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## Committee and Date

Council

17 December 2015

## COUNCIL

**Minutes of the meeting held on 24 September 2015**

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

**10.00 am - 12.05 pm**

**Responsible Officer:** Karen Nixon

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### **Present**

Councillors Malcolm Pate (Chairman) and Keith Barrow (Leader)

Councillors David Lloyd (Speaker), Steve Charmley (Deputy Leader), Peter Adams, Andrew Bannerman, Nicholas Bardsley, Tim Barker, Charlotte Barnes, Joyce Barrow, Tudor Bebb, Thomas Biggins, Andy Boddington, Vernon Bushell, Gwilym Butler, John Cadwallader, 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, Ann Hartley, Nigel Hartin, Richard Huffer, Tracey Huffer, Roger Hughes, Vince Hunt, John Hurst-Knight, Jean Jones, Simon Jones, Miles Kenny, Heather Kidd, Christian Lea, Robert Macey, Chris Mellings, David Minnery, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Peter Nutting, Mike Owen, Kevin Pardy, William Parr, John Price, Malcolm Price, David Roberts, Keith Roberts, Madge Shingleton, Jon Tandy, Robert Tindall, Dave Tremellen, Kevin Turley, David Turner, Arthur Walpole, Stuart West, Claire Wild, Brian Williams, Leslie Winwood, Michael Wood, Tina Woodward and Paul Wynn

### 45 **APOLOGIES FOR ABSENCE**

The Chief Executive reported that apologies for absence had been received from Mrs K Calder, Mr L Chapman, Mrs J Mackenzie, Mrs V Parry, Mr S West and Mr M Williams.

### 46 **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.

### 47 **MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 23<sup>rd</sup> July 2015, as circulated with the agenda papers, be approved and signed as a correct record.

## 48 ANNOUNCEMENTS

### Chairman's Engagements

The Chairman referred Members to the list of official engagements carried out by himself and the Speaker since the last meeting of the Council on 23<sup>rd</sup> July 2015, which had been circulated at the meeting.

## 49 PUBLIC QUESTIONS

### Petitions

The Speaker advised that a petition bearing more than 1,000 signatures protesting at the planned closure of Shawbury Library had been received from local resident Mr Kevin Richards of Shawbury, requesting a debate. Mr Richards was given 5 minutes to open the debate and outline his case, which was briefly as follows:

Mr Richards said that he was strongly opposed to the closure of Shawbury Library. He considered that a mobile service would exclude the majority of local people and that if Shawbury Library was to close the nearest library would be in Harlescott, Shrewsbury, which posed transportation problems for many without access to personal transport.

Local member, Simon Jones commented that following recent consultations, neither the Parish Council nor the Parish Hall Committee had been willing to take on the running of the library. At a recent drop-in session that had been held to discuss the future of Shawbury Library, only 16 people attended which had been disappointing.

The Deputy Leader, Mr S Charmley thanked Mr Richards for his petition but highlighted that sadly, borrowing figures for books and the level of computer usage were disappointing and showed a downward trend. In 2009/10 there had been 15,000 visits to Shawbury Library compared to just 4,000 visits in 2014/15. He commented that use of small libraries as community hubs would be the way forward. However he did say that consultations were ongoing and that this would continue.

After some debate, the Council decided that no further action should be taken in this matter and that local consultations should continue.

### Public Questions

The Speaker advised that one public question had been received from Mrs J Brand in accordance with Procedure Rule 15 (a copy of the report containing the detail of the question and formal response is attached to the signed minutes):

Received from Mrs Joyce Brand and answered by Mrs Karen Calder, Portfolio Holder for Health, about the position of Shropshire Council in relation to the proposed closure of one of the A&E departments in Shropshire.

By way of a supplementary question Mrs Brand queried how Future Fit was being set up and developed in the light of the current absence of the appointed Lead and Deputy Officer. She said it was wrong to say that the closure of an A&E department would not affect death rates in the area and she asked for justification about why effort was not being put into trying to preserve the existing A&E service provision in Shrewsbury.

The Leader, Mr Barrow replied on behalf of the Portfolio Holder, who was unable to attend the meeting in person. He replied that he could not comment on the staffing position of Future Fit officers at the CCG, though he was aware of the problem. In respect of A&E, he was cautious, especially as consultations were still ongoing. He commented that his personal view was that if there was to be just one A&E department it should be in Shrewsbury. In the meantime, he awaited the final announcement regarding Future Fit in Shropshire.

## 50 QUESTIONS FROM MEMBERS

The Speaker advised that the following four Member questions had been received in accordance with Procedure Rule 15 (a copy of the report containing the detailed questions and the formal responses is attached to the signed minutes).

- (i) Received from Mrs V Parry and answered by Mr S Jones, Portfolio Holder for Highways and Transport about the Ludlow bus contract and the level of bus services in Ludlow.

By way of a supplementary question Mrs Parry (who was unable to attend the meeting), asked the following supplementary question through Mr R Evans as follows:

'The quality of service is very important, especially if you don't have a car as many older people don't want to or are unable to drive and some feel safer if they take the bus or train. Councillor Andy Boddington and I are the local members for most of the bus routes in Ludlow and sadly we were the last people to know about the change in prices for the new Minsterley Motors contract. It is now going to cost 100% more for local users on the buses and I fear that the buses will not be used because the cost is now beyond most people's budgets.

Is this a way to run the service down and to eventually stop it all together? We need to have a fresh look at this, and perhaps consider introducing incentive fares. Therefore will the Portfolio Holder please review this and discuss further with Minsterley Motors.'

In response the Portfolio Holder confirmed that he was in the process of arranging a meeting between himself, officers, Minsterley Motors and the three local members for Ludlow very shortly to discuss a way forward.

- (ii) Received from Mrs T Huffer and answered by Mrs K Calder, Portfolio Holder for Health about the location of a single A&E unit in Shrewsbury.

By way of a supplementary question Mrs Huffer reiterated her original question, saying that the answer as circulated did not in her view answer her question. The Portfolio Holder was not in attendance and therefore the Speaker confirmed that Mrs Calder would give Mrs Huffer a written response after the meeting.

- (iii) Received from Mr R Evans and answered by Mr M Price, Portfolio Holder for Regulatory Services, Housing and Commissioning (Central) about delays in the planning process.

By way of a supplementary question Mr Evans asked how much income had been received from planning applications since April 2013 and exactly where had that money gone or been spent.

In response the Portfolio Holder confirmed that he would let Mr Evans have a written reply after the meeting.

- (iv) Received from Mrs C Barnes and answered by Mr S Jones, Portfolio Holder for Highways and Transport about travel assistance for young people in her ward attending Shrewsbury College.

By way of a supplementary question Mrs Barnes asked if anything would change. She commented that in Wales fares had been reduced by two thirds for students and could Shropshire Council consider doing the same?

In response the Portfolio Holder confirmed that he would look at this in more detail with officers following the meeting and that he would notify Mrs Barnes of the outcome in due course.

## 51 REPORT OF THE PORTFOLIO HOLDER FOR HEALTH

**RESOLVED:** That in the Portfolio Holder's absence, this item be deferred to the 17<sup>th</sup> December 2015 Council meeting.

## 52 REPORT OF THE PORTFOLIO HOLDER FOR BUSINESS, IP&E, CULTURE AND COMMISSIONING (NORTH)

It was proposed by Mr S Chamley, Portfolio Holder for Business, ip&e, Culture and Commissioning (North) and seconded by Mrs T Woodward that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr Charmley presented his report and responded to questions, queries and concerns raised by Members, including Mr M Kenny, Mr A Boddington, Mrs P Dee, Mrs A Bannerman, Mrs H Fraser, Mr A Mosely, Mr R Evans, Mr T Clarke, Mrs C Barnes, Mrs P Moseley, Mrs H Kidd, and Mr L Winwood.

All members were invited by the Portfolio Holder to visit ip&e to see what was happening and he undertook to email all members with possible dates following the meeting.

**RESOLVED:** That the contents of the report be received and agreed.

### 53 **REPORT OF THE PORTFOLIO HOLDER FOR CHILDREN'S SERVICE**

It was proposed by Mrs A Hartley, Portfolio Holder for Children's Service, and seconded by Mr N Bardsley that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mrs Hartley presented and amplified her report and expressed her sincere thanks to Mr N Bardsley and Mrs P Mullock for their valuable contribution to the Children's Service. She also thanked the staff from the Director and downwards for their excellent work in challenging times.

In conclusion, the Portfolio Holder reminded that she was always available to answer any questions from members at any time.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Children's Service be received and agreed.

### 54 **ANNUAL REPORT 2014/15 OF THE YOUNG PEOPLE'S SCRUTINY COMMITTEE**

It was proposed by Mrs J Barrow, Chair of the Young People's Scrutiny Committee, and seconded by Mrs P Mullock that the Annual Report 2014/15, a copy of which is attached to the signed minutes, be received and agreed.

Mrs Barrow presented her report, a copy of which is attached to the signed minutes, and responded to questions, queries and concerns raised by Members, including Mr A Boddington, Mrs C Barnes and Mr R Evans.

Mrs Barrow thanked all those people who had been involved in the work of the Task and Finish Groups for their valuable contribution.

**RESOLVED:** That the contents of the Annual Report of the Young People's Scrutiny Committee 2014/15 be received.

### 55 **REPORT OF THE PORTFOLIO HOLDER FOR TRANSFORMATION AND PERFORMANCE**

It was proposed by Mr T Barker, Portfolio Holder for Transformation and Performance, and seconded by Mr R Tindall that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Barker presented and amplified his report and responded to the questions, queries and concerns raised by Members including Mrs C Barnes, Dr J Jones, Mr A Mosely and Mrs M Shingleton.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Transformation and Performance be received.

## 56 **ANNUAL REPORT 2014/15 OF THE PERFORMANCE MANAGEMENT SCRUTINY COMMITTEE**

It was proposed by Mr D Minnery, Chairman of the Performance Management Scrutiny Committee and seconded by Mr S Davenport that the Annual Report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Minnery presented his report, a copy of which is attached to the signed minutes, and responded to questions, queries and concerns raised by Members, including Mrs H Kidd, Mr R Evans, Mr A Mosely and Mr T Clarke.

The Portfolio Holder reminded that if any member had any specific issue that they wished to be looked at to please let him know.

**RESOLVED:** That the contents of the Annual Report of the Performance Management Scrutiny Committee be received.

## 57 **FINANCIAL RULES UPDATE**

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

**RESOLVED UNANIMOUSLY:** That the proposed adjustments to the current Financial Rules as set out in Appendix A be approved.

## 58 **AUDITED STATEMENT OF ACCOUNTS 2014/15**

It was proposed by Mr B Williams, 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 2014/15 Statement of Accounts be approved and that the Chairman of the Council signs them (in accordance with the requirements of the Accounts and Audit Regulations 2011).
- b) That the Head of Finance, Governance and Assurance be authorised to make any minor adjustments to the Statement of Accounts prior to the 30<sup>th</sup> September

2015.

- c) That the Head of Finance, Governance and Assurance and the Chairman of the Audit Committee sign the letter of representation in relation to the financial statements on behalf of the Council and send to the External Auditor.

## 59 ANNUAL TREASURY REPORT 2014/15

It was proposed by Mr K Barrow, 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 UNANIMOUSLY:** That the position as set out in the Annual Treasury report of the Head of Finance, Governance and Assurance be approved.

## 60 CORPORATE LANDLORD - BUDGET IMPLICATIONS

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

**RESOLVED:** That in order to consolidate the Council's asset and facilities management budgets in Commercial Services within the Resources & Support Directorate, the budget virement of £20.130m (Directorate analysis shown in paragraph 7.3) be approved.

## 61 REGULATION OF INVESTIGATORY POWERS POLICY

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

In response to a question from Mrs H Fraser about a separate Regulation of Investigatory Powers Policy for staff, Mr Price undertook to look into this and inform Mrs Fraser of the outcome after the meeting.

**RESOLVED:** That the proposed Regulation of Investigatory Powers Policy as set out in Appendix A of the report be approved with effect from 1 October 2015.

## 62 THE DEVELOPMENT OF OSWESTRY INNOVATION PARK

This item was withdrawn from the agenda.

## 63 COMMUNITY GOVERNANCE REVIEWS

It was proposed by the Leader, Mr K 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, under the provisions of Section 75(1) of the Local Government Act 1972 (the 1972 Act) the Parish of Myddle and Broughton be renamed as the Parish of “Myddle, Broughton and Harmer Hill” and that the Head of Legal and Democratic Services gives notice of the change of name as required.
- (b) That the Community Governance Working Party, in accordance with S79 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act), undertakes a review of the electoral arrangements and makes recommendations in respect of the Parishes of:
  - i) Abdon/Heath;
  - ii) Adderley/Market Drayton/Moreton Say
  - iii) Albrighton;
  - iv) Wem Rural; and
  - v) Wroxeter and Uppington

**64 MOTION**

A motion had been proposed by Mr A Boddington (copy attached to the signed minutes) in respect of the refugee crisis at the time the Council agenda was printed. However, in the interim, things had moved on significantly and the first meeting of a ‘Cross Party Refugee Working Group’ had already been held to discuss this matter. The Working Group comprised cross party councillors and people from public, voluntary and community organisations in Shropshire.

In the light of this positive progress Mr Boddington confirmed that he was happy to withdraw his motion. After some debate it was

**RESOLVED:** that the Cross Party Refugee Working Group draft a press statement about their work in helping to resettle Syrian refugees in Shropshire.

Signed ..... (Chairman)

Date: .....