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| <u>Committee and Date</u> COUNCIL |
| 5 November 2009 |

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

MINUTES

OF

MEETING OF SHROPSHIRE COUNCIL

HELD ON 5 NOVEMBER 2009

AT 10.00 AM

PRESENT:

Mr P Adams
Mr P V Andrews
Mrs B J Baker
Mr T Barker
Mrs J B Barrow
Mr K R Barrow
Mr J T Bebb
Mr M Bennett
Mr W Benyon
Mr T H Biggins
Ms K Burgoyne
Mr V Bushell JP
Mr G Butler
Mrs K D Calder
Mr S Charmley
Mr G L Dakin
Mr S Davenport
Mr A B Davies
Mr T Davies
Mrs P A Dee
Mr A Durnell
Mr D W Evans

Mr R A Evans
Mr E J Overall
Mr J A Gibson
Mr J B Gillow OBE
Mr N J Hartin
Mrs E A Hartley
Mr R Hughes
Mr V J Hunt
Mr J Hurst-Knight
Dr J E Jones
Mrs J Jones
Mr J M W Kenny
Mrs H M Kidd
Mr C J Lea
Mr D G Lloyd MBE
Mr C J Mellings
Mr A N Mosley
Mrs M Mullock
Mrs E M Nicholls
Mr P A Nutting
Mr M J Owen JP
Mr W M Parr

Mrs E A Parsons
Mr M G Pate
Mr P F Phillips
Mr M T Price
Mr D L Roberts
Mr K Roberts
Mrs D M Shingleton
Mr J Tandy
Mr M Taylor-Smith
Mrs R Taylor-Smith
Mr R Tindall
Mr G F Tonkinson
Mr A E Walpole
Mr M Whiteman OBE
Mrs C Wild
Mr B B Williams RD
Mr M Williams
Dr M Winchester
Mr L Winwood
Mrs T Woodward
M P A D Wynn

55. APOLOGIES FOR ABSENCE

The Chief Executive reported apologies for absence had been received from Mrs A J Caesar-Homden, Mrs A M Chebsey, Mr J E Clarke, Mrs T Huffer, Mr S P A Jones, Mr D J Minnery, Mrs C M A Motley, Mr S J West, and Mr M L Wood.

56. DECLARATIONS OF INTEREST

No declarations of interest were declared.

57. MINUTES

RESOLVED:

That the minutes of the meeting held on 24 September 2009 be approved and confirmed as a correct record.

58. ANNOUNCEMENTS

(a) Chairman's Engagements

The Chairman referred members to the list of official engagements undertaken by himself and the Speaker since the last meeting on 16 July 2009.

- (b) The Chairman stated that it had been a privilege to be present at the installation of the Rt. Reverend Mark Rylands as Area Bishop of Shrewsbury at Westminster Abbey on 28 October 2009.

59. PUBLIC QUESTION TIME

The Speaker reported that no questions had been received from the public in accordance with Procedural Rule 14.

60. QUESTIONS FROM MEMBERS

The Speaker advised that four questions had been received from members in accordance with Procedural Rule 15.

- (a) Mr G F Tonkinson asked the following question:

"Will you please make sure that Shropshire Council is fully involved in the inquiry by all Highway Agencies called for by East Shropshire Coroner Michael Gwynne into the length of the A41 at a recent fatality inquest at which

he said "fatalities and injuries were excessive in the Woodcote area? Such an inquiry must not stop at the Telford boundary but must include a further one and half miles to Gorse Bank in Shropshire. This section of the A41 carries almost 20,000 vehicles a day; many improvements can and must be made."

Mr M Taylor-Smith the Portfolio Holder for Strategic Planning and Transport replied as follows:-

"Shropshire Council is aware of the recent fatal crashes on the A41 in the Telford & Wrekin area. We will work with Telford & Wrekin Council on identifying appropriate interventions of the A41, in Shropshire and/or Telford & Wrekin, that are necessary to prevent further crashes. This process will take full account of the findings of the inquiry. Initial work has already started and consideration will be given to the A41 beyond the immediate locality of the crash sites."

After thanking the Portfolio Holder for the reply, Mr Tonkinson asked by way of a supplementary question for an assurance that full consideration would be given to the implication for Shropshire residents during the inquest process.

Replying, Mr Taylor-Smith advised that he had only just received the detailed list of points but a formal written reply would be sent to Mr Tonkinson in due course.

(b) Mr G F Tonkinson asked the following question:-

"Will you endeavour to give support from Shropshire Council through Cabinet or the relevant Committee to the strenuous efforts being made by people living in East Shropshire in opposing SITA UK to build a waste incinerator at The Granville, Red Hill, Telford.

Their reasons are based on it being totally unnecessary when less packaging must be used in the first instance with the initial producer made more responsible for recycling their own packaging. The aim must be to recycle and compost 70 – 80% of all waste; composting and bio digesters create more energy than incinerators without the dangerous emissions.

World medical knowledge now proves that fine particulate emissions are not captured by filtrate systems and cause serious health hazards to young children, in-womb foetus, elderly and all those with other health problems over a longer period. Well people become ill due to dioxin mercury furans and many other emissions".

We are grateful for the support of our two MPs in East Shropshire, David Wright, Telford and Mark Pritchard, The Wrekin who have both made tremendous efforts through public consultation and petitions to oppose this incinerator.

Mr M Taylor-Smith the Portfolio Holder for Strategic Planning and Transport replied as follows:-

"Each area in the Country must develop a strategy (and the necessary associated facilities) to divert both municipal and commercial waste away from the traditional route to landfill.

It is for the relevant planning authority to then consider the merits of any application - in light of the approved planning policy for that area.

Local people and those who feel strongly about a particular application will have the opportunity to put their concerns to the planning committee that are considering any such application."

Mr Tonkinson asked by way of a supplementary question whether the Portfolio Holder would give an assurance to the Council that the Council would act on the concerns of local residents and would join in supporting Shifnal Town Council in objecting to the planning application.

Responding, Mr Taylor-Smith stated that the application was outside the Council's area. Nevertheless, Shropshire had policies on clean air which would be made known to Telford and Wrekin Borough Council if the Council was consulted on the application.

(c) Mr A N Mosley asked the following question:

"Would the portfolio holder please provide details of progress on all elements of the planning application for the incinerator at Battlefield. Would he also give precise details of the future timescale for its consideration, including how the public will be included in the deliberations."

Mr M Taylor-Smith the Portfolio Holder for Strategic Planning and Transport replied as follows:-

"The planning application for the development of an Energy from Waste Facility at Battlefield is still at the stage of consultation and evaluation. The applicant, Veolia, and their consultants have been requested under the provisions of the Environmental Impact Assessment Regulations to provide additional information on such matters as the control of air emissions, waste throughput and recycling, energy use, traffic and transport and the effects on the natural environment and cultural heritage.

The supplementary information when received from Veolia will trigger a further round of publicity and consultation with statutory and other interested bodies. This will also include those individuals who have made representations on the application. Completion of this exercise and any follow up requirements will take until the end of the year, and the earliest date for the determination of the application by the Strategic Regulatory Committee is therefore likely to be 4 February 2010.

Ultimately these processing arrangements will be for the Assistant Director Strategy and Development, in consultation with the Chairs of the Strategic Planning Committee and the Central Area Planning Committee, to determine, rather than the Council's Executive."

(d) Mrs E M Nicholls asked the following question:-

"Following advice that the Shropshire Link is very well used in Shrewsbury and other areas in Shropshire but quite low in Highley can I please have the usage rates for the Highley Division? The figures provided to-date give

blanket coverage only and are therefore not very useful for responding to the forthcoming review".

Mr M Taylor-Smith the Portfolio Holder for Strategic Planning and Transport replied as follows:-

"Highley is located in Shropshire Link Zone 4 which, since launch, has had continued growth but has fluctuated over the months of operation. In line with other areas, the best month to date has been July with 325 public trips. In addition to the trips undertaken on the public service, the ShropshireLink vehicles also undertake a school transport contract to Claverley Primary School. This accounts for an additional 5,700 passengers per annum.

In total, in the current financial year, we are forecast to undertake over 9,000 trips in ShropshireLink Zone 4. For comparison purposes, we forecast 7,100 and 7,900 trips for zones 6 and 3, which include the rural areas surrounding Shrewsbury and Ludlow respectively.

Although we are happy with this initial take-up we are looking at the wider promotion of ShropshireLink to boost patronage and registered users. A report going to Development Services Scrutiny Committee on 3 November 2009, gives details of a proposed marketing and promotional strategy which will be rolled out over the next few months."

Mrs M E Nicholls asked by way of a supplementary question for additional information relating to July, as well as details on the level of usage for Zone 4.

Mr Taylor-Smith agreed to provide Mrs Nicholls with such information as was available from the commercial operator in relation to the Shropshire Link Service in the Highley area.

61. A NEW COMPACT FOR SHROPSHIRE

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

Introducing the report, Mr Butler explained that the compact codified how the Council and the voluntary sector would work together. It also demonstrated the Council's commitment to achieving National Indicator 7 - A Thriving Third Sector, but because it was a 'living' document, it would inevitably evolve over time. As continuous improvement would be fundamental to its success, the Council would build upon the experience and good practice arising from its implementation.

Other members commented on the value of having the essential framework for working with and developing a thriving and diverse third sector which was seen as essential in such a large, rural county as Shropshire. Some members also emphasised the benefit of referring to the compact when considering where to make future economies rather than seeing the voluntary sector as an easy target for cuts.

Mrs B Baker enquired where people seeking to volunteer their services now went, following the closure of the voluntary bureau.

Responding, Mr Butler thanked members for their positive remarks and endorsed the statement that the compact must apply across the whole of the County.

With regard to volunteering he endorsed Mrs Baker's comments regarding the benefits of having an accessible volunteer and undertook to ensure that equality and diversity issues were put into the development procedure.

And, on the subject of budget cuts, stated that Administration would undertake this task in an open and transparent way.

RESOLVED:

That the new Shropshire compact, endorsing the aims, values, codes of practice, structures and procedures and encouraging widespread understanding across the organisation of compact principles when working with the voluntary and community sector, be approved.

62. CHANGE OF NAME OF STRATEGIC REGULATORY AND AREA REGULATORY COMMITTEES

It was proposed by the Leader, Mr K R Barrow and seconded by Mr P A Nutting 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 name of the Strategic Regulatory Committee be changed to the Strategic Planning Committee and that the name of the Area Regulatory Committees be changed to the Area Planning Committees.

63. PROPOSED ELECTORAL FEES FOR PARISH AND TOWN COUNCILS

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

Mr Barrow said that the original documentation which had been circulated to all parish and town councils during the spring had contained a number of complex options for the parish/town councils to consider. Many of them had found the proposals problematic, but the latest suggestions addressed most of the concerns raised over the extensive consultation period. The Council wanted to promote elections at parish/town level. What was now being suggested would provide a suitable replacement for the former district/borough council recharging policies.

Mr N J Hartin, Mr P F Phillips and Dr J E Jones pointed to the decline in the number of local council elections in recent times and suggested that a recharging policy would be counter-productive to the Council's aim of promoting local democracy. They suggested that the matter should be referred back to the Cabinet for further consideration. In the interim the current policy, whereby the Council met all parish/town council election expenses should be retained. This view was supported by Mr J M W Kenny, who expressed concern about the impact the policy could have

on the smaller parish councils and Mr R A Evans who in welcoming many of the proposals, but added that the re-charging policy would reinforce cooption and the development of cliques within parish/town councils.

Mr G F Tonkinson spoke in support of the proposal, stating that if £2 per elector was the cost of democracy, he did not consider it to be exorbitant. Mr P A Nutting explained how at a meeting hosted by Shrewsbury Town Council at which more than 50 of the County's parish/town councils had been present, all but one had supported these proposals. Much work had been done by the officers to reach a solution which was acceptable to both large and small councils.

In reply, Mr Barrow stated that this policy was about local people, rather than parish/town councils. The charge of £2 per elector, or the actual cost, whichever was the lesser, would not in his opinion discourage candidates from standing. Nevertheless, the policy would be reviewed after 18 months operation and changes would be made in the light of experience.

On being put to the vote, the motion was carried with 46 members voting in favour, 14 against and with 1 abstention.

RESOLVED:

- (a) That a policy of recharging parish/town councils election costs at a rate of £2 per elector or at actual cost, whichever is the lesser, be introduced on a trial basis with effect from 1 April 2010.
- (b) That any costs incurred be deferred to the following financial year to enable the parishes/towns concerned to precept for the appropriate amount.
- (c) That at any combined election involving the parish/town councils they only be required to pay the additional costs which relate solely to their elections.
- (d) That the policy be reviewed after 18 months operation.

64. MEMBERSHIP OF SHROPSHIRE COUNTY JOINT MEMBER BOARD

RESOLVED:

That Mrs C M A Motley be appointed to replace Mr P A Nutting as one of the Council's three representatives on this body.

65. POLICY REVIEW – RESTRICTIONS AT HOUSEHOLD RECYCLING CENTRES

It was proposed by Mr D W L Roberts and seconded by Mrs C Wild that the report, a copy of which is attached to the signed minutes and the recommendations, as amended below be received and agreed.

In presenting the report, Mr Roberts proposed the following amendments:

- (a) Paragraph 22(b) : Replace "clear loading area may" with "clear loading area, including horse trailers with no height restriction will" ...

- (b) Paragraph 27 : Add sentence : “Land Rover type vehicles will be able to use the sites without restriction”.
- (c) Paragraph 29 : Replace “new permits will be accepted” by “new permits will be issued”

Mrs H M Kidd proposed by way of amendment, which was duly seconded that the matter be referred back to the Cabinet for it to consider the adverse effect that the policy would have on fly tipping in rural areas.

A larger number of members then stated that the policy had been out for consultation for long enough and, on being put to the vote, the amendment was lost with 8 members voting in favour, 48 members voting against with 2 abstentions.

Mr M Whiteman and other members thanked the Portfolio Holder for responding positively to their concerns over the implementation of the original proposals. They added that the latest version should achieve all of the intended objectives. Referring to the intended implementation date of 2 November 2009 stated in the summary to the report, Mr J B Gillow expressed the hope that the Council would not be seeking to introduce policies retrospectively in the future.

Echoing these remarks, Mr R A Evans enquired whether the amenity skips operating in the former North and South Shropshire District Council areas and referred to on page 3 of the report, could be re-introduced into the former Shrewsbury and Atcham Borough Council area without delay.

Mr C J Mellings welcomed the modifications to the policy, particularly those relating to trailers referred to on page 5 of the report, but requested that in future the full details of late amendments to reports be printed in advance and tabled at meeting.

In reply, Mr Roberts apologised for not providing a printed version of the latest amendments for all members. He explained that these had come forward within the last 24 hours and thanked the Council for the constructive comments that he had received during the consultation period. He concluded by stating that there would be no reintroduction of the amenity skip service within the Shrewsbury area and would be phased in other areas in due course.

On being put to the vote the motion was carried with 50 members voting in favour to 11 against.

RESOLVED:

That the current policy on restrictions at household recycling centres be replaced with the revised policy attached in Appendix 1 and subject to the foregoing amendments, as of 2 November 2009.

66. VOTING CO-OPTees FOR SCRUTINY COMMITTEES

RESOLVED:

That the following voting and non-voting co-optees be approved.

(a) Children and Young People's Scrutiny Committee

| | <u>Organisation</u> | <u>Representative</u> | <u>Deputy</u> |
|-------------------------|-----------------------------------|-----------------------|-----------------|
| <u>Statutory</u> | | | |
| 1 voting representative | Church of England | Tony Leach | Theresa Gregory |
| 1 voting representative | Roman Catholic Church | Austin Atkinson | Terry Lockett |
| 1 voting representative | Secondary Parent Governors | Pam Francis | - |
| 1 voting representative | Primary Parent Governors | Martin Jones | - |
| <u>Non-voting</u> | Governor's Council representative | Lucinda Burns | John Hitchings |

(b) Health Overview and Crime Reduction Scrutiny Committee

| | <u>Organisation</u> | <u>Representative</u> | <u>Deputy</u> |
|-------------------------|---|-----------------------|------------------|
| 1 voting representative | SALC | Keith Bartlett | Madge Shingleton |
| 1 voting representative | West Mercia Police Authority/Safer and Stronger Communities Partnership | Miles Kenny | - |

67. APPOINTMENT OF CORPORATE DIRECTOR – CHILDREN AND YOUNG PEOPLE'S SERVICES

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

RESOLVED:

- (a) That the proposed composition of the Member Panel for the appointment to the post of Corporate Director for Children and Young People's Services be agreed.
- (b) That Group Leaders nominate representatives to sit on the Member Panel.

68. MOTION

It was proposed by Mr A N Mosley and seconded by Mr J M Mansell:

“That this Council wishes to be at the forefront on efforts to significantly cut carbon emissions and so reduce our impact on climate change.

To that end we declare our intention to cut 10% of emissions in 2010 and will further reassess policy and targets to that end.

We will also encourage all partners and stakeholders, together with other public and private organisations, to make a similar declaration of intent.”

Speaking to the motion, Mr Mosley stated that this was the type of matter which the new Council should be considering and requested that the Political Structures Monitoring Group be convened to consider how the Council meeting could be used more productively in future.

He stated that people worldwide were increasingly recognising the extent of the problems of climate change. There was also agreement over the need for urgent action. The Labour Group shared these concerns and believed that the Council should set an example locally and provide visible community leadership by pledging to reduce its carbon emissions by 10% in 2010.

He explained how, having already decided to install new boilers and solar panels at Shirehall, the Council was likely to be able to deliver a 7% reduction with little additional effort. It should therefore look to exceed its stated target and use this opportunity to prove it was up with the best.

Mr J M Williams, in seconding the motion, reminded members of the need for consensus in this area. He added that, despite the economic backdrop “business as usual” was no longer an option. Society had been given 70 years notice of the need to act and savings now would be worth more in the long term than savings in the future.

Mr P A Nutting proposed by way of amendment, which was duly seconded : the deletion of the second sentence of the motion and the addition of the following words:

“That the Council’s agreed target of a 7% reduction by March 2011, be confirmed as realistic, rather than aspirational and that the actions proposed to date for further reductions in future years, as part of our carbon management programme, be noted.”

And that at the end of the final sentence, the addition of the following words:

“That officers identify, where possible, opportunities to further reduce carbon emissions which also assist to reduce overall costs.

That officers investigate national and European funding opportunities to carry out further work to enable carbon reduction targets to be improved.

Speaking to the amendment, Mr Nutting thanked the mover of the motion for the opportunity to demonstrate how ambitious the Council was in this area. The

replacement of the boilers and installation of solar panels at Shirehall would not achieve the 7% target so more would need to be done if the Council was to reach its target. More importantly, this target should remain realistic, rather than aspirational.

Dr M Winchester, Mr B B Williams, Mr D W L Roberts and Mr M Bennett all stated that, while they shared the ambition to do more, it was necessary for the Council to be cautious and achieving savings of 7% each year for the next five years constituted a significant overall saving.

Others, including Mr N J Hartin, Mr R A Evans, Mr C J Mellings and Mr J M W Kenny took a contrary view. They emphasised the need for the Council to sign up to the 10/10 campaign which was already being promoted by the Conservative Party in Parliament.

The Leader thanked Mr Mosley for moving the motion which, he added, everyone regarded as important and vital. He confirmed that the Political Structures Monitoring Group would review how to improve the content of future Council agendas. And, with regard to the motion, the Council would reaffirm its commitment to reducing its carbon emissions and would not stop once the 7% target was achieved. But, while everyone would strive to do more, he could not commit to this at present. He urged members to support the amendment.

Replying, Mr Mosley stated that it was a pity that it was not possible to reach agreement over the level of reduction as it would have provided a perfect symbol of how the Council was able to put its community leadership role into action.

On being put to the vote, the amendment was carried. The substantive motion was then also carried with 47 members voting in favour and 16 against.

RESOLVED:

That this Council wishes to be at the forefront of efforts to significantly cut carbon emissions and so reduce our impact on climate change.

That the Council's agreed target of a 7% reduction by March 2011, be confirmed as realistic, rather than aspirational and that the actions proposed to date for further reductions in future years, as part of our carbon management programme, be noted.

We will also encourage all partners and stakeholders, together with other public and private organisations, to make a similar declaration of intent. That officers identify, where possible, opportunities to further reduce carbon emissions which also assist to reduce overall costs.

That Officers investigate national and European funding opportunities to carry out further work, to enable carbon reduction targets to be improved.

69. EXCLUSION OF PUBLIC AND PRESS

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 Procedural Rules, the public and press be excluded during consideration of the following items:

70. THE PTARMIGAN BUILDING

It was proposed by Mr P A Nutting and seconded by Mr T H Biggins that the report, a copy of which is attached to the signed minutes and the recommendation, as amended, be received and agreed.

That the Council proceed as stated in the exempt minute.

71. THE MOUNT MCKINLEY BUILDING

It was proposed by Mr P A Nutting and seconded by Mr T H Biggins 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 Council proceed as in the exempt minute.

SPEAKER

DATE

(The meeting closed at 12.40 p.m.)