



## Committee and Date

Council

22 September 2016

## COUNCIL

### **Minutes of the meeting held on 21 July 2016**

**In the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND**

**10.00 am - 3.00 pm**

**Responsible Officer:** Karen Nixon

Email: karen.nixon@shropshire.gov.uk Tel: 01743 257720

### **Present**

Councillors Ann Hartley (Chairman) and Malcolm Pate (Leader)

Councillors Brian Williams (Speaker), Steve Charmley (Deputy Leader), Peter Adams, Andrew Bannerman, Nicholas Bardsley, Tim Barker, Charlotte Barnes, Thomas Biggins, Andy Boddington, Vernon Bushell, John Cadwallader, Karen Calder, Dean Carroll, Lee Chapman, Anne Chebsey, Peter Cherrington, Ted Clarke, Gerald Dakin, Steve Davenport, Andrew Davies, Pauline Dee, David Evans, Roger Evans, John Everall, Hannah Fraser, Nigel Hartin, Richard Huffer, Vince Hunt, John Hurst-Knight, Jean Jones, Simon Jones, Miles Kenny, Duncan Kerr, Heather Kidd, Nic Laurens, Christian Lea, David Lloyd, Robert Macey, Jane MacKenzie, Chris Mellings, David Minnery, Pamela Moseley, Alan Mosley, Cecilia Motley, William Parr, Vivienne Parry, John Price, Malcolm Price, David Roberts, Keith Roberts, Madge Shingleton, Robert Tindall, Kevin Turley, David Turner, Arthur Walpole, Stuart West, Claire Wild, Michael Wood, Tina Woodward and Paul Wynn

## 14 APOLOGIES FOR ABSENCE

The Chief Executive reported that apologies for absence had been received from Mrs J Barrow, Mr T Bebb, Mr G Butler, Mrs T Huffer, Mr R Hughes, Ms A Liebich, Mrs P Mullock, Mr P Nutting, Mr K Pardy, Mr J Tandy, Mr D Tremellen and Mr L Winwood.

## 15 DISCLOSABLE PECUNIARY INTERESTS

Members were reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

## 16 MINUTES

**RESOLVED:** That the Minutes of the meeting held on 19 May 2016, as circulated with the agenda papers, be approved and signed as a correct record.

## 17 ANNOUNCEMENTS

### 17.1 Chairman's Engagements

The Chairman referred Members to the list of official engagements carried out by herself and the Speaker since the last meeting of the Council on 19 May 2016, which had been circulated at the meeting.

### 17.2 Queen's Birthday Honours

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

#### Members of the Order of the British Empire (MBE)

**David Tudor** – for services to charity and the community in Shrewsbury.

**The Reverend Monica Jane Newsome** – of Clun, for services to HM Prison Service and voluntary services to the community in Lichfield, Staffordshire.

**Ruth Diane Walmsley** - Coalmoor, for services to Children in Conakry, Guinea, West Africa.

#### Medallist of the Order of the British Empire (BEM)

**Glenda Wesley** - Welshpool Road, Ford, for services to young people and the community.

**Judith Williams** - of Frankwell, Shrewsbury, for services to charity and voluntary organisations.

**Frances Medley** – for services to the community in Shawbury and Stanton upon Hine Heath

### 17.3 Tributes

It was noted that two former colleagues had sadly passed away; Mr Mansel Williams and Mrs Liz Parsons. Tributes for both were led by Alan Mosely and included kind words from Mr T Clarke, Mr M Pate, Mr M Kenny and Mrs P Dee.

At the conclusion of the tributes all stood in silence in fond memory of their colleagues.

## 18 PUBLIC QUESTIONS

### Public Questions

The Speaker announced that ten public questions had been received in accordance with Procedure Rule 15 (a copy of the report containing the questions and the formal responses was attached to the signed minutes):

- (i) Received from Mrs Joyce Brand regarding income from car parking in Ludlow and Oswestry which was answered by the Leader, Mr M Pate – copy attached to the signed minutes.

There was no supplementary question.

- (ii) Received from Mr Stephen Froggatt and answered by Mr M Pate, Leader, in relation to the reduction of library services and levels of councillor's personal allowances – copy attached to the signed minutes.

By way of a supplementary question Mr Froggatt asked for details of who the Independent Remuneration Panel members were.

In response, the Leader undertook to let Mr Froggatt have this information following the meeting.

- (iii) Received from Mr Peter Gilbert and answered by Mr S Jones, Portfolio Holder for Highways and Transportation, in relation to the bus and coach station in Shrewsbury – copy attached to the signed minutes.

By way of a supplementary question Mr Gilbert asked when the remedial works would be started and also asked for an assurance that the maintenance would be kept up in future.

In response, the Portfolio Holder confirmed that the weeds would be dealt with by the end of the week and the remaining outstanding works would be completed before the end of the financial year – he was sorry he could not be more specific – but he assured the works were in hand.

- (iv) Received from Mr Peter Gilbert and answered by Mr M Pate, Leader, in relation to the Guildhall, Shrewsbury – copy attached to the signed minutes.

By way of a supplementary question Mr Gilbert asked when the Council would start to receive rental income from the Guildhall.

In response, the Leader confirmed that this had already been covered in his formal response to Mr Gilbert's question. He was disappointed that the benefits and advantages of having a University in Shrewsbury was not being viewed more positively, especially with the benefits that came with it.

- (v) Received from Ms Emma Bullard and answered by Mr M Pate, Leader, in relation to staff redundancies – copy attached to the signed minutes.

By way of a supplementary question Ms Bullard asked if it was true that some vacancies were left unfilled and was it the case that Shropshire Council no longer

employed bridge engineers? If so, what exactly were the implications for bridge safety across the county?

In response, the Leader confirmed that he would write to Ms Bullard after the meeting with a formal response.

- (vi) Received from Ms Emma Bullard and answered by Mr S West, Portfolio Holder for Leisure and Culture, in relation to the management of the Sports Village at Sundorne – copy attached to the signed minutes.

By way of a supplementary question Ms Bullard asked if the swimming pool was to be included within the Sports Village, Sundorne, would a Travel Plan be worked up and if so, how would this be monitored and enforced if this were to go ahead.

In response, the Portfolio Holder confirmed that he would get back to Ms Bullard with a formal response *if* this were to happen.

- (vii) Received from Mr Steve Boulding and answered by Mr S Jones, Portfolio Holder for Highways and Transportation, in relation to investigating railway re-openings on existing lines – copy attached to the signed minutes.

By way of a supplementary question Mr Boulding asked if the portfolio holder would acknowledge that at stations that had been re-opened across the country by other local authorities, their income and passenger usage had wildly exceeded forecasts.

In response, the Portfolio Holder said there was currently no business case to re-open any stations.

- (viii) Received from Ms Olwen Rose and answered by Mr D Minnery, Portfolio Holder for Children and Young People, in relation to how proposed cuts to youth services would affect the already limited provision for LGBT young people – copy attached to the signed minutes.

There was no supplementary question.

- (ix) Received from Mr Julien Dean and answered by Mr S Jones, Portfolio Holder for Highways and Transportation, regarding toxic air pollutants and bus contracts let by Shropshire Council – copy attached to the signed minutes.

By way of a supplementary question Mr Dean asked if the Council would use it's leverage to the good, to negotiate reduced emissions in future bus contracts.

In response, the Portfolio Holder confirmed that he would look to seek improvements in this area in future.

- (x) Received from Ms Linda Senior and answered by Mrs K Calder, Portfolio Holder for Health, in relation to the recently published Sustainability and Transformation Plan and the justification of proposed cuts in services – copy attached to the signed minutes.

By way of a supplementary question Ms Senior reiterated that vulnerable people and potentially vulnerable people should not be deprived of services.

In response, the Portfolio Holder said that difficult decisions had to be made due to the difficult financial position that existed. It was everyone's problem and a clear focus around transformation was essential. She looked forward to working together actively to address these issues.

## 19 DRAFT SHROPSHIRE COUNCIL CORPORATE PLAN 2016/17 TO 2018/19

It was proposed by Mr M Pate and seconded by Mrs K Calder 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 draft Corporate Plan 2016/17 to 2018/19 be approved by Council.
- b) That the medium term outcomes and objectives in the Corporate Plan be reviewed in October 2016 and then reviewed each year thereafter, as part of the Council's Corporate Planning Cycle alongside the refresh of the Financial Strategy.
- c) That the Strategic Action Plans, which were in formulation, would be available in October 2016.

## 20 FINANCIAL STRATEGY 2016/17 TO 2019/20

It was proposed by the Leader, Mr M Pate, and seconded by Mr M Wood 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 amendments to the current net budget to reflect savings of £17.025m by 2017/18 and a further £1.624m by 2018/19 as detailed in the Financial Strategy Report to Cabinet 13 July 2016 (Annex 1), Appendix 2, be approved.
- b) That further work being progressed to deliver a Sustainable Business Model for the Council to close the Core Funding Gap and deliver a financially self-sufficient Council in the medium to long term be noted.

- c) That the work being undertaken to attempt to reduce or close the reported Core Funding Gap in the short term in 2017/18 and 2018/19 by the use of one-off initiatives (to replace delivery of some Red RAG Rated savings as reported to Cabinet on 27 January 2016) be noted. Council also noted that to achieve a balanced budget without further Red Savings proposals being implemented would require the identification of almost £34m of one-off proposals over these two financial years which would not reduce the size of the core funding gap in future years (still requiring £28.7m of base budget savings by 2019/20).
- d) That the Efficiency Plan including the proposals around the use of the new flexibilities on the use of Capital Receipts as detailed in the Financial Strategy Report to Cabinet 13 July 2016 (Annex 1), section 9 and Appendix 5, be approved.
- e) That the financial implications of ICT investment as set out in Table 7, Annex 1, be approved and that the necessary amendments to the gross budget to reflect these financial implications also be approved.

## 21 CAPITAL OUTTURN 2015/16

It was proposed by the Leader, Mr M Pate, and seconded by Mr D Turner 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 net budget variations of £0.490m to the 2015/16 capital programme, detailed in Appendix 1/Table 1 and the re-profiled 2015/16 capital budget of £51.9m, be approved.
- b) That the re-profiled capital budgets of £70.4m for 2016/17, including slippage of £7.4m from 2015/16, £36.4m for 2017/18 and £16.2m for 2018/19 as detailed in Appendix 1/Table 4, be approved.
- c) That the outturn expenditure set out in appendix 1 of £44.4m, representing 85.7% of the revised capital budget for 2015/16 be noted.
- d) That retaining a balance of capital receipts set aside of £17m as at 31st March 2016 to generate a one-off Minimum Revenue Provision saving of £377,500 in 2016/17, be approved.

## 22 REVENUE OUTTURN 2015/16

It was proposed by the Leader, Mr M Pate, and seconded by Mr M Wood 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 it be noted that the Outturn for the Revenue Budget for 2015/16 was an underspend of £2.816m, which represents 0.5% of the original gross budget of £594m.
- b) That it be noted that the level of general balance stands at £18.370m, which is above the anticipated level included within the Financial Strategy.
- c) That it be noted that the Outturn for the Housing Revenue Account for 2015/16 was an underspend of £1.031m and that the level of the Housing Revenue Account reserve stood at £5.824m (2014/15 £3.076m).
- d) That the increase in the level of Earmarked Reserves and Provisions (excluding delegated school balances) of £4.175m in 2015/16 be noted.
- e) That that the level of school balances stand at £7.173m (2014/15 £3.957m) be noted.

**23 ANNUAL ASSURANCE REPORT OF AUDIT COMMITTEE TO COUNCIL 2015/16**

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

**RESOLVED:** That the Annual Assurance Report for 2015/16 be approved.

**24 ICT DIGITAL TRANSFORMATION PROGRAMME**

It was proposed by Mr M Wood and seconded by Mr L Chapman 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 preferred approach (the Hybrid Option) described within this report i.e. to replace all of the current ICT provision (systems, processes, and infrastructure) with new fully integrated cloud-based solutions be confirmed and approved.
- b) That the financial implications of the preferred approach as set out in this report be approved that the use of capital receipts and other funding sources identified to fund the budgetary increase required for the full ICT Digital Transformation Programme also be approved.

## 25 CHANGES TO ARRANGEMENTS FOR APPOINTMENT OF EXTERNAL AUDITORS

It was proposed by Mr T Barker and seconded by Mr J Cadwallader 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 preferred approach selected and recommended to Council by Audit Committee on 23 June 2016 be endorsed; Supporting the Local Government Association (LGA) in setting up a national Sector Led Body by indicating an intention to “opt-in”.
- b) That a further report will be brought to Council on this, including details of any costs that will need to be included in the 2016/17 and/or 2017/18 budgets.

## 26 JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE CO-OPTED MEMBER VOTING SCHEME

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

**RESOLVED:** That the continuation of the current voting scheme for the co-opted Members of the Joint Health Overview and Scrutiny Committee to September 2019 as set out in the attachment to the terms of reference in Appendix 2, be approved.

## 27 APPOINTMENTS TO COMMITTEES

It was proposed by Mr R Evans, seconded by Mr M Kenny and duly

**RESOLVED:** That the following appointment to committee be confirmed:

Enterprise and Growth Scrutiny Committee

The appointment of Mrs H Fraser as a Substitute Member to replace Mr M Kenny.

## 28 MOTIONS

- 28.1 The following motion was proposed by Mr T Barker and duly seconded by Mr C Mellings who also declared an interest (his father was a veteran and his nephew was currently serving with the Rifles);

“Shropshire Council supports and endorses the Royal British Legion’s campaign to “count them in” which seeks to ensure that questions concerning military service and membership of the armed forces community are included in the 2021 census

and subsequent ones. Including relevant questions will enable statutory and voluntary service providers to better meet the needs of the armed forces community.

Shropshire Council is a signatory to the Armed Forces Covenant and by virtue of that has promised to ensure that Service personnel (both regulars and reservists) veterans and service families are treated fairly and not disadvantaged in any way by virtue of their service.”

After debate and on being put to the vote, the motion was carried with a large majority of members voting in favour.

28.2 The following motion was proposed by Mrs P Moseley and duly seconded by Mr A Mosley:

“The recent decision by the Shropshire Clinical Commissioning Group to sign the Sustainable Services Programme Strategic Outline Case letter of support to the Governing Body Board of Shrewsbury & Telford NHS Hospital Trust is a further step towards the acceptance of the Outline Business Case, which will lead to the closure of one of Shropshire’s two accident & emergency departments, with the strong possibility that this will be at the Royal Shrewsbury Hospital.

Concerns have been raised in many quarters, including by the Local Medical Committee which represents local General Practitioners; it has described the assumptions of the Future Fit process as ‘optimistic in the extreme’ and has concerns about the likely impact on the primary care and community services sectors.

This Council therefore strongly opposes any proposals which would lead to the diminution of emergency care facilities available to Shropshire residents, through the downgrading of the Royal Shrewsbury Hospital from an emergency care centre to an urgent care centre.”

At this point Mrs Chebsey declared a pecuniary interest in this motion and duly left the room.

Mrs K Calder proposed an amendment, which was seconded by Mr L Chapman, to amend the motion to read as follows;

“The recent decision by Shropshire Clinical Commissioning Group to sign the Sustainable Transformation Programme Strategic Outline Case letter of support to the Governing Body of Shrewsbury and Telford NHS Hospital Trust is a further step towards the development of the Outline Business Case.

This Council strongly opposes any diminution in the quality of care and accessibility for patients in the provision of rural and urban acute services to all of the residents in Shropshire as a result of the NHS Transformation programmes currently taking place in the County. We also insist that the government’s arrangements of all of the NHS transformation programmes include elected member involvement in the

development and subsequent decision-making, thereby giving the process democratic accountability.”

After debate and on being put to the vote, the amendment to the motion was carried with a large majority of members voting in favour (40 voted For, 19 Against and there was 1 Abstention).

A recorded vote was requested and duly agreed:

FOR (40): P Adams, N Bardsley, T Barker, T Biggins, J Cadwallader, K Calder, D Carroll, L Chapman, S Charmley, G Dakin, S Davenport, A Davies, D Evans, J Everall, A Hartley, V Hunt, J Hurst-Knight, S Jones, N Laurens, C Lea, D Lloyd, R Macey, D Minnery, C Motley, W Parr, M Pate, J Price, M Price, K Roberts, M Shingleton, R Tindall, K Turley, D Turner, A Walpole, S West, C Wild, B Williams, M Wood, T Woodward and P Wynn.

AGAINST (19): A Bannerman, C Barnes, A Boddington, V Bushell, P Cherrington, T Clarke, R Evans, H Fraser, N Hartin, R Huffer, J Jones, M Kenny, D Kerr, H Kidd, J Mackenzie, C Mellings, P Moseley, A Mosley and V Parry.

ABSTENTION (1): P Dee

Mrs Mosley had a right of reply and in making this she said she was disappointed by the amendment; she believed that the public mood on this had now changed to anger and that the local authority should listen to their concerns.

The substantive motion was then put and was duly carried.

28.3 The following motion was proposed by Mr A Boddington and duly seconded by Mrs H Fraser;

“Town and Parish Councils have called for a referendum on raising council tax above 1.99%. A rise in the unitary tax rate would reduce the need for large increases in local precepts. It would also lead to a fairer distribution of costs. Under current plans, the residents of market towns such as Ludlow face paying extra for services that are used by people from a wide hinterland.

This motion requires officers of Shropshire Council to explore the willingness of people in Shropshire for a referendum on a council tax rise above 1.99%. Officers are requested to do this using:

- 1) The Big Conversation
- 2) Discussions with Town and Parish Councils
- 3) Local press and broadcast media.
- 4) Any other ways that they feel will enable communities and local residents to let councillors know their preference.

The outcome of this exercise should be reported back to the September meeting of this Council.”

Mr M Pate proposed an amendment, which was seconded by Mrs C Motley, to amend the motion to read as follows;

“Town and Parish Councils have called for a referendum on raising council tax above 1.99%. However owing to the fact a new Conservative government and Cabinet has so recently been appointed, Council recommends that no action should be considered with regard to investigating the case for adjustments to Council tax until the Government’s intentions on this issue become clearer.”

After debate and on being put to the vote, the amendment to the motion was carried with a large majority of members voting in favour.

## 29 QUESTIONS FROM MEMBERS

The Speaker advised that seven questions from Members had been received in accordance with Procedure Rule 15 (copies of the report containing the detailed questions and their formal responses are attached to the signed minutes).

- (i) Received from Mr D Lloyd and answered by Mr S Jones, the Portfolio Holder for Highways and Transportation in relation to increasing activity by the Road Safety Partnership across the County in connection with speed limits – copy attached to the signed minutes.

There was no supplementary question.

- (ii) Received from Mr D Kerr and answered by Mr M Pate, Leader of the Council in relation to a 10% cut in councillors’ allowances – copy attached to the signed minutes.

By way of a supplementary question Mr Kerr asked if Mr Pate had seen the open letter by Surrey Council about allowances.

In response the Leader confirmed that he was unaware of the open letter, but if Mr Kerr felt so strongly on this issue he was always entitled to refuse his own personal allowance.

- (iii) Received from Mr D Kerr and answered by Mr M Pate, Leader of the Council in relation to Shropshire Council returning to the former committee system of local government – copy attached to the signed minutes.

By way of a supplementary question Mr Kerr asked again if the Leader would consider changing systems.

In response the Leader confirmed that many authorities used the same democratic system as Shropshire Council and there were currently no plans to change this.

- (iv) Received from Mr A Mosley and answered by Mr M Pate, Leader of the Council in relation to the recent closure of ip&e, the costs, staff implications, reasons as to why it failed and the production of a report for public scrutiny – copy attached to the signed minutes.

By way of a supplementary question Mr Mosley asked what were the overall costs of ip&e from set-up to closure.

In response the Leader confirmed that all the answers were detailed in the written response already provided.

- (v) Received from Mr A Mosley and answered by Mr M Price, Portfolio Holder for Planning, Housing, Regulatory Services and Environment in relation to student accommodation in Shrewsbury – copy attached to the signed minutes.

By way of a supplementary question Mr Mosley asked for an assurance that there would be no further delays and that the work would be started as soon as possible.

In response the Portfolio Holder said that a lot of groundwork had already been undertaken and he confirmed that he would go back and ensure that all works were progressing as they should.

- (vi) Received from Mr R Evans and answered by Mr M Pate, Leader of the Council in relation to pressing central government for better funding – copy attached to the signed minutes.

By way of a supplementary question Mr Evans commented that he believed this was a good opportunity to open up a dialogue with the new Secretary of State for fairer funding for Shropshire in the future.

In response the Leader confirmed that yes, he was in agreement with this, as long as the conversation was properly structured.

- (vii) Received from Mrs T Huffer and answered by Mr M Pate, Leader of the Council in relation to Future Fit and why Shropshire was not campaigning for the single A&E to be based in Shrewsbury – copy attached to the signed minutes.

There was no supplementary question.

Signed ..... (Chairman)

Date: .....