



<u>Committee and Date</u>
COUNCIL
13 December 2012

<u>Item</u>
3
Public

MINUTES

MEETING OF SHROPSHIRE COUNCIL

HELD ON THURSDAY 22 NOVEMBER 2012

AT 10.00 AM

PRESENT:

Mr P Adams
Mrs B J Baker
Mr A Bannerman
Mr T Barker
Mrs C A Barnes
Mrs J B Barrow
Mr K R Barrow
Mr J T Bebb
Mr M Bennett
Mr W Benyon
Mr T H Biggins
Mrs K Burgoyne
Mr V Bushell JP
Mr G H L Butler
Mr L Chapman
Mr S F Charmley
Mrs A M Chebsey
Mr J E Clarke
Mr G L Dakin
Mr A B Davies
Mr T Davies
Mrs P A Dee
Mr A Durnell

Mr R A Evans
Mr E J Overall
Mrs H Fraser
Mr J B Gillow OBE
Mr N J Hartin
Mrs E A Hartley
Mrs T Huffer
Mr R Hughes
Mr J Hurst-Knight
Dr J E Jones
Mrs H M Kidd
Mr C J Lea
Mr D G Lloyd MBE
Mr C J Mellings
Mr A N Mosley
Mrs C M A Motley
Mrs M Mullock
Mrs E M Nicholls
Mr P A Nutting
Mr M J Owen JP
Mr W M Parr
Mrs E A Parsons
Mr M G Pate

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

63. APOLOGIES

The Speaker reported apologies for absence had been received from Mrs A Caesar-Homden, Mr S Davenport, Mr D W Evans, Mr R Huffer, Mr V J Hunt, Mr J M W Kenny, Mr M Taylor-Smith, Mrs R Taylor-Smith and Mr S P A Jones.

64. 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.

- Mrs C Wild asked that it be recorded that she left the room prior to the commencement of the discussion and voting on the item on Shrewsbury South Sustainable Urban Extension Masterplan (Agenda Item 11).

65. MINUTES

RESOLVED:

That the Minutes of the meeting held on 27th September 2012, as circulated with the agenda papers, be approved and signed as a correct record.

66. ANNOUNCEMENTS

66.1 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 27th September 2012, which had been circulated at the meeting.

66.2 Death of Honorary Alderman Captain Michael Lumsden

The Chairman reported with great sadness on the death of County Alderman Captain J M G Lumsden, aged 85, of Henley Hall, Ludlow. Michael had been a long serving and prominent member of South Shropshire District Council and was, for a number of years, Chairman of the Planning Committee. He was a gentleman, respected by all and carried out his duties in an exemplary manner. He was a former High Sheriff of Shropshire. A Service of Thanksgiving was held at St Mary's Church, Bitterley on Friday, 2nd November.

66.3 **CCN Network Conference**

The Speaker was pleased to inform fellow members that this Council's role in the Tri-council partnership with Staffordshire and Worcestershire County Councils had been one of the special workshops featured at this week's Annual Conference of the County Council's Network. It also featured in Don Foster's, Parliamentary Under Secretary at Department for Communities and Local Government, conference speech as a leading example in partnership working.

66.4 **Presentation – Silver Medal for Most Improved Revenues Team of the Year**

The Chairman presented Steph Jackson (Group Manager – Customer Care and Involvement), Phil Weir (Revenues Manager), Cheryl Padgett (Revenues Team Leader), Andrew Darlington (Senior Recovery Officer), Liz Gordon (Revenues Officer) and Amanda Williams (Revenues Trainee) with the Silver Medal for Most Improved Revenues Team of the Year which the Council recently won in the prestigious Institute of Revenue Rating and Valuation national award.

67. **PUBLIC QUESTION TIME**

The Speaker announced that Mr R Pote of Ludlow Town Centre Residents Association had given notice of his intention to ask a question in accordance with Procedural Rule 14.

Mr R Pote asked the following question of the Portfolio Holder for Public Transport and Car Parking:

Could the portfolio holder assure the people of Ludlow that every effort will be made to ensure that the Park & Ride service to the town centre will run on Sundays. Ludlow Town Centre Residents Association represents around 135 members and fully supports the proposed Sunday parking charges. Based on research they have done on the rate of turnover within on-street parking on days when it is free, they are confident that both residents and, crucially, shopkeepers will benefit from the move from on-street to cheaper off-street parking on Sundays. It is vital, however, that this is backed up by an efficient Park & Ride service.

In the absence of Mr S Jones, Mr M Bennett replied as follows:

The formal consultation on the introduction of on-street parking charges in Ludlow has now commenced. All those wishing to support, object or simply comment upon the proposals are encouraged to do so to ensure that a balanced decision is taken when considering the proposals. Further details of the consultation are available by visiting www.shropshire.gov.uk/traffic. Consultation on similar proposals is also underway in Shrewsbury. The

content and sentiment of this question will be fed into this consultation so that it can be considered alongside other views received.

Mr Pote thanked Mr Bennett for the response and by way of a supplementary question, asked if town centre residents in Ludlow could be assured that the allocation of visitors permits would be increased to cover the additional charging period for on-street parking.

In reply, Mr Bennett stated that the issue raised would be fed into the consultation process and an answer provided to Mr Pote as soon as possible.

68. QUESTIONS FROM MEMBERS

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

(a) Received from Mr B Williams:

“As I am a Leading Member of the recently formed Admiral Benbow Statue Campaign Group I am certain that, as Portfolio Holder for Planning, Councillor Price will be aware that his officers are at present discussing details of the Section 106 conditions for the proposed Riverside Shopping Centre by the Shearer Group. He will also be aware there is a requirement in all large developments for the provision of public art. He may not be aware that the Shearer Group have indicated support for the possibility of including a statue of Admiral Benbow, one of England’s bravest naval commanders, and a true son of Shrewsbury, in the new Centre.

As Councillor Price is amongst Shrewsbury’s leading citizens, will he use his best endeavours as Portfolio Holder to encourage his planning staff to keep before the Shearer Group the thought that it might be appropriate to also call the new development The Benbow Centre?”

Mr M Price replied:

“I understand that Councillor Williams has discussed this proposal with the Council’s Development Manager where he was advised that unfortunately the Section 106 Agreement for the Riverside development had already been signed and agreed. In any event, the CIL Regulations which describe how planning obligations can be used require that any planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

I consider that this would not include a provision for public art and nor is there a requirement under prevailing planning policy for a contribution to public art to be delivered through development schemes.

Having said that, I am pleased to learn that through Councillor Williams' approach that Shearer Property Group has indicated support in principle to acknowledge Admiral Benbow in some way through the development and I will ask that officers raise this in subsequent discussions when the scheme is brought forward for implementation."

(b) Received from Mr J M Williams:

"Health & Transport

Recently the World Health Organisation declared diesel fumes a cause of cancer and the EU rejected the UK Government's attempts to defer cleaning up the air in our polluted cities and towns.

The Air Quality Management Area in Shrewsbury town centre is for Nitrogen Dioxide and the principal source of that pollutant will be diesel engines. What steps has Shropshire Council taken, and is planning to take, to address:

1. The serious public health problem of Air Quality in and around Shrewsbury town centre?
2. How is the Council planning to remove the most polluting vehicles
3. What other control actions on sources of pollution are planned?"

Mr S Charmley replied:

"There are hotspots of poor air quality in and around Shrewsbury Town Centre due to road traffic emissions, and it is correct to say that the Air Quality Management Area (AQMA) was declared due to levels of Nitrogen Dioxide in ambient air that exceed the National (and EU) set limits. This has been the case for a number of years. The attached graph shows the trend over the last 3 years from our monitoring using diffusion tubes in several locations within the AQMA. The graph shows the results from the tubes in the AQMA since 2009 and it clearly shows that there is a downward trend in pollution levels.

The poor air quality is almost solely the result of road traffic emissions and the key to making a difference is through either improvements to emissions from the vehicles that use each road, through improvements to public transport such that fewer vehicles travel on those roads, or through improvements to the road network to smooth traffic flow.

Guidance from government has been that improvements in engine emissions driven by policies at an EU level as the fleet is gradually renewed would deliver the improvements necessary, with local action

only necessary in some cases. Experience nationally over the last 2-3 years has not shown the hoped for improvements though and so attention has turned to the concept of Low Emission Zones with plans for a framework to be introduced to allow these to be put in place where necessary.

In 2007 options were put to Shrewsbury and Atcham Borough Council members for inclusion in an air quality action plan for this AQMA but Members rejected some of the measures that officers put forward as ones that could make the most significant difference, such as requiring taxis to meet the latest Euro IV emission standards, and public transport commissioning policies to require improvements to the bus fleet through contract amendments.

Since then the Local Transport Plan³ transport planning process has taken into account air quality considerations but public support through the consultation process was quite low for this area to be given priority for funding.

In 2010 roadside monitoring of the emissions actually being produced by vehicles as they are being driven on the road in a location in Shrewsbury Town Centre showed that NO₂ levels being emitted in these real world driving conditions were, on average, about 6 times higher for buses and a few of the oldest vehicles than for the average car. The Environmental Protection and Prevention Team (EP&P) is currently working on a wider environmental quality strategy to incorporate air quality action planning.

In terms of controlling other sources of pollution, the EP&P team does also continue to regulate potentially polluting industrial activities through the Environmental Permitting Regulations 2010, and the implementation of these regulations via a risk based, business friendly approach to regulation is proving successful at controlling industrial sources of pollutants to air.”

By way of a supplementary question, Mr J M Williams asked if consideration could be given to reconvening the Transport Task and Finish Group to examine the problems of air quality in detail and whether the Council would intervene to ensure that Arriva applied for Green Bus Funding to provide non-polluting buses through Shrewsbury town centre

In reply, Mr Charmley indicated that he would liaise with Mr S Jones and Mr M Price to look into what action could be taken on the matter.

(c) Received from Mr J M Williams:

“Observation suggests that after 9.30am, since the withdrawal of the use of Concessionary Passes, there are on weekday’s large numbers of vacant seats on our excellent Park and Ride Service. Does the Council have figures for the percentage of seats occupied during these hours?

Since the timetable operates throughout the day, presumably at a fixed cost irrespective of the number of passengers carried, would it not be sensible and no more expensive to allow holders of concessionary passes to occupy these vacant seats?

This would have the following positive advantages:-

- Reduce traffic movements into and out of the town centre, helping to cut pollution
- Help to ensure the survival of town centre retail and other services, keeping it vibrant and thriving
- Help to attract additional tourists to enjoy the Town Centre offer, a prime aim of the Council's Tourist Strategy
- Improve the general wellbeing of older citizens by encouraging them to participate fully in the social, cultural and economic life of the town centre

What would be the cost implications, if any, of such a change in charging policy? Is there a fear that overcrowding, to the possible discomfort of paying passengers, would occur?"

The following reply had been prepared by Mr S Jones and tabled in his absence:

"An analysis of passenger numbers suggests that there is sufficient capacity on the P&R service to accommodate any extra passengers resulting from a change in policy to allow concessionaires to travel for free. Indeed prior to April 2011 concessionaires were able to travel for free and this did not cause any capacity issues.

The service does run at a fixed cost to the operator ie Arriva receive the same level of payment regardless of how many passengers they carry. Current payment is £860,000 per annum. Shropshire Council (the Park & Ride budget) receives the income from any fares paid and concessionary travel reimbursement (if applicable) bringing the current cost of the contract to around £210,000 per annum. Therefore we receive in the region of £650,000 through fares.

A proportion of these fare paying passengers will be concessionary travel pass holders. At its simplest, should we re-introduce concessionary travel to the P&R we will lose the fare income which is currently paid by concessionary travel pass holders paying to use the service. We will however generate additional passengers leading to the positives identified. From best estimates (based upon past and current patronage) we could generate around 103,000 passengers but we would lose income from 140,000 passengers. I therefore estimate that moving to a free fare for concessionaires would cost in the region of £224,000.

Obviously this is an estimate, but worst case scenario. It assumes that the reduction of 103,000 passengers between 2010/11 and 2011/12 was a result of the change in policy however we are aware of the wider economic picture and the increase in fares on the service will also have had an impact.

The Transport Task and Finish group are currently looking at concessionary travel pass options for the P&R which could include a £1 charge for concessionaires although this would also have a cost implication.

We will shortly be introducing a group ticket allowing up to 5 passengers to travel at a cost of £2.50. This is a significant reduction on the current cost and will hopefully address the disparity between parking charges and the P&R fare encouraging more people to travel. This is available for all passengers from 19 November until Christmas Eve.”

(d) Received from Mrs T Huffer:

“Could the portfolio holder explain the rationale behind proposals to introduce Sunday charges for on street parking in Ludlow. Ludlow is heavily dependent on visitors & local residents coming into town to shop and this decision, at a time of recession, when people are spending less, has led to vocal opposition amongst both local traders & many residents who are absolutely furious and who condemn these plans as unnecessary & likely to damage the local economy. Has any consideration been given to the effect on shop owners who rely heavily on weekend trade? Or to the members of the public who attend Sunday services at our town’s churches, many of whom are elderly and some with very little disposable income? Or to the continued availability in nearby towns of free on street parking?”

The following reply had been prepared by Mr S Jones and tabled in his absence:

“The use of car parks has increased in Ludlow over the last 2 years, and we are seeing an increase in the number of market days in the town, which is undoubtedly a result of the attractiveness of the town and its shops. There is increasing pressure on the on-street parking which has to be shared by the residents, traders and visitors to the town. Therefore on Sundays Cabinet agreed that the off-street car park charge will be halved in all car parks to encourage people to use those spaces, and we are proposing the introduction of the on-street charge on Sundays to encourage this change in behaviour.”

(e) Received from Mr N Hartin

“Many retail businesses across Shropshire have suffered a difficult years trading & we are now about to enter the key Christmas trading period. Will the Leader agree that Shropshire Businesses deserve all the assistance they can get to help drive the Shropshire Economy forward again & in order to help that process would he agree to a limited period of free parking both in Council Car Parks & on street in the vital last two weeks running up to Christmas Day.

Whilst there would be a limited impact on car parking revenue, this demonstration of the Councils commitment to Shropshire’s retail economy would be a welcome shot in the arm for local businesses across Shropshire.”

The Leader of the Council, Mr K R Barrow replied:

“Councillor Hartin will be aware that Scrutiny recently reviewed the level of parking charges across all of our Market Towns – in order to support them in whatever ways we can. Councillor Hartin will also be aware of the need for the Council to balance its budget. The cost of allowing free parking for the two week period before Christmas would be over £200,000 and so this is neither realistic nor affordable.”

By way of a supplementary question, Mr N Hartin asked the Leader if he would look again at the options available for the Council to take measures that would assist in reviving the Shropshire economy.

In reply, Mr Barrow stated that the Council continually liaised with businesses on the introduction of initiatives around the county that would help to boost Shropshire’s economy and referred to the special promotions on park and ride and car parking being offered by the Council for the Christmas period that had been developed in conjunction with businesses in an effort to boost trade.

(f) Received from Mr R Evans

“Can council and councillors be updated on how applications for Disabled Facilities Grants (DFG) are now being assessed? Can details on the system being used in the grading of applications be publicised so all councillors are aware of the new policy that has been implemented.

Can council also be informed how long has the longest applicant been waiting, this to be from when the first application was made, how long did it take an Occupational Therapist (OT) to make the first visit and how long is it expected to be until the required work is to be carried out. Is it anticipated that any applicant will have to wait for their grant beyond the legal limit of 12 months.

Can council be reminded please what was the total budget allocated for DFG work in this financial year and in each of the preceding two years and how much was spent. For this financial work, how much of the budget was committed at the end of October and how much were any outstanding applications at that date expected to total. Are there any plans to offer deferred grants to any applicants and if so what does this mean.

Specifically for children at the end of October how long has the longest application for a DFG been waiting? What is the longest and also the average length of wait for a visit by an OT.

How long after a visit by an OT has it been taking for the grant to be agreed and how long is it expected to be before the work is carried out.”

Mr M Price replied:

“(Can council and councillors be updated on how applications for Disabled Facilities Grants (DFG) are now being assessed? Can details on the system being used in the grading of applications be publicised so all councillors are aware of the new policy that has been implemented.)

Since August 2012, A Priority Pointing system has been in place in Shropshire in relation to applications for Disabled Facilities Grants, following the Review of DFGs.

Priority Pointing is applied by Occupational Therapists following their assessment of works deemed to be ‘necessary and appropriate’. The Priority Pointing system indicates the level of need and the degree of urgency with respect to the adaptations required. OT recommendations are graded into one of three bands (gold, silver and bronze) before being passed to the Council’s Disabled Facilities Grants Team.

OT recommendations are held in band and date order (date of assessment). The DFG Team also assesses whether the recommended works are ‘reasonable and practicable’. Cases are then progressed through to the next stage, which is preparation of the DFG application, in priority and date order, targeting those assessed as being in greatest need. Early indications suggest that one outcome of managing the throughput of cases to the Home Improvement Agency in this way is contributing to a reduction in the time taken to prepare formal DFG applications as cases come through.

When the completed application for a DFG is received by the DFG Team, it is determined within 10 days. There is no grading applied at this point.

Details of the Priority Pointing System have been made available in the Members’ Library.

(Can council also be informed how long has the longest applicant been waiting, this to be from when the first application was made, how long did it take an Occupational Therapist (OT) to make the first visit and how long is it expected to be until the required work is to be carried out. Is it anticipated that

any applicant will have to wait for their grant beyond the legal limit of 12 months.

Specifically for children at the end of October how long has the longest application for a DFG been waiting? What is the longest and also the average length of wait for a visit by an OT.

How long after a visit by an OT has it been taking for the grant to be agreed and how long is it expected to be before the work is carried out.)

At 29 October 2012, 112 applications have been determined (approved) this financial year. 101 were determined within 10 days. Of the remaining 11 which were complex and therefore took longer than 10 days, the longest wait was 26 days.

The grant limit of 12 months starts on the date a valid DFG application is received by the DFG Team. The Priority Pointing Scheme enables management of the throughput of works to ensure grants are approved against available funding. It is not currently anticipated that any applicant will have to wait for their grant beyond the legal limit of 12 months.

In relation to OT visits, the longest wait currently for an adaptation is a north Shropshire resident. The resident first contacted Adult Social Care in August 2011 and was not prioritised for a visit but was signposted to another agency to explore alternative options in the first instance. This resident was later seen by an OT in February 2012.

In February, the OT worked with the individual to explore alternatives to a DFG, however, on March 6th all alternatives had been explored and although this case was still considered 'not-urgent' an application was made. The resident was visited by a Mears caseworker later in March. When Priority Pointing was introduced, the resident was awarded the Bronze Banding, which indicates that the application is not considered to be a priority and therefore we cannot give an indication when this work will be carried out.

This case is not indicative of usual practice and most individuals who approach OT for an assessment are seen within 28 days.

Specifically in relation to children, at the end of October 2012, the longest child's application for a DFG has been waiting 2 years 3 months from the DFG recommendation being made. The grant has not yet been agreed for this build as the technical issues are still being resolved.

At the end of October there was an average wait of 7-9 months for an OT visit.

Currently on average the time taken from OT visit to grant approval is 12.5 months

Currently on average the time taken from grant approval to work starting is 1.9 months.

(Can council be reminded please what was the total budget allocated for DFG work in this financial year and in each of the preceding two years and how much was spent. For this financial work, how much of

the budget was committed at the end of October and how much were any outstanding applications at that date expected to total. Are there any plans to offer deferred grants to any applicants and if so what does this mean.)

Total Budget 2012/13 £1,911,200 (of which £1,081,000 from DCLG)

Total Committed Spend £1,578,488 at 29th October 2012
(includes payments made and value of approved DFG applications)

Total Budget 2011/12 £2,081,000
(of which £1,079,283 from DCLG)

Total Spend £1,849,900
(Underspend resulted from late year (Feb/March) top-up from DCLG. Includes spend against carry forward commitment from previous year but not the carry forward commitment of approx. £900,000 into the following year)

Total Budget 2010/11 £2,400,400
(of which £1,079,283 from DCLG plus £182,740 Regional Housing Pot – no longer available)

Total Spend £2,400,400
(includes spend against carry forward commitment of £750,000 from previous year but not the carry forward commitment of £759,000 into following year)

Value of outstanding applications (29Oct12)

There are no outstanding applications as such. There are cases ‘in the pipeline’, at the pre-application stage. Figures are therefore approximate:

Pre-Priority Pointing Pipeline Cases	approx. £200,000
Post Priority Pointing	approx. £553,428
Total	approx. £753,428

There are no plans at this stage to issue Deferred Payment Approvals. The Priority Pointing scheme enables managed throughput of cases against available funding and so reduces the potential risk of having to issue DPAs.”

By way of a supplementary question, Mr R Evans asked if arrangements could be made for the priority pointing system to be made available on the Council’s website and if the disabled facilities

grants funding process could to be looked at by Scrutiny to see where responsibility for it should be in the budget.

In reply, Mr Price stated that the he had no issue with the priority pointing system being made available on the Council's website and agreed that the disabled facilities grants funding process needed to be looked at so that those spending the money were responsible for the budget.

69. REPORT OF THE PORTFOLIO HOLDER FOR FLOURISHING SHROPSHIRE COMMUNITIES

Mr G Butler presented his report as Portfolio Holder for Flourishing Shropshire Communities, a copy of which is attached to the signed minutes.

To accompany the report, a short DVD film, made by students of Shrewsbury Sixth Form College working with the Council, based on real life experiences of hate crime occurring in Shropshire, particularly experienced by people with disabilities, was shown.

Referring to capacity building with the voluntary and community sector and business transformation, Mr Mosley enquired if any difficulties were being experienced in the recruitment of volunteers for the possible future provision of Council services and cautioned that the Council's strategy in this respect might need to be reconsidered in the likelihood of continuity problems being experienced with volunteers. On the same area of responsibility, Dr J Jones queried whether the Shropshire Providers Consortium had the capacity to provide co-ordination for member organisations.

Dr J Jones expressed the view that the roles of parish and town councillors were becoming more onerous and this might deter people from standing for election in the future. In addition, she considered that Local Joint Committees had proved an excellent means of engaging with communities, providing valuable resources for local projects and scrutiny of local services. In respect of Place Plans, she considered that much of the work being achieved by the Council in parishes to give communities a real influence over development and investment in their areas was being undermined by the Government with changes to planning legislation.

On equality and diversity, Mr Durnell and Mrs Dee offered assistance to the Portfolio Holder of their experiences from involvement with policing organisations and the Scout Association.

Mrs Wild enquired about the commissioning of services that would take place under the portfolio and Mrs Kidd wished to be assured that the relevant expertise was in place in each of the service areas if commissioning was undertaken. Mr Hartin indicated that he was pleased to see that a full report would be coming to Members on the commissioning of services.

In response to the above issues raised by Members, Mr Bennett stated that volunteering would be an ongoing issue across the whole of Shropshire. It was part of the localism agenda in which parish councils could take part more than ever, if they wished, in what was important local service provision. Many parishes were poised to take on a more significant role which would be challenging and demanding, but in-turn also very satisfying, so there was a need to ensure that they had the appropriate candidates with the necessary capabilities. He emphasised that taking the localism agenda forward it was the responsibility of all Members to look at how the Council could work with groups and organisations at both a county and local level.

Mr Butler acknowledged that there was an element of risk in services being provided through voluntary organisations. He stressed, however, that this would be managed carefully and only low risk elements of services were being considered for provision by voluntary organisations. With regard to the Shropshire Providers Consortium, Mr Butler stated that the Council had provided seed corn funding to assist its work and help build the capacity for the voluntary and community sector in Shropshire to compete for contracts for the provision of local services both within and outside the county. He indicated further that work was being undertaken on place plans and their role in Local Joint Committees; and work was being prepared on local commissioning for Members to be closely involved. He also undertook to provide Mr Hartin with a full copy of the report on local commissioning to Mr Hartin.

In conclusion, Mr Butler thanked Mr Durnell and Mrs Dee for their offers of assistance from their organisations on equality and diversity issues.

RESOLVED:

That the contents of the report be received.

70. ANNUAL REPORT OF THE PROTECTING AND ENHANCING OUR ENVIRONMENT SCRUTINY COMMITTEE 2011-12

In the absence of the Chairman, Mr V Hunt, the Speaker invited the Vice-Chairman, Mr L Winwood, to present the annual report of the Protecting and Enhancing Our Environment Scrutiny Committee, a copy of which is attached to the signed minutes, which detailed an overview of work undertaken by the committee during 2011/12, plans for the forthcoming year and its achievements in providing positive outcomes for local people.

Mr Winwood highlighted the areas of work covered by the Committee during the course of the year and drew attention to the future areas for scrutiny outlined in the report. He referred in particular to the review of the work of utilities companies on Shropshire highways, which as a consequence had resulted in an improvement in the quality of the utilities companies reinstatements through, in part, to the increase in Council inspections. In addition, he referred to the key role that the Choice Based Lettings Task and

Finish Group had played in helping to develop the Shropshire Affordable Housing Allocation Policy and Scheme.

Mr Mosley expressed concern at problems encountered by the officers in the operation of the Highways and Environment contract awarded to Ringway and requested that the Committee undertake an examination of the contract requirements and Ringway's performance, as residents were being placed at risk in not receiving the level of service required.

Mrs Kidd expressed concern that the clearance of gulleys in the Ringway contract did not appear to include the removal of vegetation or the cleaning of drainage pipes which could cause flooding. In addition, she stated that the clearance of gulleys in verges was also not included in the contract and needed to be added.

Mrs Shingleton referred to housing lettings being delayed due to the wait for utilities to undertake connections and asked if the Committee could pursue this.

Mr Bannerman contended that air quality management and the work of the Environmental Protection and Prevention Team should be included in the Committee's future scrutiny plans.

Mr Evans referred to the part night lighting initiative and asked whether the use of more efficient lighting with reduced consumption would be examined.

In response to the above issues raised by Members, Mr Winwood indicated that the Committee would be looking at the gritting element of the Ringway contract in December and the more wider aspects of the contract in January 2013; and the issue of lighting would be covered in the review of the Highways and Street Scene Contract. In addition, he undertook to look into whether a review of air quality management could be accommodated in the Committee's future plans and indicated that he would provide Mrs Shingleton with a response on the point she had raised.

In conclusion, Mr Winwood thanked Mr V Hunt for all his hard work as Chairman of the Committee and also all task and finish group Members for their hard work throughout the year.

RESOLVED:

That the contents of the report be received.

71. INCREASING THE LOCAL ECONOMIC LEVERAGE OF COUNCIL CONTRACTS

It was proposed by the Leader, Mr K R Barrow, and seconded by Mr R Tindall 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 enquired asked if the Leader would give an indication of the weight that would be given to the environmental, social and local economic impact of a tenderer's offer in the assessment, scoring and awarding of Council contracts.

In response, Mr Barrow undertook to provide Mr Mosley with a response to his query and emphasised that the underlying principal of the proposal was to enable the Council to spend more of its money within Shropshire.

RESOLVED:

That the proposed amendments to the Contract Procedure Rules set out in the report be approved.

72. PROPOSALS FOR THE FUTURE MANAGEMENT OF COUNCIL HOUSING

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 recommendations contained therein, as amended following the Cabinet meeting on 14th November 2012, be received and agreed.

In presenting the report on the development of an Arms Length Management Organisation (ALMO) as the preferred proposal for the future management of Shropshire Council housing, Mr Price drew attention to the updated recommendation (h) from the Cabinet meeting on 14th November 2012 in respect of proposals developed for the delivery of the remaining strategic housing functions being subject to a report being presented to Cabinet for consideration prior to April 2013.

Mr Price confirmed that extensive consultations had been undertaken with tenants and the required support had been achieved to progress the proposal. He indicated that the Council owned company had now been registered as 'Shropshire Town and Rural Housing'.

Members, including Mr Barker, Mrs Kidd and Mrs Wild. Indicated their support for the proposal and in response to points raised during their comments, Mr Price confirmed that the function of estate management would be carried out by Shropshire Town and Rural Housing and indicated that the effectiveness of the new arrangements would be subject to scrutiny.

RESOLVED:

- (a) That for the purposes of incorporation only, it be noted that Mr Malcolm Price, Portfolio Holder for Housing and Mr Jake Berriman, Internal Consultant would be appointed as the First Board Members of the Company until they appointed the Board of the ALMO to manage Council housing not later than 31st March 2013.
- (b) That the work to develop and agree the management agreement and other related documentation between the Council owned housing company and Shropshire Council be completed and that authority to approve the management agreement be delegated to the Head of Paid Service in consultation with the Portfolio Holder for Housing.

- (c) That should any changes be required to the Constitution of the Council owned housing company, the authority to approve those changes be delegated to the Head of Paid Service in consultation with the Portfolio Holder for Housing.
- (d) That approval be given to the delivery of Council housing services as set out in the list of delegated functions (Appendix 1) by the Council owned housing company from April 2013 subject to final agreement by the Homes and Communities Agency under section 27 of the Housing Act 1985.
- (e) That approval be given to the transfer of staff to the Council owned housing company in accordance with the Transfer of Undertakings and Protection of Employment Regulations 2006 (TUPE) to deliver Council housing services by April 2013 subject to final agreement by the Homes and Communities Agency under section 27 of the Housing Act 1985.
- (f) That Council be asked to agree to enter into the agreement for the Council owned housing company to deliver Council housing services and that any further required actions to facilitate this be delegated to the Head of Paid Service in consultation with the Portfolio Holder of Housing.
- (g) That a future report be presented to Cabinet prior to April 2013 regarding the future monitoring and governance of the relationship between the Council owned housing company and Shropshire Council.
- (h) That proposals be developed for the delivery of the remaining strategic housing functions and a report be submitted to Cabinet for consideration prior to April 2013.

73. SHREWSBURY SOUTH SUSTAINABLE URBAN EXTENSION MASTERPLAN

It was proposed by Mr M Price and seconded by Mr J E Clarke 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, as Local Planning Authority, adopts the Shrewsbury South Sustainable Urban Extension Masterplan, as amended, as a material consideration for all subsequent planning applications.

74. REQUEST BY KINNERLEY PARISH COUNCIL FOR SHROPSHIRE COUNCIL TO ADOPT FOR DEVELOPMENT PURPOSES THE HOUSING AND DEVELOPMENT AND ECONOMIC AND TOURIST DEVELOPMENT SECTION OF THEIR PARISH NEIGHBOURHOOD PLAN

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

Members, including Mrs J Barrow, Mr Butler, Mr Whiteman and Mr Walpole, indicated their support and congratulated Kinnerley Parish Council on the production of their parish neighbourhood plan.

Mr Butler considered that the work undertaken in the production of the plan to be an excellent example of the bottom-up approach to plan making and the achievement was an endorsement of the Council's changed relationship with communities.

The Speaker added his congratulations to the local community volunteers for their depth and diligence in the production of the plan.

Mr Price acknowledged that the cost of producing the Kinnerley Parish Neighbourhood Plan had been met from national funding secured to support the development of such plans in Shropshire. He indicated that further works was being undertaken with Council funding support and local community effort on the production of neighbourhood development plans and the refreshing of existing plans in other parish areas and encouraged parishes looking to produce parish plans to come forward to the Council to look at the practical assistance the Council could provide.

RESOLVED:

That the Housing and Development and Economic and Tourist Development section of the Kinnerley Parish Neighbourhood Plan be endorsed and adopted for development management purposes.

75. APPOINTMENTS TO COMMITTEES

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

RESOLVED:

That the appointment of the following Members to the West Mercia Police and Crime Panel be confirmed:

Substantive Member: Councillor Malcolm Pate

Deputy Substantive Member: Councillor Stuart West

Three Co-optees: Councillors Charlotte Barnes, Miles Kenny and Michael Wood

Deputy Co-optee: Councillor Roger Evans

76. MOTIONS

76.1 It was proposed by Dr J Jones and seconded by Mr G Butler:

“This Council re-iterates its opposition to the policies of all extremist political parties and organisations which do not celebrate the traditional British values of equality, diversity and mutual support, for example the B.N.P. and E.D.L. , who are currently active in this area.”

Speaking to the motion, Dr J Jones stated that a number of the political groups were hostile to sections of society in order to gain power and those referred to in the motion had been active in the Council’s area causing concern in local communities. She asked for Members to re-affirm that there was no place for views of intolerance and hatred in Shropshire.

The motion was formally seconded by Mr G Butler.

On being put to the vote, the motion was:

RESOLVED UNANIMOUSLY

76.2 Mr J Tandy withdrew his motion on the regulation and enforcement of taxis in Shropshire, as instead, he had put a question on the matter to the next meeting of the Performance and Strategy Scrutiny Committee in an effort to achieve action to protect the public before the Christmas period.

76.3 It was proposed by Mrs H Fraser and seconded by Mr R Evans:

“That Shropshire Council

- (i) supports the bottom up process in the Sustainable Communities Act that enables councils and their communities to drive the action and assistance that central government gives in promoting thriving local economies and sustainable communities;
- (ii) notes that the Act gives councils the power to
 - make proposals to government for action and assistance from government to promote sustainable communities, and that
 - those proposals can be for, but are not restricted to, new powers or a transfer of powers or public money and function from central control to local control;

- (iii) notes that the Act defines sustainable communities broadly, that definition having the 4 aspects of
- the improvement of the local economy,
 - protection of the environment,
 - promotion of social inclusion, and
 - participation in civic, political and democratic activity;
- (iv) notes that new regulations for the Act made in June 2012 improve the process and make it more favourable for councils in the following ways
- councils' proposals are submitted directly to the government, there will no longer be short listing
 - councils can submit proposals whenever they are ready as the process is now ongoing
 - there will be a time limit of six months on the government to consult and try to reach agreement with the Selector (currently the Local Government Association) regarding councils' proposals and to then respond to those proposals
 - councils that choose to submit proposals may now decide how to consult and try to reach agreement with representatives of communities in their areas on what proposals to submit;
- (v) notes that the government has formally invited all Local Authorities to use the Act by submitting proposals;
- (vi) resolves to use the Act by responding to this invite and submitting proposals for action and assistance from central government each year for the next three years and to then review the outcome of this activity and consider whether to continue to use the Act; and
- (vii) further resolves to
- to inform the local media of this decision;
 - to write to local MPs, informing them of this decision; and
 - to write to Local Works (at Local Works, c/o Unlock Democracy, 37 Gray's Inn Rd, London WC1X 8PQ or info@localworks.org) informing them of this resolution to use the Act. “

Speaking to the motion, Mrs Fraser stated that a mechanism was required for local people to submit proposals to Government and the Sustainable Communities Act enabled this through local councils, with a number of initiatives having already been introduced by local authorities using the Act.

The motion was formally seconded by Mr R Evans.

Mr G Butler proposed by way of amendment, which was duly seconded by Mrs C Wild, the following:

“Shropshire Council supports the bottom up process in the Sustainable Communities Act through a set of principles, policies and actions which directly support and empower local communities, parish and town councils and the voluntary and community sector and further resolves to inform the local media, Shropshire MP’s and Local Works of this.”

Speaking to the amendment, Mrs Butler emphasised how the Council, consulted continually with local communities through its implementation of the localism initiative and considered that opportunities of important local importance were being pursued without having to invoke the Sustainable Communities Act.

On being put to the vote, the amendment was carried with a substantial majority voting in favour, 14 members voting against and 4 abstentions.

Mrs Fraser proposed by way of a further amendment, which was duly seconded by Mr R Evans, that paragraph (vi) of the original motion be reinserted in the motion as amended.

In seconding the further amendment, Mr R Evans stated that the Sustainable Communities Act was entirely different to the localism initiative as it provided a bottom up approach placing Councils in the driving seat in initiating Government action.

On being put to the vote, the further amendment was defeated with a substantial majority voting against, 14 members voting for and 4 abstentions.

The substantive motion was then put to the vote and carried with a substantial majority voting in favour, 14 members voting against and 4 abstentions.

RESOLVED

Shropshire Council supports the bottom up process in the Sustainable Communities Act through a set of principles, policies and actions which directly support and empower local communities, parish and town councils and the voluntary and community sector and further resolves to inform the local media, Shropshire MP’s and Local Works of this.

77. REPORT OF THE SHROPSHIRE AND WREKIN FIRE AND RESCUE AUTHORITY

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

In presenting the report, Mr West indicated that, following a recent combined operational peer review, the Shropshire and Wrekin Fire and Rescue Authority had been held in regard as an example of good working practice during a presentation to the Local Government Association.

In response to a query from Mr Bennett, Mr West acknowledged that it had been suggested by a think tank that fire authorities be dissolved and their powers passed to police commissioners, but stressed that it had been no more than a suggestion and considered that, if pressed, then such a development would be opposed by fire authorities.

RESOLVED:

That the report of the Shropshire and Wrekin Fire and Rescue Authority be noted.

Speaker

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Date

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The meeting closed at 12.40 p.m.