



Committee and Date

COUNCIL

8 May 2014

Item

**6**

Public

## MINUTES

MEETING OF SHROPSHIRE COUNCIL

HELD ON 27 FEBRUARY 2014

AT 10.00 AM

PRESENT:

Mr P Adams  
Mr A Bannerman  
Mr N Bardsley  
Mr T Barker  
Mrs C Barnes  
Mrs J Barrow  
Mr K Barrow  
Mr M Bennett  
Mr T Biggins  
Mr V Bushell JP  
Mr G Butler  
Mrs K Calder  
Mr D Carroll  
Mr L Chapman  
Mr S Charmley  
Mrs A Chebsey  
Mr P Cherrington  
Mr T Clarke  
Mr G Dakin  
Mr S Davenport  
Mrs P Dee  
Mr D Evans

Mr R Evans  
Mrs H Fraser  
Mr N Hartin  
Mr R Huffer  
Mrs T Huffer  
Mr R Hughes  
Mr V Hunt  
Mr J Hurst-Knight  
Dr J Jones  
Mr M Kenny  
Mrs H Kidd  
Mr C Lea  
Mr D Lloyd MBE  
Mr R Macey  
Ms J Mackenzie  
Mr C Mellings  
Mrs P Moseley  
Mr A Mosley  
Mrs C Motley  
Mrs M Mullock  
Mr P Nutting  
Mr M Owen JP

Mr K Pardy  
Mr W Parr  
Mrs V Parry  
Mr M Pate  
Mr M Price  
Mr D Roberts  
Mr K Roberts  
Mrs M Shineton  
Mr J Tandy  
Mr R Tindall  
Mr D Tremellen  
Mr D Turner  
Mr A Walpole  
Mr S West  
Mrs C Wild  
Mr B Williams RD  
Mr M Williams  
Mr L Winwood  
Mr M Wood  
Mrs T Woodward  
Mr P Wynn

### **73. APOLOGIES**

The Chief Executive reported that apologies for absence had been received from Mr T Bebb, Mr J Cadwallader, Mr J Everall, Mrs A Hartley, Mr S Jones, Mr D Minnery and Mr K Turley.

### **74. DISCLOSABLE PECUNIARY INTERESTS**

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

### **75. MINUTES**

It was proposed by the Speaker, seconded by the Chairman and

#### **RESOLVED:**

That, subject to it being recorded that a Supplementary Question was asked by Mr Mellings with a Supplementary Answer being given to him at Minute 65(d) as follows:

“Supplementary question - Do you think the deficit in parking income is as a result of the charging policy or because of over optimistic income targets?

Supplementary answer - No it is not the result of wrong policy. Nationally there has been a downward trend in car park income, and this is even more noticeable in the market towns where we have to be more creative in attracting people in the future.”

the Minutes of the meeting held on 19 December 2013, as circulated with the agenda papers, be approved and signed as a correct record.

### **76. ANNOUNCEMENTS**

#### **76.1 Chairman’s Announcements/Engagements**

The Chairman referred members to the list of official engagements carried out by himself since the last meeting of the Council on 19 December 2013, which had been circulated at the meeting.

The Chairman also reported receipt of a letter of support from Carlisle City Council in respect of recent flooding in the county.

## 76.2 New Year's Honours 2014

The Chairman reported that the following Shropshire residents had been awarded honours in the Queen's New Year's Honours List and advised that he had written to each of the recipients to congratulate them on their achievement.

Special congratulations were given by the Chairman to Mr Algernon Heber-Percy, Lord Lieutenant of Shropshire who had been awarded the Knight Commander of the Royal Victorian Order (KCVO). He indicated that his work on behalf of the county had been immense and it was a well deserved honour.

### Knight Commander of the Royal Victorian Order (KCVO)

**Mr Algernon Eustace Hugh HEBER-PERCY**

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

**Miss Jacqueline Margaret Brookes**

For services to the Soroptimist International Bliston, West Midlands and the community in Moreton.

**Mr Peter William Corfield**

For services to the community in Ludlow, Shropshire particularly through the Friends of Ludlow Hospital.

**Lady Veronica Cossons, DL**

President, Shropshire Wildlife Trust. For services to Wildlife Conservation.

**Mr John Home**

Owner and Director, Willowdene Farm Rehabilitation and Training Centre. For services to the Rehabilitation of Offenders.

**Mrs Patricia Mary McLaughlin**

For services to Tourism and to the community in Shropshire.

**Mr John Barry Lloyd Roberts**

For services to Athletics and to the community in Oswestry, Shropshire.

(Oswestry, Shropshire)

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

**Mrs Janet Caroline Brandon**

For services to the community in Ratlinghope, Shropshire.

**Mrs Patricia May Harding**

For services to the community in Clunton, Shropshire.

## 77. PUBLIC QUESTION TIME

### 77.1 Petitions

The Speaker advised that an e-petition bearing more than 1,000 signatures asking the Council to prioritise the very rural areas first for the provision of faster broadband, had been received from Patrick Cosgrove, on behalf of the South West Shropshire and The Marches Campaign for Better Broadband. Mr Cosgrove was given 5 minutes to open the debate and outline his case, which was briefly as follows;

- Last summer 1,208 people signed a petition to say it was unacceptable that the rural broadband programme was upgrading large numbers of premises that already had reasonable broadband speeds before many with no or poor service.
- Meanwhile 10% or so of homes and businesses remained uncertain of any improvement other than a guaranteed and rather paltry 2 Mb, and no plans existed for how that would be provided.
- Since then support for their campaign had grown and 41 parish and town councils had endorsed their campaign's aims. High speed broadband was essential for individuals and businesses to function effectively.
- They did not blame Shropshire Council for what had happened.
- Broadband UK provided local authorities across the country with the choice of BT as supplier or no-one, and by all accounts BT appeared to be using its position of publicly funded monopoly to its own advantage rather than to provide the best value for money.
- Nevertheless the Council had a responsibility for putting right what was not of its own making.
- New funding recently made available from BDUK's Superfast Extension Programme presented a watershed for rural broadband in Shropshire and the county's allocation of £11.38m was generous.
- This money required £1 for £1 match funding, which must be found. Matching could be sourced in different ways: grants, private investors and local communities own resources, or a mix of these.
- Once secured and matched, a more flexible approach was required.
- In addition to the functions of funder and contract manager Shropshire Council should take on a facilitating role to bring or find expertise if it was lacking.
- A commitment was required from the top to keep trying until everyone who wanted a superfast service could have it thereby ensuring that Shropshire did not get left behind.

Following debate, the Portfolio Holder summed up by emphasising the complex nature of rolling out broadband across the county and referred in particular to issues being experienced around not spots and poor coverage in rural areas. However he also explained that the provision of the Superfast Extension funds would help greatly in reaching more business and residents in the county albeit finding match funding was a major challenge and project for everyone. He indicated his support for the setting up of a partnership in

order that all interested parties could work together and share ideas on the project.

In conclusion Mr Charmley proposed that the action requested in the petition be taken and a partnership be formed to progress the potential of the Superfast Broadband Programme. This was duly seconded by the Speaker and the proposition was carried with the majority of Members voting in favour.

## 77.2 Public Questions

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

- (i) Received from Mr S Mulloy and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the South West Shrewsbury Urban Extension – copy attached to the signed minutes.

By way of a supplementary question Mr Mulloy queried why Bicton Heath Parish Council appeared not to have been aware of the SWSUE development until it was in the Core Strategy and asked if the Council would investigate why the landowner had not advised them about it before the Core Strategy Examination.

In response the Portfolio Holder explained that it would be inappropriate for him to comment on Bicton Heath parish matters but reported on the number of times information had been sent to the Parish Council throughout both the Core Strategy and SAMDev process. He suggested that Mr Mulloy should raise the matter with the Parish Council direct.

- (ii) Received from Mr S Martin CPRE and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the SAMDev – copy attached to the signed minutes.

By way of a supplementary question Mr Martin referred to the set allocation of housing sites and suggested that it would be more advantageous to give regard to historical delivery rates and that with the improving situation these numbers would rise in future. In referring also to a possible review of windfall allocations he concluded by commenting that central government were being greatly unfair in its rigid application of its policy re the 5 year housing land supply.

In response the Portfolio Holder thanked Mr Martin for his support and indicated that a letter of support had also been recently received from the CPRE on the same matter. He confirmed that the Council's stance had been made clear at a recent meeting with the county's MPs and that many other local authorities were in a similar position. Representations were to be made to Parliament in the near future and all responses on the matter would be supplied to the Minister.

- (iii) Received from Mr D Kilby and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the National Planning Policy Framework – copy attached to the signed minutes.

By way of a supplementary question Mr Kilby asked if Members would agree that the Shrewsbury West Urban Extension had failed to deliver in relation to amongst others, the North West Relief Road, the relocation of Oxon Park and Ride and the proposed Oxon link road with the Council's Core Strategy and Master-plan being outdated? He suggested a more viable option would be to deliver a safe off road pedestrian, cycle way along the protected route in order to offer children a safe and healthy option to get to school and be in line with the National Planning Framework.

In response the Portfolio Holder indicated that he did not agree with Mr Kilby's comments as the SAMDev process needed to deliver 27,500 homes up to 2026. In addition whilst the position regarding the future provision of funding for the North West Relief Road was unknown at present, it was only right that the necessary links should be put in place.

- (iv) Received from Mr J Waine of "Hands Off Oswestry Old Hillfort" and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the SAMDev and proposed inclusion or removal of various sites in Oswestry – copy attached to the signed minutes.

By way of a supplementary question Mr Waine asked that the Council re-consider the matter and remove the area designated as OSW004 as part of the housing allocation in its SAMDev Plan?

By way of a supplementary answer the Portfolio Holder commented that although both objectors and the applicant had made representations on the matter, officers had to take a balanced view on the site and that he, too, was not prepared to change his mind and recommend the site be withdrawn from the Plan. Consultation would now take place on the Plan and be followed by a Public Hearing with the Planning Inspector making a decision on the OSW004 site.

- (v) Received from Mrs J Brand and answered by Mr M Bennett, Chairman of the Performance Management Scrutiny Committee in relation to the status of reports from the various scrutiny committees – copy attached to the signed minutes.

By way of a supplementary question Mrs Brand queried why no scrutiny committee minutes appeared to be available on the Council's website and asked for an assurance that scrutiny reports would be public documents and given due consideration through the democratic decision making process.

In response the Scrutiny Chairman confirmed that the minutes from the various scrutiny committees were available on the website. Furthermore the Council was working within a democratic system which had been nationally prescribed by a former Labour government. The role of scrutiny was to act as

a critical friend of the executive but it had no right to override decisions by Cabinet.

## **78. QUESTIONS FROM MEMBERS**

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

- (i) Received from Mr D Carroll and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to plans for a care home in the Bagley division – copy attached to the signed minutes.

By way of a supplementary question Mr Carroll suggested that a review be undertaken of the planning guidance in respect of a material change of use.

In response the Portfolio Holder indicated that he was unable to enter into discussion at Council in relation to individual cases but that in the instance referred to, he understood that the proposal did not require planning permission as it fell outside the policy but that the matter would be looked into further.

- (ii) Received from Mr R Evans and answered by Mrs C Wild, Portfolio Holder for Highways and Transport in relation to transport matters in Hanwood – copy attached to the signed minutes.

By way of a supplementary question Mr Evans asked if there was any news from the meeting being held that week with the Highways Agency and requested that he and local parish councillors be involved more in discussions on the matter.

In response the Portfolio Holder confirmed that the meeting with the Highways Agency was due to take place the following day and expressed the hope that the Agency would listen to the view of the local councils.

- (iii) Received from Mr A Mosley and answered by Mr Steve Charmley the Portfolio Holder for Business Growth, ip&e and Commissioning (North) in relation to the current situation regarding ip&e and ip&e (Trading) – copy attached to the signed minutes.

By way of a supplementary question Mr Mosley asked if the company would be holding an Annual General Meeting and, if so, would he be able to attend as a shareholder?

In response the Portfolio Holder confirmed that an Annual General Meeting would be held towards the end of the financial year, on a date to be set, and all Members would be invited to attend the meeting.

- (iv) Received from Mr A Mosley and answered by Mr G Butler, Portfolio Holder for Leisure Libraries and Culture in relation to the Quarry Swimming Centre and the future provision of swimming facilities in Shrewsbury – copy attached to the signed minutes.

By way of a supplementary question Mr Mosley referred to the commitment given to maintain a high quality swimming pool in Shrewsbury and also the fact that he knew the existing swimming site was now open to offers. He sought clarification regarding the Council's position should an offer be made for the site that same day.

In response the Portfolio Holder indicated that due consideration would be given to any offer received in conjunction with the commitment to provide a swimming facility. He reported on his contact with interested swimming groups and confirmed that any future proposal would be subject to public consultation. He also reminded Members that the Town Council representative (Mr K Pardy) was now involved and that the Council was being transparent as far as it could on the issue.

- (v) Received from Mr A Mosley and answered by Mr M Owen, Portfolio Holder for Resources Finance and Support in relation to the use of agency staff – copy attached to the signed minutes.

By way of a supplementary question Mr Mosley queried the position in relation to the south of the county and also referred to the apparent lack of information relating to the Council's use of consultants and questioned whether these details were listed in the response. If not, he asked if the Portfolio Holder could provide him with further details of the consultants being used together with their value and brief?

In response the Portfolio Holder indicated that not all of the agencies listed were being used on a continuous basis and that many of the skills required from them would change as the Authority moved forward over the next three years. He also reported that he was unaware of any issues in the south of the county and offered to meet with the Member to discuss his comments in more detail.

- (vi) Received from Mr M Williams and answered by Mr K Barrow, the Leader of the Council in relation to debt – copy attached to the signed minutes.

By way of a supplementary question Mr Williams indicated that he was speaking in a personal capacity and asked whether the Leader would agree that the private financial sector should pay its fair share towards the country's debt problem in light of the problem being caused by their actions? He also queried whether the Leader would initiate a debate as to whether the financial sector should pay an extra tax on their functions as any small sum would contribute billions of pounds towards re-payment? This would then assist local councils to meet the challenges of the future in relation to their adult social care duties.



In response the Leader commented that the country's debt situation was not of the Council's making but that it was dealing with its own financial position in the best way possible. With regard to having a debate on the financial sector he was of the view that there would be little merit in doing so given the lack of local government influence upon central government.

- (vii) Received from Mr D Tremellen and answered by Mrs C Wild, Portfolio Holder for Highways and Transport in relation to potholes in the south east of the county – copy attached to the signed minutes.

By way of a supplementary question Mr Tremellen expressed his dissatisfaction with the repair action being taken in his division and queried whether the Portfolio Holder considered the problems were being satisfactorily addressed?

In response the Portfolio Holder re-iterated that weather conditions had been appalling since December which had resulted in a considerable amount of damage being caused, including some serious, to various roads in the county. Whilst acknowledging that there were some issues with dealing with the potholes and that this was not unsurprising given the conditions, she emphasised the tremendous staff effort being put into addressing these matters and expressed disappointment at the Member's criticism of their work. She invited the Member to speak to her direct should there be a specific problem with any section of road in his division.

- (viii) Received from Mr C Mellings and answered by Mr Steve Charmley the Portfolio Holder for Business Growth, ip&e and Commissioning (North) in relation to the current state and likely prospects for the county's economy – copy attached to the signed minutes.

By way of a supplementary question Mr Mellings asked what further steps could be taken to speed up the recovery of the area's economy and to help and support young people into employment, apprenticeships and training in Shropshire?

In response the Portfolio Holder commented that the county's direction of challenge appeared good with Shropshire's figures being some of the lowest in the region and unemployment numbers continuing to decrease. In referring to various small sums of money available in grant aid for small businesses he stressed that these contributions could make a huge difference in the local economy and invited Mr Mellings to accompany him on some visits throughout the county so that he could see the impact of these grants first-hand.

- (ix) Received from Mr C Mellings and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the operation and use of food banks across Shropshire – copy attached to the signed minutes.

By way of a supplementary question Mr Mellings paid tribute to the work carried out by volunteers in this area and asked that more information should

be supplied in order to address the root cause of the need for these food banks in the county?

In response the Portfolio Holder supported the comments made by Mr Mellings regarding the tremendous efforts of the voluntary individuals and organisations. He indicated that some of the need for the banks arose from delays in benefit payments and measures were being introduced to help improve this particular area. It was also hoped that the scrutiny process being carried out at the present time would provide many of the answers to his request for further information.

- (x) Received from Mr M Kenny and answered by Mr M Price Portfolio Holder for Planning, Housing and Commissioning (Central) in relation to the planning process and pre application discussions – copy attached to the signed minutes.

By way of a supplementary question Mr Kenny indicated that he was concerned primarily about pre discussions taking place between developers and resident groups and queried whether any encouragement was given to local persons to submit their points of view prior the formal planning process?

In response the Portfolio Holder indicated that practice varied between organisations and that pre application discussion was very much down to individuals. He confirmed that only a very small percentage of applicants carried out the practice and expressed dissatisfaction with this low figure. Efforts would be continued with applicants to raise the rate in the knowledge that in such cases where pre-discussion was undertaken, very often the application process was much better for all parties.

- (xi) Received from Mrs V Parry and answered by Mr G Butler, Portfolio Holder for Leisure Libraries and Culture in relation to the proposed savings to be made on Theatre Services – copy attached to the signed minutes.

By way of a supplementary question Mrs Parry indicated that local groups had previously been afforded a concession to use Theatre Severn but that in the last year fees had risen by a large percentage which had impacted adversely on their existing operation. She asked whether this practice was likely to be continued at the Theatre in future?

In response the Portfolio Holder confirmed the intention to make savings without unduly affecting services at Theatre Severn and advised that a liaison group was being set up with people passionate about the Theatre. Arrangements were being made for the first meeting between this Group and the new Manager, Mr David Jacks, albeit prices at the Theatre were influenced by the annual budget. He also placed on record his thanks and appreciation of the work carried out by the previous Theatre Manager, Mr Peter Nicholson.

- (xii) Received from Mrs P Moseley and answered by Mr Lee Chapman, Portfolio Holder for Adult Services and Commissioning (South) in relation to the

number of people with learning disabilities in Shropshire who were in nursing or residential placements – copy attached to the signed minutes.

By way of a supplementary question Mrs Moseley referred to the ever increasing cost of adult social care and asked how almost £23 million could be saved from the budget over the next three years unless it was at the expense of impacting on the county's most vulnerable residents and their families?

In response the Portfolio Holder advised that a range of methods were being used to address the budget constraints without reducing the care provided to the most vulnerable persons in the area. In brief, activity was being undertaken to provide new opportunities to persons within a community setting. Consideration was also being given to the ways of delivering social care and the social work procedures currently carried out on the ground. The Council had been invited to speak to other local authorities about their new practices and he therefore felt confident that savings would be delivered alongside improved outcomes.

- (xiii) Received from Mr M Kenny and answered by Mrs K Calder, Portfolio Holder for Health in relation to the influence of health matters upon the planning process and regulatory licensing powers – copy attached to the signed minutes.

By way of a supplementary question Mr Kenny referred to the importance of play and also asked what measures would be taken at the planning stage to ensure that Public Health encouraged people to use alternative methods of transport over journeys by car? He queried whether the Council might be able to limit the number of fast food outlets in favour of more healthy retail options?

In response the Portfolio Holder indicated that car ownership figures in the area were close to the national average but that numbers without a vehicle rose to a higher level in rural households. With regard to the impact of fast food outlets she agreed that this could possibly be explored further by a task and finish group to see if there was any connection between ill health and the increase in outlets. She supported the comments made regarding play and suggested that CIL monies might be used to provide facilities through the planning process. In conclusion she offered to provide the Member with more information about Public Health's proposals should it be required by him.

## **79. MEMBERS ALLOWANCES**

It was proposed by the Leader, Mr K Barrow, and seconded by Mr A Walpole that the report of the Head of Legal and Democratic Services, a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed subject to the inclusion of the following additional recommendation B:

That a Working Party be set up comprising of the 4 Group Leaders, or their representatives, to look afresh at the Members' Allowance Scheme in light of recent and expected changes to the role of elected Members in order that proposals might be submitted for future consideration to the Independent Remuneration Panel.

It was proposed by Mrs H Fraser and seconded by Mrs C Barnes that the recommendations be amended to read as follows:

That the Members' Allowance Scheme attached at Appendix 1 to the report by the Head of Legal and Democratic Services be approved subject to the following amendments:

- From Section 4f, remove "and five scrutiny chairs";
- Replace Section 4g with "The five Scrutiny Panel Chairmen receive a Special Responsibility Allowance which is 0.5 times the Basic Allowance;
- Replace Section 4h with "The role of Speaker and Chairman of Council is combined and receives a Special Responsibility Allowance which is 0.5 times the Basic Allowance;
- In Section 4i, replace "0.5" with "0.25";
- Remove Section 4j;
- In Section 4k, replace "0.25" with "0.125";
- In Section 4l, replace "0.25" with "0.125";
- In Section 4n, replace "0.5" with "0.25";
- Replace Section 4o with "The Chairman of the Pensions Committee receives a Special Responsibility Allowance of 0.125 times the Basic Allowance; and
- Replace Schedule 1 of Appendix 1 with the Schedule set out below.

1<sup>st</sup> April 2013

		£	Multiplier
BASIC ALLOWANCE	(74)	11514.00	
SPECIAL RESPONSIBILITY ALLOWANCES			
Chair of Council and Speaker	(1)	5757.00	(0.5)
Leader of Council (inc group leader)	(1)	23028.00	(2)
Deputy Leader of Council & Portfolio	(1)	14392.50	(1.25)

Holder			
Executive Members (Portfolio Holders)	(8)	11514.00	(1)
Deputy Portfolio Holders	(7)	0.00	(0)
Opposition Group Leaders	(2)	5757.00	(0.5)
Chairs of Scrutiny Committees	(5)	5757.00	(0.5)
Chairs of Area Planning Committees	(3)	2878.50	(0.25)
Vice Chairs of the area planning committees	(3)	0.00	(0)
Chair of Strategic Licensing Committee	(1)	1439.25	(0.125)
Chair of Licensing subcommittee/vice chair of strategic licensing committee	(1)	1439.25	(0.125)
Chair of Audit Committee	(1)	2878.50	(0.25)
Chair of Pensions Committee	(1)	1439.25	(0.125)

On being put to the vote the amendment was lost with a large majority of Members voting against.

After further debate, on being put to the vote, the original proposition was carried by a large majority of Members voting in favour.

**RESOLVED:**

- (a) That the current Members' Allowance Scheme, attached at Appendix 1 to the report by the Head of Legal and Democratic Services be approved.
- (b) That a Working Party be set up comprising of the 4 Group Leaders, or their representatives, to look afresh at the Members' Allowance Scheme in light of recent and expected changes to the role of elected Members in order that proposals might be submitted for future consideration to the Independent Remuneration Panel.

**80. BUSINESS PLAN AND FINANCIAL STRATEGY 2014/15 TO 2016/17**

It was proposed by the Leader Mr K Barrow 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.

Mr A Mosley and Mr R Evans exercised their right as Group Leaders to speak to the budget proposition with Mrs M Shinton speaking on behalf of Mrs P Dee.

After further debate the Leader exercised his right to reply to comments made on the Administration's budget proposals as a whole.

On being put to a recorded vote the proposition was carried with 41 Members voting in favour and 17 against as follows:

For

Mr P Adams, Mr N Bardsley, Mr T Barker, Mrs J Barrow, Mr K Barrow, Mr M Bennett, Mr T Biggins, Mr G Butler, Mrs K Calder, Mr D Carroll, Mr L Chapman, Mr S Charmley, Mr P Cherrington, Mr G Dakin, Mr S Davenport, Mrs P Dee, Mr D Evans, Mr R Hughes, Mr V Hunt, Mr J Hurst-Knight, Mr C Lea, Mr D Lloyd, Mr R Macey, Mrs C Motley, Mrs P Mullock, Mr M Owen, Mr W Parr, Mr M Pate, Mr M Price, Mr K Roberts, Mrs M Shingleton, Mr R Tindall, Mr D Turner, Mr A Walpole, Mr S West, Mrs C Wild, Mr B Williams, Mr L Winwood, Mr M Wood, Mrs T Woodward and Mr P Wynn (41).

Against

Mr A Bannerman, Mrs C Barnes, Mr V Bushell, Mr T Clarke, Mr R Evans, Mrs H Fraser, Mr N Hartin, Dr J Jones, Mr M Kenny, Mrs H Kidd, Mr C Mellings, Mrs P Moseley, Mr A Mosley, Mr K Pardy, Mrs V Parry, Mr J Tandy, Mr M Williams (17).

**RESOLVED:**

- (a) That the Final Business Plan and Financial Strategy attached at Appendix 1 and the proposals for setting the Council's budget for the three years 2014/15 to 2016/17, be agreed.
- (b) That the projected funding gap over the period 2014/15 to 2016/17 of £80m; £41.531m falling in 2014/15 be recognised.
- (c) That the savings identified in 2014/15 of £39.892m and rephasing of growth proposals of £1.639m to meet the funding gap be approved.
- (d) That the adjustments to the budget for the internal market be agreed to ensure that the costs of these services and the recharge cost and income for these services are no longer both reflected in the gross budget.
- (e) That the budget for 2014/15 of £573.139m, after savings and internal market costs adjustments be approved.
- (f) That agreement be given to accept Council Tax Freeze Grant for 2014/15 of £1.307m on the basis that Council Tax will be frozen for 2014/15.
- (g) That the financial implications of the transfer of the Programme Management Office and Business Design Team to ip&e be noted.
- (h) That the revised Capital Programme for 2014/15 to 2016/17 as set out within the report be approved.
- (i) That in accordance with the regulations, approval be given to a Capital Allowance of £1million for 2014/15 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). Furthermore, that the capital receipts from such sales be reserved for expenditure on the Council's housing stock.

- (j) That the Statement of Chief Financial Officer on the Robustness of the Estimates and Adequacy of Provisions and Reserves 2013-16 as set out in Appendix 2 be agreed, noting the Council's general fund balance over this period.
- (k) That the Pay and Reward Policy for all Council staff for 2014/15 as set out in Appendix 3 be agreed.

*(At this point the meeting adjourned at 1.15 pm for a lunch break and resumed at 2.15 pm)*

## **81. TREASURY STRATEGY 2014/2015**

It was proposed by the Leader, Mr K Barrow and seconded by Mr M Owen that the report of the Head of Finance, Governance and Assurance, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

### **RESOLVED:**

- (a) That the Treasury Strategy for 2014/15 be approved.
- (b) That the Prudential Indicators, set out in Appendix 1 of the report by the Head of Finance, Governance and Assurance be approved in accordance with the Local Government Act 2003.
- (c) That the Investment Strategy, set out in Appendix 2 of the report by the Head of Finance, Governance and Assurance be approved in accordance with the CLG Guidance on Local Government Investments.
- (d) That the Minimum Revenue Provision (MRP) Policy Statement, set out in Appendix 3 of the report by the Head of Finance, Governance and Assurance be approved.
- (e) 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.
- (f) That the Section 151 Officer be authorised to use other Foreign Banks which meet Capita's creditworthiness policy and Money Market Funds again if required as money markets continue to stabilise.
- (g) That it be noted that the proposed Prudential Indicators would enable the Authority to use the equivalent of up to 3% of Council Tax in 2014/15 or future years, to fund borrowing under the Prudential Code should the Council decide to do so.

## **82. HOUSING REVENUE ACCOUNT RENT LEVEL 2014/15**

It was proposed by the Portfolio Holder for Planning, Housing and Commissioning (Central) Mr M Price and seconded by Mr T Barker that the report of the Head of Finance, Governance and Assurance, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

### **RESOLVED:**

- (a) That Social Housing rents for 2014/15 be increased in line with the Government recommended formula rent which will result in an average increase of 5.4%.
- (b) That Affordable Rents be increased by 3.7% in line with Government guidance.
- (c) That Un-pooled service charges be not increased in 2014/15.

## **83. COUNCIL TAX RESOLUTION 2014/15**

It was proposed by the Leader, Mr K Barrow, and seconded by Mr M Wood that the report of the Head of Finance, Governance and Assurance, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

On being put to a recorded vote the proposition was carried with 44 Members voting in favour and 4 against as follows:

### For

Mr P Adams, Mr N Bardsley, Mr T Barker, Mrs C Barnes, Mrs J Barrow, Mr K Barrow, Mr M Bennett, Mrs K Calder, Mr D Carroll, Mr L Chapman, Mr S Charmley, Mr P Cherrington, Mr G Dakin, Mr S Davenport, Mr D Evans, Mr R Evans, Mrs H Fraser, Mr N Hartin, Mr V Hunt, Mr J Hurst-Knight, Mr M Kenny, Mr D Lloyd, Mr R Macey, Mr C Mellings, Mr A Mosley, Mrs C Motley, Mrs P Mullock, Mr M Owen, Mr W Parr, Mrs V Parry, Mr M Pate, Mr M Price, Mr K Roberts, Mrs M Shingleton, Mr R Tindall, Mr D Turner, Mr A Walpole, Mr S West, Mrs C Wild, Mr B Williams, Mr L Winwood, Mr M Wood, Mrs T Woodward and Mr P Wynn (44).

### Against

Mr V Bushell, Mr T Clarke, Mrs P Moseley and Mr K Pardy (4).

### **RESOLVED:**

- (a) That approval be given to a 0% Council Tax rise resulting in a basic amount of council tax for a Band D property of £1,164.72 in the billing authority's area, 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) Regulations 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 the billing authority's area be as follows:

Property Band	2014/15 Charge £
A	776.48
B	905.89
C	1,035.31
D	1,164.72
E	1,423.55
F	1,682.37
G	1,941.20
H	2,329.44

- (c) That a total precept of £117,025,463 be levied.
- (d) That the formal council tax resolution be approved as set out in Appendix 1 of the report by the Head of Finance, Governance and Assurance to determine the levels of Council Tax for Shropshire Council for 2014/15.

#### **84. SITE ALLOCATIONS AND MANAGEMENT OF DEVELOPMENT (SAMDev) PLAN: PROPOSED SUBMISSION OR FINAL PLAN STAGE**

It was proposed by Mr M Price, Portfolio Holder for Planning, Housing and Commissioning (Central), and seconded by Mr L Chapman that the report by the Head of Economic Growth and Prosperity, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

#### **RESOLVED:**

- (a) That Council's endorsement be given to the changes proposed following Cabinet to proposals for Oswestry to exclude sites OSW002 and OSW003 and for Church Stretton to exclude sites CSTR027 and ELR070 and include sites CSTR019 and ELR078 in the Proposed Submission document.
- (b) That authority be delegated to the Head of Economic Growth and Prosperity in consultation with the Portfolio Holder for Planning, Housing

and Commissioning (Central) to approve the final version of the draft documents including any minor editorial corrections prior to publication.

## **85. SEX ESTABLISHMENTS POLICY**

It was proposed by Mr S Charmley, Portfolio Holder for Business Growth, ip&e and Commissioning (North), and seconded by Mr R Tindall that the report of the Head of Public Protection, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

### **RESOLVED:**

- (a) That the Sex Establishments Policy as set out in Appendix A of the report by the Head of Public Protection be agreed and the Policy be adopted with effect from 1<sup>st</sup> April 2014. (Note: A paper copy of the appendix had been made available in the Members' Library and emailed to all Members of Council.)
- (b) That the Public Protection Officers (Specialist) be delegated authority with regard to the power to reject objections to sex establishment licence applications that were not relevant to the grounds set out in Schedule 3 Paragraph 12 of the Local Government (Miscellaneous Provisions) Act 1982 or were frivolous or vexatious or which related to moral grounds.
- (c) That delegated authority be given to the Head of Public Protection, Public Protection Service Managers and the Team Manager with responsibility for the licensing function, to determine applications for sex establishment licences, where there were no valid objections submitted during the representation period.

## **86. SHROPSHIRE COUNCIL BETTER REGULATION AND ENFORCEMENT POLICY**

It was proposed by Mr S Charmley, Portfolio Holder for Business, ip&e and Commissioning (North) and seconded by Mr B Williams that the report of the Head of Public Protection, a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed.

### **RESOLVED:**

That the proposed Better Regulation and Enforcement Policy be approved as set out in Appendix A of the report by the Head of Public Protection and the Policy be adopted with effect from 1<sup>st</sup> April 2014. (Note: A paper copy of the appendix had been made available in the Members' Library and emailed to all Members of Council.)

## **87. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2014-15**

It was proposed by Mr M Owen, Portfolio Holder for Resources, Finance and Support, and seconded by Mr M Bennett that the report of the Head of Legal and Democratic Services (Monitoring Officer), a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed.

### **RESOLVED:**

That approval be given to the completion of a review of polling districts, polling places and polling stations throughout the county in advance of the General Election in 2015.

## **88. CHANGES TO THE CONSTITUTION – PART 5 – LOCAL PROTOCOL FOR COUNCILLORS AND OFFICERS DEALING WITH REGULATORY MATTERS**

The Speaker drew Members' attention to the following recommendation of the Enterprise and Growth Scrutiny Committee to amend Part 5 of the Council's Constitution:

"Planning Committee members do not vote or take part in the Committee debate when applications from their own Ward are considered. (The Member to physically move away from the Committee "table" but stay in the room). This will allow Members to speak freely on applications from their own area and to provide advice to their local Parish/Town Councils on these matters."

In view of the full recommendation of the Scrutiny Committee conflicting with other parts of the Constitution in relation to the planning committees the Speaker proposed that the Constitution be amended only to prevent Planning Committee members from voting on applications for development within the electoral division that they represented. For clarification Members would still be required to leave the room if there were concerns regarding bias and predetermination or if they had a Disclosable Pecuniary Interest in the matter under discussion. The proposal was seconded by Mr M Price, Portfolio Holder for Housing, Planning and Commissioning (Central).

During the ensuing debate concerns were raised by some Members that the proposal would reduce their ability to represent the views of their local constituents. In turn several Members referred to proposals to deal with more planning applications through delegated procedures in future and the existing practice whereby local Members were not able to sit on licensing act sub-committees when matters within their Ward were due for determination.

In response the Speaker commented that Council should be aware of the public perception in relation to such matters and that although the proposal did not take away the Planning Committee Member's right to present their

case on the application, it might clarify the position further if the recommendation was amended to specify that they could address the Committee on applications for development within their electoral division. The consensus of Members present was to accept this course of action.

**RESOLVED:**

That Part 5 of the Council's Constitution be amended to enable Planning Committee Members to address the meeting on applications for development within the electoral division that they represented but that they be prevented from voting on such matters.

**89. SECOND REPORT OF THE LOCAL GOVERNMENT OMBUDSMAN**

It was proposed by Mr L Chapman, Portfolio Holder for Adult Services and Commissioning (South), and seconded by Mr T Barker that the report of the Director of Adult Services, a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed.

**RESOLVED:**

That the general approach recommended within the report by the Director of Adult Services be accepted and that the final response to the Local Government Ombudsman be delegated to the Director of Adult Services in consultation with the Portfolio Holder for Adult Services and Commissioning (South).

**90. EXCLUSION OF THE PRESS AND PUBLIC**

It was proposed by the Speaker, seconded by the Chairman and

**RESOLVED:**

That in accordance with the provisions of Schedule 12A, Local Government Act 1972 and paragraph 10.4(3) of the Council's Access to Information Procedure Rules, the public and press be excluded during the consideration of the following item.

**91. SOUTH AREA ACCOMMODATION REVIEW – BRIDGNORTH**

It was proposed by Mr M Owen and seconded by Mr K Barrow that the exempt report of the Head of Commercial Services, a copy of which is included within the signed exempt minute book and the recommendations therein, be received and agreed.

**RESOLVED:**

- (a) That due to the estimated value of Westgate being in the region of £1 million, Council approval be given to the disposal of the premises.
- (b) That Westgate be declared surplus to the Council's requirements and sold, and the Head of Commercial Services be authorised to settle the method and terms for disposal.

Speaker .....

Date: 8<sup>th</sup> May 2014

The meeting closed at 3.40pm