2009?”

The Leader, Mr K Barrow replied:

“The General fund balance transferred from Shrewsbury and Atcham Borough Council was £2,078,000. Of this figure, £164,000 had been ringfenced to Town only activities and was, therefore, transferred to Shrewsbury Town Council. The remaining balance was used to partially fund redundancy costs necessary to deliver the savings relating to the formation of the Unitary Council, and was also used to offset a budgeted contribution from balances that had been supporting the base budget.

The new unitary Council also inherited £361,407 in earmarked reserves. Of this, £78,292 was again transferred to Shrewsbury Town Council, as it related to the Mayors Account and to the Market in Shrewsbury. The remaining reserves were earmarked for specific purposes by Shrewsbury and Atcham Borough Council and these were maintained by the unitary authority.

A usable capital receipts reserve of £16.3m was also inherited from Shrewsbury and Atcham Borough Council. Capital receipts are not allocated to particular scheme budgets and so this, in addition to other inherited balances from the old District Councils, has been used to fund Shropshire Council’s agreed capital programme since 2009.

This Council’s actions are normal in circumstances of local government reorganisation. The figure for SABC’s cash balances stated by Councillor Clarke covers both revenue and capital funding, but (at £30 million) is grossly exaggerated.”

By way of a supplementary question, Mr Clarke indicated that he understood that Shrewsbury and Atcham Borough Council had invested moneys to cover the running costs of Theatre Severn and asked why that had not been retained.

In reply, Mr Barrow advised that assets and investments had had to be disposed of as they were not as valuable as had been estimated but he would get this checked.

(b) Received from Mr J E Clarke:

“If the Council Tax collection rate again exceeds expectations will this authority now agree to share the surplus with all our Town and Parish Councils (pro-rata to their individual demand) as it does already with both the Fire and Police Authorities?”

The Leader, Mr K Barrow replied:

“In line with the legislative framework of the Statement of Recommended Practice (SORP) and the Local Authorities Funds Regulations 1992, the Collection Fund surplus/deficit distribution is only borne between Shropshire Council as the billing authority and its two major preceptors, West Mercia Police and Shropshire Fire Authority. We have no obligation or plans to distribute surplus to Local Councils, who can determine their own precept level without capping, and where the small amounts involved in each case would be outweighed by the administrative costs involved in such action.”

By way of a supplementary question, Mr Clarke asked that given the emphasis on close working with parish councils, would the Council now take action to rectify this.

In reply, Mr Barrow stated that the Council's position would remain.

(c) Received from Mrs H M Kidd:

“The Coalition Government has awarded Shropshire Council with £2.8million as a reward for house building. A number of local authorities are using this as a golden opportunity to invest the money in training (apprentiships) for the construction industry, helping to trigger more home building for local people, bringing old stock back into use and heating and insulation grants.

Could the Council outline their strategy (including a timescale) for using the new homes bonus to give the best outcome for Shropshire's people, please?

The Portfolio Holder for Strategic Planning, Mr M Price replied:

“Shropshire Council welcomes the scale of this funding, as recognition of our enabling approach to local planning. Decisions on how best to deploy this will be taken to keep the home building programme in Shropshire vibrant, to stimulate new sustainable growth, and to further

underpin our localism agenda. To this end, I am proposing a range of measures to both enhance the supply of housing and to support Flourishing Shropshire communities. These include:

- Working closely with the development industry to ensure an adequate supply of suitable developable land;
- Enabling, supporting and facilitating the work of the Homes and Communities Agency and our partner registered housing providers, to maximise their planned investment in Shropshire to meet our pressing need for additional affordable accommodation,(for instance supporting a new approach to Community Led Housing that we are jointly developing);
- Working with private sector landlords and owners of vacant property to ensure that we step up our efforts to reduce vacancy rates and bring more homes back into beneficial use;
- Providing focussed support to the Marches Local Enterprise Partnership to help marshal available resources and release further potential for growth that is sustainable and sensitive and which harnesses, rather than harms, our assets;
- Working with and rewarding communities for their efforts on bringing forward new Community Led Plans which facilitate growth in their towns and villages, thus supporting more sustainable places to live and work, thereby underpinning the conditions for growth that will benefit us all in Shropshire.

We are already developing sound governance arrangements for the management of the Community Infrastructure Levy, which seeks to bring Shropshire Councillors together with their communities on a regular basis to make key decisions about using resources in a way that is targeted to meeting local priorities. I envisage that the New Homes Bonus can make a significant contribution to this new and positive way of local working and will bring forward my proposals shortly.”

By way of a supplementary question, Mrs Kidd considered that the funding award presented an opportunity to boost the local economy and asked for a timeline of when the measures outlined would be delivered.

In reply, Mr Price asked Mrs Kidd if she would please refrain from sending details of her question to the Shropshire Star before he had the chance to respond. He stated that the money used to fund the general reserves was a case of needs must and this had been supported by the Auditor. In the next year the Council would be in a good position to support disability grants and significant funding would be available to assist in the areas raised. He undertook to share the details with Mrs Kidd once he had firm facts and figures.

(d) Received from Mr A N Mosley:

“Significant concerns are being expressed about the operation of our contract with Veolia including:

- last winter’s collections and communications,
- the withdrawal of the cardboard collection,
- arrangements for plastics,
- the cost of us subsidising Veolia’s planning appeal and
- the terms of the contract per se.

Therefore, does the Leader agree that an in depth scrutiny of the contract is necessary and hence, will he request that this is undertaken as soon as possible?”

The Leader, Mr K Barrow replied:

“Councillor Mosley might have expressed concern at these things, but clearly these are not shared by local residents in Shropshire, who continue to enjoy a high quality and good value service from our contractor.

In common with all our externally procured services, the contract with Veolia is being reviewed, to explore whether even better value is possible, as the public would expect in these difficult times.

1. Last winter’s collections and communications

The waste collection and disposal service ran very well during the exceptional and extreme winter weather conditions which severely disrupted kerbside waste and recycling collections across Shropshire and the rest of the country, between 21st December 2009 and January 13th 2010. A report on the service during the bad weather conditions was submitted to the Development Services Scrutiny Committee at the January 26th 2010 meeting. The outcome from this meeting was that there were no concerns regarding operations, but it was felt necessary to review how timely information was provided to residents and elected Members in such circumstances. A revised protocol was presented to the Protecting and Enhancing our Environment Scrutiny Committee on October 13th 2010. The protocol involved a clearer and simpler message to residents explaining how the service would operate in bad conditions and what action they should take. Last winter saw similar severe weather conditions, but complaints were significantly less and the revised plan was considered to be a major improvement. This highlights a clear case of improved service delivery through listening to local people and learning from previous experience.

2. The withdrawal of the cardboard collection

Members have already had very full explanations of this, and there is no need to go on fuelling the myth created by Local Labour Party Members that this is an issue of widespread concern for local people, which it is not.

The unexpected revision by the Government of the national quality standard for compost BSi PAS 100 prevented the collection of cardboard with garden waste in a large number of local council areas across the country. To mitigate against this national change, Veolia, working with Shropshire Council, introduced some 20 cardboard bring banks across the county, with the focus on Market Towns where possible. This interim arrangement for collection of cardboard will remain in place, whilst an affordable alternative solution to reintroduce kerbside recycling of cardboard is sought. A 6-month trial is being undertaken in the Whittington area and an interim progress report will be available within 3 months. Approximately 200 tonnes of cardboard have been collected from the cardboard banks since their introduction in December 2011.

3. Arrangements for plastics

A county wide introduction of kerbside plastic bottle collections commenced in Spring 2010 on a phased basis starting in Oswestry. The programme was completed in October 2011, with Bridgnorth being the final phase of this programme. This means that every household in Shropshire now receives a plastic bottle kerbside collection service. So, what is there to be concerned about, given this welcome service improvement.

4. The cost of us subsidising Veolia's planning appeal and

5. The terms of the contract per se.

Again, where is the evidence that this is a matter of widespread public concern? On September 27th 2007, Shropshire County Council, acting as contracting Authority for the Shropshire Waste Partnership, signed a 27 year waste PFI contract with VES. This arrangement remains a very good deal for local people.

This included the requirement for indemnification by the Council of Veolia's appeal costs in accordance with clause 10.4 of the contract in the event of the Council not approving the Waste Treatment Facility (WTF) planning application. The details of the costs of indemnification to Veolia are commercially sensitivity.

The Council and Veolia have in place a robust and professional working relationship and remain committed to the delivery of high quality and cost effective waste management services for the residents of Shropshire for a long time to come."

By way of a supplementary question, Mrs Mosley contended that residents were getting disillusioned with the Council's recent efforts on recycling and asked for confirmation on whether the operation of the contract with Veolia would be referred to scrutiny for further investigation.

In reply, Mr Barrow stated that it was considered that the Veolia contract was working well and it was for scrutiny to decide how it spent its time.

(e) Received from Mr C J Mellings:

“Following Ofsted's recent comments, what steps are being taken to support improvement in those 31 Shropshire schools identified as part of the 3000 "stuck" schools nationally?”

The Portfolio Holder for Education and Skills, Mrs C M A Motley replied:

“Twenty-nine primary and secondary schools in Shropshire have had two consecutive Ofsted judgements of satisfactory. The two most recent inspections for these schools have taken place between the summer term 2005 and January 2012 and have been conducted under three different inspection arrangements. Inspection judgements have therefore been made against changing criteria, with each new inspection framework increasing the expectations on schools. Schools which have improved significantly can therefore be judged satisfactory in successive inspections. A number of the schools are not “stuck” but have been improving at a significant rate.

Against this background of higher expectations of schools, 42 schools have maintained a judgement of good across two inspections and 29 have improved from satisfactory to good. Seventeen schools have maintained or improved to a judgement of outstanding. Eight new schools, created through amalgamation, have only had one inspection. The remaining 30 schools have either improved from inadequate to satisfactory or better, or have dropped a grade.

The LA's school performance monitoring policy involves bi-annual reviews of school performance and following these reviews schools are identified for additional levels of LA challenge and support. They may be offered additional School Improvement Adviser time and other support, for example through the LA's Education Improvement Service or a Local Leader of Education who is a headteacher from a high performing school. Action plans are put in place, with clear targets for improvement. An additional programme focussing on supporting a move from satisfactory to good has also been offered to a number of primary schools, and a programme to strengthen leadership and management has been offered to secondary schools.

Five schools which have remained in the satisfactory category were within the Council's school organisation statutory proposals, and three are undergoing closure.”

By way of a supplementary question, Mrs Mellings asked in what circumstances the national leaders would be used to support improvement in schools.

In reply, Mrs Motley indicated that the national leaders would be asked to intervene only if a school went into special measures.

102. REPORT OF THE INDEPENDENT REMUNERATION PANEL

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

Mr Barrow welcomed Mr Ciaran Martin, the Chairman of the Independent Remuneration Panel, to the meeting; thanked him for the hard work that the Panel undertook on behalf of the Council and asked that the Council's appreciation be conveyed to all Panel members.

Mr Bennett referred to paragraph 5.13 of the report and enquired about the level of detail that would be required from Deputy Portfolio Holders in maintaining a log of their activity.

In reply, Mr Martin indicated that he would be pleased to provide further advice if required.

In conclusion, the Speaker thanked Mr Martin for his attendance at the meeting.

RESOLVED:

- (a) That the following recommendations of the Independent Remuneration Panel on Members' Allowances for the 2012/13 financial year in respect of the Basic and Special Responsibility Allowances, as well as reimbursement of expenses for travel, subsistence and overnight accommodation be adopted:
 - (i) All members receive a Basic Allowance of £11,514 per annum, indexed to the NJC staff annual salary award, (which is likely to remain unchanged until 20 February 2013 at the earliest).
 - (ii) All Special Responsibility Allowances are based on multiples of the Basic Allowance and indexed to the NJC staff annual salary award.
 - (iii) No member receives more than one Special Responsibility Allowance.

- (iv) The Special Responsibility Allowances paid to the Deputy Portfolio Holders remain at 0.25 of the Basic Allowance but that their job description be reviewed to define more precisely the work each is expected to undertake and that they maintain a log of their activity for further consideration by the Panel in May/June 2012 in order that the level of any increase can be assessed and paid from the date of appointment.
 - (v) A Special Responsibility Allowance be paid to the Chairman of the Licensing Sub-Committee, subject to this role being combined with that of Vice-Chair of Strategic Licensing Committee in the interest of consistency, with the combined allowance being set at 0.25 of the Basic Allowance.
 - (vi) No further change be made to any of the other Special Responsibility Allowances at this time.
 - (vii) The mileage rate paid to members for "Approved Duties" be increased from 40p to 45p per mile with effect from 1 January 2012, to be paid retrospectively in April 2012, in line with the arrangement applied to staff.
 - (viii) No change be made to the other travel, subsistence and overnight allowances payable to members at this time.
 - (ix) No change be made to the level of the Co-optees' and Dependent Carers' allowances at this time.
- (b) That the following rule relating to the claiming of travel allowance for approved duties be reaffirmed:

"Any duty undertaken in connection with the discharge of the functions of the Council by virtue of holding the office of Councillor, or co-optee or Appointed Member."

103. INCOME REVIEW

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

RESOLVED:

- (a) That the breakdown of the total income for 2011/12 and in particular that the Council only has discretion over the setting of charges for £19.225m of the £83.780m of income derived from Fees and Charges be noted
- (b) That the freeze of car park charges for 2012/13 at 2011/12 levels to assist local retailers as part of a wider economic growth strategy be approved

- (c) That the charges for 2012/13, updated as necessary and detailed in Appendix 2 to the report, be implemented as soon as possible but no later than 1 April 2012, recognising that managers have proposed varying policies for 2012/13 fees and charges ranging from a freeze in certain areas to above inflation level increases in others, based on the nature of the service, market forces, customer reaction and competition from other providers as well as the state of the economy, be approved.

104. REPORT ON THE SCRUTINY OF THE FINANCIAL STRATEGY 2012/13 TO 2020/21, INCLUDING PHASE 3 BUDGET SAVINGS 2012/2013 AND 2013/14

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

Mr Barker expressed disappointment that there had not been a higher number of Members in attendance at the scrutiny sessions and referred to the appendices to the report which set the key areas raised at the meetings.

Mrs Taylor-Smith stated that the scrutiny sessions had provided a very useful update for Members on the Council's financial position with valuable contributions from senior managers.

Mr Hartin also expressed disappointment at the Members low attendance and he felt that the scrutiny sessions had been truncated by the star chamber process leaving Members with insufficient time to get clear answers in some areas.

Mrs Woodward took a contrary view to Mr Hartin and considered that the manner in which the process had been conducted had allowed Members to get all the answers they wanted from the questions they raised. She thanked all the officers who attended for their valuable input.

Mr R Evans thanked Mr Barker for the arrangements he had made for Members to scrutinise the proposed budget savings but considered that the repercussions of the proposals needed to be covered in greater detail than the process had allowed.

RESOLVED:

That the contents of the report be noted.

105. FINANCIAL STRATEGY 2012/13 TO 2020/21, INCLUDING PHASE 3 SAVINGS 2012/13 AND 2013/14

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

The Leader, Mr K R Barrow, stated that all the savings that had to be found in the four year time span from 2011/12 had now been achieved and congratulated the Chief Executive and his staff for succeeding in meeting the requirement. He indicated that in transformation the Council had lost a very low number of jobs compared with other local authorities across the country and most of the cost of redundancies incurred had been recovered through savings in year 1. Furthermore, he stressed that if the Council had taken money out of the transformation budget as the Liberal Democrat Group had wished and had not reduced the Council's establishment, which the Labour Group was against, then the Council would have been £9m worse off at this point.

Mr N J Hartin proposed the following amendment which was duly seconded by Mr R Evans.

"Change the recommendations on page 2 of the report as below:

Recommendation 2.2 – add after 'at' – Appendix 4, but reducing the Learning and Skills Transport saving from £0.400m to £0.125m over two years, funded by reducing the base budget contribution to reserves of £0.909m by corresponding amounts over two years, (£100k in 2012/13 + £175k in 2013/14).

Recommendation 2.3 – add after 'report' – subject to amendments in recommendation 2.2 above.

Recommendation 2.5 – add after 'to deliver'

1. An additional £275k into the transformation programme in 2012/13.
2. £300k to reinstate concessionary fares for Park and Ride schemes and pre and post 9.30am travel elsewhere.
3. £100k to increase the Capital Speed Management Budget for 2012/13
4. £75k to increase street cleaning capacity (Environmental Maintenance) for a super clean 'Flying Squad' project for 2012/13
5. £100k to double enabling grant to Voluntary and Community Sector Assembly for 2012/13.

Recommendation 2.7 – add after 2.2 – as amended.

All other recommendations remain as printed"

Mr Hartin stated that the Liberal Democrat Group was disappointed at the lack of clarity and detail accompanying the budget proposals. The budget book would be available in good time so the public could decide how well the money was being spent. He explained that his Group had worked with the officers to identify ways of using the money for the benefit of under pressure Shropshire residents and could not see why the Administration could not have done the same. In addition, he stated that his Group also wished to increase the funding available to the voluntary sector to better enable partnership working between the Council and voluntary organisations.

Referring to the proposals in the amendment to reinstate concessions for post 16 travel for sixth form and full time education students, Mr S P A Jones emphasised that the Council was charging the least of all neighbouring authorities for post 16 travel passes.

Referring to the proposals in the amendment to double the grant to the Voluntary and Community Sector Assembly, Mr G H L Butler considered this to be a waste of public money in an attempt to be populist bearing in mind the progress already made by the Assembly and its achievements.

Mr P Nutting and Mr K Roberts considered that the street cleansing service in Shrewsbury was working excellently and there was no need to spend more money on funding a super clean 'Flying Squad'.

Several Members, including Mr Bennett, Mr Nutting, Mr K. Roberts, Mrs D M Shingleton and Mr B. Williams, expressed concern that the amendment proposed to reduce the amount of money to be put into the Council's reserves, which needed to be built up. In addition, concern was expressed that certain proposals were unsustainable as there was doubt whether they could be repeated after 2012/13.

Mrs H M Kidd stated that the charges for post 16 travel passes were a huge concern for those in rural areas reliant on public transport and implored the Administration to reconsider funding concessions to avert the adverse impact on attendance at Sixth Form College and access to further education.

Mr R Evans stated that the number of children entering post 16 education was falling due to the cost of travel and many were now unable to attend Sixth Form College in Shrewsbury. Of the proposals in the amendment, he emphasised that £800,000 would still be going into the Council's reserves and £250,000 would still be going into the transformation budget.

Referring to the proposals in the amendment to reinstate concessionary fares for pre and post 9.30am travel, Mrs D M Shingleton suggested that an approach to the Hospital Trust on funding the use of travel passes on routes to hospitals should be explored.

Mr A N Mosley stated that implications of the proposals in the amendment could have been considered if they had been discussed as part of the scrutiny budget process. He did not feel that the proposals in the amendment would address the areas of budget reductions from which the residents of Shropshire would suffer most, but would support the amendment as it offered some respite.

Mr M Taylor-Smith stressed that for every £1 put into the transformation budget £2 to £44 was generated. Therefore, it was imperative that the transformation budget was maintained.

On being put to the vote the amendment was lost, with 18 Members voting in favour and a large majority of Members voting against.

In speaking to the proposition, Mr Mosley expressed the view that the Government's spending review under which the Council had to make budget reductions was damaging local services and was largely ideologically based and designed to destroy local government and the welfare state. He considered that the Council had become one of the biggest causes of the economic decline in the County, bearing in mind the amount of wages and investment that had been withdrawn. He stated that the Council was now becoming merely a contract awarding organisation for services it used to manage to be now run by external providers. In conclusion, he contended that private business did not always know best about delivering public services and the budget was a further blow to public services in Shropshire.

Mr Hartin indicated that he would not be supporting the proposition.

In response, several Members of the Administration, including Mr Barker, Mr Bennett, Mr Overall, Mr B Williams and Mrs Woodward, stressed that everything possible was being done in the difficult economic climate at this time, including working with the voluntary and private sector, to ensure that council services were protected for the people of Shropshire and not destroyed. The Administration had recognised and was adapting to the changing times and circumstances and with the need to respond responsibly to the current financial pressures would continue to explore new ways of delivering a balanced budget.

The Leader, Mr K R Barrow, stated that posts and not people had had to go unlike at Labour controlled local authorities. He stressed that the Administration had no wish to take wages out of the Shropshire economy and did not consider that it had. In respect of the Council's reserves, he stated that these needed to be built up correctly and it would be irresponsible not to do so. In conclusion, he emphasised how the Administration had achieved savings of £87m in the Council's budget and in the future would be delivering better services for less money.

On being put to the vote, the proposition was carried by a large majority of Members, with 19 members voting against.

RESOLVED:

- (a) That the Council Tax Freeze Grant for 2012/13 totalling £3.225m, on the basis that Council Tax levied by Shropshire Council will be frozen for 2012/13, be approved.
- (b) That the Phase 3 savings for 2012/13 identified in Appendix 4 to the report be approved.
- (c) That where the implementation of Phase 3 savings extends beyond 1 April 2012, the delivery of additional savings in future years as detailed in the report be approved.
- (d) That the adjustment of the 2012/13 budget by £1.210m and the 2013/14 budget by £1.500m to reflect issues identified by the Star Chamber process, as set out in paragraph 5.3.5 of the report, be approved.

- (e) That the allocation of the one off resource of £0.850m identified for 2012/13, as a result of the estimated collection fund outturn, to provide additional resources to deliver the transformation programme in 2012/13 be approved.
- (f) That the 2012/13 gross and net budget for the Council as set out in Table 1 of the report, noting that service budgets within this cash limit will be set out in the Council's Revenue and Capital budget book which will be published by 31 March 2012, be approved.
- (g) That the application of the savings in (b) above, plus savings already agreed by the Council on 22 September 2011 and 15 December 2011, to produce a balanced budget for 2012/13 be approved.
- (h) That the Statement of Chief Financial Officer on the Adequacy of Provisions and Reserves 2011-2014 as set out in Appendix 5 to the report, noting the council's projected general fund balances over this period, be approved.
- (i) That the Statement of Chief Financial Officer on the Robustness of Estimates 2011-2014 as set out in Appendix 6 to the report be approved.
- (j) That the Pay and Reward Policy for all Council staff for 2012/13 as set out in Appendix 7 to the report be approved.

106. CAPITAL STRATEGY 2012/13 TO 2015/16

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

RESOLVED:

- (a) That the revised capital programme of £69.5m in 2012/13, as set out in Appendix 2 to the report, be approved.
- (b) That the revised provisional capital programmes of £42.8m for 2013/14, £32.1m for 2014/15 and £1.7m for 2015/16, as set out in Appendix 2 to the report, be approved.
- (c) That, in accordance with the regulations, a Capital Allowance of £1 million for 2012/13, to enable the Council to retain in full, capital receipts received from the disposal of Housing Revenue Account (HRA) assets, excluding Right to Buy sales, with the capital receipts from such sales being reserved for expenditure on the Council's housing stock, be approved.

107. TREASURY STRATEGY 2012/13

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

RESOLVED:

- (a) That the Treasury Strategy for 2012/13 be approved.
- (b) That the Prudential Indicators, set out in Appendix 1 to the report, in accordance with the Local Government Act 2003, be approved.
- (c) That the Investment Strategy, set out in Appendix 2 to the report, in accordance with the DCLG Guidance on Local Government Investments, be approved.
- (d) That the Minimum Revenue Provision (MRP) Policy Statement, set out in Appendix 3 to the report, be approved.
- (e) That the Treasury Policy Statement, with the adoption of the four clauses set out in Appendix 4 to the report, be approved.
- (f) That the Section 151 Officer be authorised to exercise the borrowing powers contained in Section 3 of the Local Government Act 2003 and to manage the Council's debt portfolio in accordance with the Treasury Strategy.
- (g) That the Section 151 Officer be authorised to use Foreign Banks which meet Sector's creditworthiness policy and Money Market Funds again if required when money markets stabilise.
- (h) That the Council note the proposed Prudential Indicators would enable the Authority to use the equivalent of up to 3% of Council Tax in 2012/13 or future years, to fund borrowing under the Prudential Code should the Council decide to do so.

108. COUNCIL TAX RESOLUTION

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

Mr Barrow advised that the report detailed the budget requirement for 2012/13 and set out the council tax precept to be levied. This year council tax payers would once again see a 0% rise in the precept from the Council.

RESOLVED:

- (a) That a 0% Council Tax rise be approved resulting in a basic amount of council tax for a Band D property in each of the former District Council areas as follows:

	2012/13 Band D £	2012/13 Annual Increase %
Former Bridgnorth DC	1,164.72	0.00
Former North Shropshire DC	1,164.72	0.00
Former Oswestry BC	1,216.58	0.00
Former Shrewsbury & Atcham BC	1,164.72	0.00
Former South Shropshire DC	1,216.62	0.00

Calculated in accordance with the provisions of the Local Government Finance Act 1992 (section 44) and the Local Government (Structural Changes) (Further Financial Provisions and Amendment) Regulation 2008.

- (b) That in accordance with the provisions of Section 40 (2) of the 1992 Act, the amount of Council Tax calculated for each category of dwelling in each billing authority's area be as follows:

Property Band	Former BDC, NSDC & SABC		
	2012/13 Charge £	Annual Increase £	Weekly Increase £
A	776.48	0.00	0.00
B	905.89	0.00	0.00
C	1,035.31	0.00	0.00
D	1,164.72	0.00	0.00
E	1,423.55	0.00	0.00
F	1,682.37	0.00	0.00
G	1,941.20	0.00	0.00
H	2,329.44	0.00	0.00

Property Band	Former OBC		
	2012/13 Charge £	Annual Increase £	Weekly Increase £
A	811.05	0.00	0.00
B	946.23	0.00	0.00
C	1,081.40	0.00	0.00
D	1,216.58	0.00	0.00
E	1,486.93	0.00	0.00
F	1,757.28	0.00	0.00
G	2,027.63	0.00	0.00
H	2,433.16	0.00	0.00

Property Band	Former SSDC		
	2012/13 Charge £	Annual Increase £	Weekly Increase £
A	811.08	0.00	0.00
B	946.26	0.00	0.00
C	1,081.44	0.00	0.00
D	1,216.62	0.00	0.00
E	1,486.98	0.00	0.00
F	1,757.34	0.00	0.00
G	2,027.70	0.00	0.00
H	2,433.24	0.00	0.00

- (c) That a total precept of £129,727,877 be approved.
- (d) That the formal council tax resolution as set out in Appendix 1 to determine the levels of Council Tax for Shropshire Council for 2012/13 be approved.

109. HOUSING REVENUE ACCOUNT RENT LEVEL 2012/13

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

Mrs Nicholls expressed concern about residents of sheltered housing accommodation being issued with only two door keys, which could not be copied at high street key cutters due to restrictions. She asked if they could be issued with additional keys, if they wished, for the same amount it would have cost them to have cut on the high street.

Mr Price undertook to look into the request and respond to Mrs Nicholls in due course.

RESOLVED:

That the housing rents for 2012/13 be increased in line with the Government recommended formula rent which will result in an average increase of 7.9%.

110. COMMUNITY GOVERNANCE REVIEWS

It was proposed by the Speaker, Mr D G Lloyd and seconded by Mr M Whiteman that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

RESOLVED:

- (a) That the recommendations of the Community Governance Working Party in respect of Oswestry, specified in Section 2 of Appendix 1 to the Report of the Democratic Services and Elections Manager be adopted, and consent be sought from the Local Government Boundary Committee for England to make the Reorganisation Order.
- (b) That the recommendations of the Community Governance Working Party in respect of Tasley, specified in Section 2 of Appendix 3 to the Report of the Democratic Services and Elections Manager be adopted.

111. LOCALISM ACT 2011 – THE AMENDED STANDARDS REGIME

It was proposed by the Leader, Mr K R Barrow, and seconded by Mr G H L Butler that the report, a copy of which is attached to the signed minutes, be received and agreed.

RESOLVED:

- (a) That the Council with effect from the relevant commencement date establish a Standards Committee comprising 7 elected members of the Council, appointed proportionally and comprising 4 Conservative, 2 Liberal Democrat, 1 Labour and 1 Independent Members.
- (b) That meetings of the Standards Committee be held as required to consider matters referred to it by the Monitoring Officer.
- (c) That the Monitoring Officer present to Council for adoption a draft Code of Conduct.

- (d) That, when the Disclosable Pecuniary Interests (DPI's) Regulations are published, the Monitoring Officer, after consultation with the Group Leaders, add to that draft Code provisions which she considers to be appropriate for the registration and disclosure of interests other than DPI's.
- (e) That the following "arrangements" be approved:
1. That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct for Shropshire Members and the Code for all Town and Parish Members;
 2. That the Monitoring Officer be given delegated power, after consultation with the Independent Person where necessary, to determine whether a complaint merits formal investigation and to arrange such investigation. She be instructed to seek resolution of complaints without formal investigation wherever practicable, and that she be given discretion to refer decisions on investigation to the Standards Committee where he feels that it is inappropriate for her to take the decision;
 3. Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be instructed to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person;
 4. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer after consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases. Where such local resolution is not appropriate or not possible, she is to report the investigation findings to the Standards Committee (in relation to Shropshire Councillors) or the Town/Parish Council to consider;
 5. That Council delegate to the Standards Committee such of its powers as can be delegated to take decisions in respect of a member of Shropshire Council who is found on hearing to have failed to comply with the Code of Conduct, such actions to include:
 - Recommending to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
 - Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;

- Instructing the Monitoring Officer to arrange training for the member;
 - Removing from all outside appointments to which he/she has been appointed or nominated by the authority;
 - Excluding the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
 - Censure of the Member with or without a notice being required to be placed in the press.
- (f) That the Monitoring Officer advertise and arrange for the appointment of an Independent Person.
- (g) That the Monitoring Officer prepare and maintain a new register of members interests to comply with the requirements of the Act and of the Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act.
- (h) That the Monitoring Officer ensure that all members of Shropshire Council are informed of their duty to register interests.
- (i) That the Monitoring Officer prepare and maintain new registers of members' interests for each Parish Council to comply with the Act and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act.
- (j) That the Monitoring Officer arrange to inform Parish Clerks on the new registration arrangements.
- (k) The Monitoring Officer include in the Code of conduct a requirement that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which he/she has a DPI, except where he is permitted to remain as a result of the grant of a dispensation.
- (l) That Council delegate the power to grant dispensations:
1. on Grounds set out in Paragraphs 10.2.1 and 10.2.4 of this report to the Monitoring Officer with an appeal to Standards Committee, and
 2. on Grounds set out in Paragraphs 10.2.2, 10.2.3 and 10.2.5 of this report to the Standards Committee.

112. ARRANGEMENTS FOR THE APPOINTMENT OF PROPER OFFICERS

It was proposed by Mr S F Charmley, and seconded by the Leader, Mr K R Barrow that the report, a copy of which is attached to the signed minutes, be received and agreed.

RESOLVED:

- (a) That the Council delegates powers to the Group Manager Public Protection and Enforcement to appoint Proper Officers under the Public Health (Control of Disease) Act 1984 and supporting regulations.
- (b) That the Council's Constitution be amended to include:
 - Public Health (Control of Disease) Act 1984 as amended
 - Health Protection (Notification) Regulations 2010
 - Health Protection (Local Authority Powers) Regulations 2010 and
 - Health Protection (Part 2A Orders) Regulations 2010in the schedule of Public Protection legislation.

113. QUESTIONS ON NOTICE AT FULL COUNCIL

It was proposed by the Leader, Mr K R Barrow, seconded by Mrs C Wild and

RESOLVED:

That Council Procedure Rule 15.2 be amended to add provision for deputy portfolio holders to respond to questions from members.

114. MOTIONS

It was proposed by Mr J M W Kenny and seconded by Mr N J Hartin:

“To: Ed Davey MP, Secretary of State for Energy and Climate Change

Shropshire Council notes that on 9 February the Dept of Energy and Climate Change (DECC) delivered its response to phase I of the comprehensive feed-in tariff review, and published plans for phase II – including details of a potential ‘community tariff’ and a framework for bringing tariffs down in the future.

This Council also notes that on 25 January the Court of Appeal confirmed the High Court's previous ruling that last year's announcement to cut the feed-in tariff for solar panels 11 days before the consultation closed was unlawful. They have also refused permission to appeal.

Shropshire Council asks that you urgently act to put the solar PV industry on a stable footing, support green jobs, and help more people to reduce energy bills by tapping in to green energy.

The Government's mishandling of the feed-in tariff (FIT) review has severely impacted solar projects in many local authority areas. The rushed nature of the review, combined with proposals to further reduce support for 'multi-roof' projects, has led to countless solar projects being shelved that would otherwise have brought reduced energy bills to social housing, schools and council offices.

Current plans for prohibitive restrictions on collective projects and harsh energy efficiency requirements could reduce the levels of solar deployment to as little as 10% of its current size and will – according to the Government's own impact assessment – reverse the success of one of the good-news stories of the last 18 months where, as well as helping to reduce carbon emissions and move to a more decentralised energy system, the success of the feed-in tariff has generated 30,000 jobs and helped reduce consumer fuel bills - particularly important in rural areas such as Shropshire where many communities don't have alternative fuel supplies such as Gas available.

That means up to 29,000 people nationally & many locally could lose their jobs when, if handled properly, our green economy could be thriving.

The Government now has an opportunity to protect jobs and put solar on a stable footing.

Please use your new post to act urgently to:

- Accept the rulings of the High Court and the Court of Appeal, and focus on putting solar on a sustainable footing.
- Remove prohibitive restrictions that prevent collective not for profit projects, such as social housing projects, and community projects such as panels on village halls, from going forward.
- Call for a lifting of the Treasury cap – top up the budget using taxes already generated by solar jobs and VAT receipts from solar panel installations.
- Consult on a stable policy framework to support growth in the industry while allowing tariff rates to be reduced in a planned fashion as the costs of solar fall.”

Speaking to the motion, Mr Kenny expressed the view that renewable energy was important for the provision of power to households in the future and any restrictions on this would be damaging, particularly as the use of fossil fuels in households would have to reduce.

The motion was formally seconded by Mr N J Hartin.

Mr T Barker proposed by way of amendment, which was duly seconded by Mrs C M A Motley, the following:

“Shropshire Council notes the Department of Energy and Climate Change (DECC) response to Phase 1 of the comprehensive Feed In Tariff (FITS) review and its published plans for Phase II. It also notes the various rulings of

the Courts surrounding the Government's announcement of its intention to cut the FITS for solar PV.

Whilst recognising the need to amend tariff rates and qualifying criteria as markets develop, Shropshire Council urges the Secretary of State for Energy and Climate Change to:

- Urgently confirm continued Government support for green energy in all its forms and especially those more underutilised technologies such as anaerobic digestion, wood fuel, hydro, wave and tidal power. In particular there is an opportunity to move subsidies away from larger scale, more mature technologies which currently benefit from generous FITS subsidy to encourage greater adoption of smaller scale or underutilised ones particularly where energy generated is used close to the source and no transport costs or costs to the environment are incurred.
- Include local authority buildings alongside social housing projects in the proposed exemption to the reduced solar PV FITS tariffs for multi-installation organisations.
- To include agricultural buildings and non-domestic local authority buildings from the solar PV FITS tariffs requirements to meet Energy Performance Certificate Level D.

It is clear that underutilised and emerging green technologies have the potential to change the energy economy in this country for good and continued targeted investment in them is of paramount importance. This will reduce reliance on carbon based fuels, ensure a vibrant growth industry can continue to be stimulated and, in the longer term, bring down energy costs to both householders and businesses alike.”

Mr Barrow queried whether the condemnation of inland wind farms should be included in the proposition as government subsidy assisted in their provision.

Mr B. Williams indicated that he too was not a supporter of the provision of wind turbines in inland areas in view of their impact on rural landscapes.

Mr Hartin acknowledged that the proposed amendment addressed wider issues, however he expressed disappointment that it had not been put forward as an adjunct to the original motion as this had sought to address concerns for individuals and businesses in the County.

Mr Walpole indicated his support for the amendment as he considered it important to draw attention to further energy technologies and the need to utilise energy at the point it was generated.

Mrs Motley considered that the amendment sought to give early influence on the new Secretary of State for Energy and Climate Change in respect of addressing underutilised energy technologies.

Mr Kenny considered that the amendment needed to be strengthened by imploring the Secretary of State for Energy and Climate Change to take the High Court ruling into account.

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

RESOLVED ACCORDINGLY.

115. REPORT 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 had received a question from Mr R A Evans and confirmed that he had spoken with him prior to the meeting and he was satisfied with the response he had been given.

Mr J M W Kenny sought confirmation of the Government's support and funding for Community Support Officers. In reply, Mr M L Wood indicated that the Chief Constable intended to replace any Community Support Officers that left and recruitment was continuing to fill vacancies that occurred.

RESOLVED:

That the report be noted.

116. REPORT OF THE SHROPSHIRE AND WREKIN FIRE AUTHORITY

It was proposed by Mr S J West and seconded by Mr J Hurst-Knight that the report of the Shropshire and Wrekin Fire Authority, a copy of which is attached to the signed minutes, be received and agreed.

RESOLVED:

That the report be noted.

Speaker

.....

Date

.....

The meeting closed at 1.50 p.m.