

Date: Thursday, 25 September 2014  
Time: 10.00 am  
Venue: Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND  
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## COUNCIL

### TO FOLLOW REPORT (S)

#### **6 Questions from Members – including No. 9** (Pages 1 - 19)

To receive any questions from Members, notice of which has been given in accordance with Procedure Rule 15.2, attached marked 6.

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## MEMBERS' QUESTIONS

### AGENDA ITEM 6

#### QUESTION 1

**MR MILES KENNY** will ask the following question:

When it comes to awarding the catering contract for the café/restaurant and bar at Theatre Severn could you ensure that, in accordance with council policy Fairtrade Produce is offered and also where appropriate local produce is served thereby reducing food miles in accordance with our carbon reduction plans and supporting local producers.

**MR GWILYM BUTLER**, the Portfolio Holder for Leisure, Libraries and Culture will reply:

Discussions on the future management arrangements for the café/restaurant at Theatre Severn are still at an early stage and, to clarify, it is not currently proposed to include the bar function in the contract.

Including a clause in the contract for the café/restaurant supporting the sale of Fairtrade products as a minimum requirement will be considered as part of the overall procurement process. We will also ensure that, as part of their expressions of interest, any potential contractors supply a statement explaining their approach to using local produce and local suppliers.

However, any such requirements must be balanced against the need to ensure that contract requirements do not prove too restrictive to any prospective business partners. Having the widest field of possible businesses interested in the project, will be of considerable advantage in securing the best possible result for Theatre Severn, and for Shropshire Council.

#### QUESTION 2

**MR MILES KENNY** will ask the following question:

It was very disappointing that we were not permitted to debate 'Fracking' at the last Council meeting. We should in Shropshire aim to develop clean renewable energy and reduce our reliance on fossil fuels which are so damaging and threaten peoples quality of life. Central Government continues to make decisions which impact on and curtail our ability to act in the best interests of the residents we represent and what they expect of us. If Cheshire East Council can make their area Frack Free why can't we?

**MR MALCOLM PRICE** the Portfolio Holder for Planning, Housing and Commissioning (Central) will reply:

Shropshire Council is obliged to pursue a planning policy approach which is consistent with national energy policy and the National Planning Policy Framework (NPPF) which advises in Paragraph 97 that:

“To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- have a positive strategy to promote energy from renewable and low carbon sources;
- design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts;
- consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;
- support community-led initiatives for renewable and low carbon energy, including developments outside such areas being taken forward through neighbourhood planning; and, identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”

Policy CS8 of the adopted Shropshire Core Strategy sets out an approach which positively encourages “...infrastructure, where this has no significant adverse impact on recognised environmental assets, that mitigates and adapts to climate change, including decentralised, low carbon and renewable energy generation, and working closely with network providers to ensure provision of necessary energy distribution networks.”

This approach is developed further in Policy MD8 of SAMDev which indicates that: “Applications for new strategic energy.....infrastructure will be supported in order to help deliver national priorities and locally identified requirements, where its contribution to agreed objectives outweighs the potential for adverse impacts.” The Policy also sets out the potential adverse impacts to which particular attention will be paid.

National guidance (NPPF 142) also advises that: “Minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource, and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.” In preparing Local Plans, local planning authorities

should therefore (NPPF 143): “identify and include policies for extraction of mineral resource of local and national importance in their area...”. Such resources are defined as including hydrocarbons such as oil and gas;

Accordingly, Policy CS20 of the Core Strategy indicates that environmentally acceptable proposals for the exploration, appraisal and production of hydrocarbon resources, including coalbed methane, will be supported as a contribution to meeting the requirements of national energy policy and SAMDev Policy MD17 indicates that: “Applications for mineral development will be supported where applicants can demonstrate that potential adverse impacts on the local community and Shropshire’s natural and historic environment can be satisfactorily controlled.”

National guidance (NPPF 147) also indicates that when planning for on-shore oil and gas development, including unconventional hydrocarbons (e.g. fracking), Mineral Planning Authorities should: “.....clearly distinguish between the three phases of development (exploration, appraisal and production) and address constraints on production and processing within areas that are licensed for oil and gas exploration or production;

Accordingly, SAMDev Policy MD17 indicates that: “Proposals for the working of unconventional hydrocarbons should clearly distinguish between exploration, appraisal and production phases and must demonstrate that they can satisfactorily address constraints on production and processing within areas that are licensed for oil and gas exploration or production. Particular consideration will be given to the need for comprehensive information and controls relevant to the protection of water resources.”

The government issues licences for hydrocarbon exploration nationally and those that affect Shropshire are illustrated on page 122 of the Core Strategy. The geology of most of Shropshire is unsuitable for fracking but areas in the vicinity of the county's historical coalfields may locally have suitable geology. The main region nationally which has been the subject of current exploration interest is the North West. The government removed a temporary ban on further test drilling last year. This together with a recent reappraisal of hydrocarbon reserves by the BGS has led to renewed interest in fracking nationally. However, there are no current planning applications or proposals for fracking in Shropshire at present. Planning permissions for exploration using a different hydrocarbon drilling process (coal bed methane) at a site near Whittington were approved within the past 5 years but were not implemented within the statutory timescale.

If applications for fracking are received at some future date in Shropshire they would be the subject of a comprehensive planning consultation and appraisal process and would be fully publicised at the time. Any such applications would need to demonstrate that all relevant planning and environment issues were capable of being fully addressed in accordance with relevant policies and guidance (including those highlighted above). Other organisations including the Environment Agency, DECC and the Health and Safety Executive would also need to issue consents under their respective regulatory regimes.

### **QUESTION 3**

**MR KEVIN PARDY** will ask the following question:

Whilst Shropshire and Wrekin Fire Service are considering efficiency cuts that will result in the loss of jobs for services members how can it be justified that officers receive £140,000 plus expenses per year?

**MR STUART WEST** the Chairman of the Shropshire and Telford Fire and Rescue Authority will reply:

In September 2013 Shropshire Fire and Rescue Service reduced its Brigade Management Team from 4 to 3 as part of the Public Value reduction programme. This programme undertook to generate cost savings by using the natural retirement profile from 2010 onwards to reduce numbers to meet the budgetary pressure faced by the Service.

The Accounts and Audit (England) Regulations 2011, require Fire Authorities to publish remuneration for employees whose salary is £50,000 and above in their annual statement of accounts.

With regard to the pay rates of senior officers, local authorities are required to publish their annual pay policy statements in a form accessible for local scrutiny as prescribed in the Localism Act 2011. Statutory guidance was also issued on increasing transparency, in particular that full council (or a fire authority) should be given the opportunity to vote before large salary packages of £100,000 or more are offered in respect of new appointments.

This was most recently the case in Shropshire in 2013 when terms and conditions were approved prior to the recruitment of a new Chief Fire Officer.

The National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services sets a minimum salary for Chief Fire Officers, which for a population size of up to 500,000 (population band 1) is £97,810. In addition, for population bands 1 and 2 minimum pay differentials must be applied between:

- An Area Manager and an Assistant Chief Fire Officer (12.5% plus duty supplement);
- An Assistant Chief Fire Officer and a Deputy Chief Fire Officer (7.5%);
- and
- A Deputy Chief Fire Officer and a Chief Fire Officer (22.5%).

Shropshire Fire and Rescue Service Brigade Manager pay rates are among the lowest in the country. In addition to a salary, and in accordance with the NJC agreement a vehicle is provided to enable them to attend incidents as they each participate in a 24/7 on-call rota. Each Brigade Manager is entitled to belong to the relevant pension scheme, that being either the Firefighters

Pension Scheme 1992, 2006, or the Local Government Pension Scheme, that being either the Firefighters Pension Scheme 1992, 2006, or the Local Government Pension Scheme, for which the employee and employer both make contribution at the rate defined by that scheme.

In addition and as required, a pay policy statement has now been in place for 3 years. It should be noted that the pay policy statement refers to the structure in place at the time of publication (i.e. April 2014) and the 2014/15 policy, approved by the full Fire Authority on 26 February 2014, is available at:

<http://www.shropshirefire.gov.uk/senior-officers-pay-policy-statement-2014-15>

#### **QUESTION 4**

**MR ANDY BODDINGTON** will ask the following question:

In February 2013, a major section of Ludlow's town walls collapsed beside the graveyard of St Laurence's church. Shropshire Council initially acted with alacrity with former Cabinet member Martin Taylor-Smith promising urgent action and funding. Since then nothing almost has happened – except that the security fencing has been vandalised, the temporary supports for the vulnerable areas of the wall are in a state of collapse, human bones have been carried away by dogs and officials argue over responsibility.

My questions to the Leader of Shropshire Council are:

- 1) Whether the letter he tweeted on 22 August represents the official view of Shropshire Council that Ludlow Town Council is responsible for the repair of the walls?
- 2) Why a task force was not set up to establish responsibility for the wall and to action its repairs?
- 3) What is the timescale for ensuring that this precious heritage asset is repaired and kept in good order?

**MR KEITH BARROW** will reply:

- 1) In response to the question tabled by Cllr Boddington in respect of Ludlow Town Walls, the Leader of the Council can confirm the current situation in respect of the wall:
  - Ever since the collapse of the wall in February 2013, the three separate issues of ownership, responsibility for maintenance and the responsibility to rebuild the wall have been investigated by the Council. At present, it is still very unclear where these responsibilities lie and so the Council is continuing to engage with the Parochial Church Council (PCC) and Ludlow Town Council in order to establish where responsibility lies.

- The issues currently being discussed with the PCC and Ludlow Town Council are as follows:

I. It is not clear whether the wall is a “Town Wall” i.e. it was there before the Church was built in the 13th century or whether it is a “Church Wall” – obviously the status of this is critical in establishing ownership/responsibility.

II. It would appear that the PCC transferred the maintenance of the Church Yard to the then Town Council in the 1930’s. There are Town Council minutes from this period and also subsequently which appear to corroborate this. There is also further evidence that the Town Council has been maintaining, at least in part, the Church Yard and the wall since this time.

III. It would appear that because of the above transfer to the Town Council in the 1930’s that the subsequent transfer of the Church Yard from the Town Council to Shropshire Council in August 2012 could be void.

IV. In addition to the questions regarding maintenance above, it is accepted that the ownership of the church yard and wall still remains with the PCC. However, it is still very unclear whether “maintaining” the church yard and wall extends to rebuilding the collapsed wall, as generally rebuilding works would be the responsibility of the owner, i.e. the PCC in this case.

- Given the facts set out above, it is apparent that the copy letter retweeted on the 22nd August is just part of the evidence being collated in order to establish where the various responsibilities lie.

- 2) Shropshire Council has been actively engaged from the outset in trying to find a solution to the collapsed section of the town wall. However, the wall and adjoining church yard are subject to different and overlapping pieces of civil and ecclesiastical legislation, with the consequence that resolving legal responsibility for repairing the wall and the steps that need to be undertaken to carry out the repairs are both highly complex matters. The Council appreciates that it is now over eighteen months since the collapse first occurred and fully understands the urgency of repairing the damage to this nationally important piece of our heritage. We recognise the importance of working in partnership with all of the interested parties and have been in dialogue with them. We also established an officer group under the leadership of the Area Commissioner South and comprising members from the Historic Environment, Risk Management, Legal Services and Finance teams who meet regularly to co-ordinate the Council’s approach. In addition, the Council’s engineers Mouchel are undertaking regular inspections of the collapsed section and the stabilisation works that were put in place to ensure the public safety is maintained.
- 3) Shropshire Council is clear that there are a number of steps that need to be undertaken to enable the wall to be repaired. These comprise initial site investigations for archaeological and structural engineering purposes, which will inform the design of the repairs scheme, the scope of

associated mitigation measures, and also help to establish the costs for the scheme. Once a scheme has been designed formal consent will be required from both English Heritage and the Diocese before repair works can commence, and liaison with these parties will therefore need to be maintained throughout. Given the complexity of these matters, the Council has therefore written to both the Parochial Church Council and Ludlow Town Council suggesting that we enter into mediation in order resolve matters relating to legal responsibilities.

## **QUESTION 5**

**MRS PAM MOSELEY** will ask the following question:

Shropshire Council's legal costs arising from the Court of Appeal's decision that the authority had acted unlawfully in closing Hartley's Day Care Centre are in excess of £250,000. Does the Leader of the Council now regret not listening to the advice from service users, carers and others to consult fully with them over plans to close the centre? Does he feel that he was wrong in not accepting the offer of all-Party talks on the plans, and is he prepared to admit to the errors made by his administration, and also to apologise to those involved in the case, and to the Council Tax payers of Shropshire?

**MR KEITH BARROW** will reply:

Thank you for your question.

It is unfortunate that so much public money has had to be spent on this matter. We did attempt to resolve this matter without the need for such detailed legal actions and to avoid incurring such high costs but this was rejected by the complainants. I do not believe my decision regarding the offer of cross party talks wrong, I am always keen to hear positive and credible suggestions for alternatives to our changes but to date none has been forthcoming.

Clearly it is regrettable when individuals and their families become anxious about the changes that are happening, however these are changes that aim to deliver both the service improvements needed as well as supporting the need to make significant financial savings in all service areas.

This Council is undergoing a radical process of transformation modernising services, offering individuals greater choice and control over the services and support they receive. This is very evident in the work underway within adult social care and specifically in the offer surrounding Day Services. We are constantly getting feedback from people about the work we are doing in Adult Services and the resounding messages we get are that they support our approach. The positive changes people experienced is now becoming very much the norm not the exception.

## **QUESTION 6**

**MR ROGER EVANS** will ask the following question:

I note according to information on the Internet, IP&E has filed Annual Accounts up to 31 March 2013. These showed a net worth of -£69,801, total long term liabilities of £90,011 and a negative return on Assets Ratio of -345.33%.

I also note that the next Accounts are not due until 31 December 2014.

Since the company's incorporation in May 2012 Council and the taxpayers of Shropshire have never received any report or updates on its progress. Since its incorporation in May 2012 there have been 12 Directors appointed, 8 of whom have now resigned. Of the 4 at present shown as being Directors only one is a member of the cabinet. It has even during its short existence had two different trading addresses.

Can Council be told who is at present Chairman of the Board, how often it meets and is it anticipated there are going to be many more changes in Directors?

I note also that at a recent Shropshire Council Audit Committee meeting the following statement was made

*IP&E Limited is a trading company wholly owned by Shropshire Council. It has been established to provide public services on the council's behalf and will also be able to trade with other organisations. The company was incorporated on 30 May 2012.*

*IP&E Limited has been included within the accounts as a subsidiary under the requirements of IAS 27(Consolidated and Separate Financial Statements) by means of a line by line consolidation of the comprehensive Income and Expenditure Statement and the Balance Sheet. Figures have been consolidated based on the audited statement of accounts for 31st March 2014, however these have not yet been approved by the IP&E Board.*

Elsewhere, it is stated under Notes to Group Accounts –

*The operating income (£306,000) and expenditure (£329,000) of IP&E Limited has been included within Central Services to the Public.*

The Council accounts referred are applicable for the financial year 2013/14. So are applicable to the 12 months ending 31st March 2014. They apparently show, despite all the promises made in 2012 when IP&E was originally formed, that during its second year of operation the public company continued to operate at a loss. We are now into its third year of trading.

Can the only cabinet member who is also a Director of IP&E Limited supply Council with answers to the following questions.

- What was the financial position of the company on 31st August, has it continued to trade at an overall loss. What is the projected financial position at the end of December 2014? Can this include how much in total of the £500,000 unsecured overdraft has been drawn down?
- How many employees it had on 31st August 2014 and how many full time equivalent employees it had on this same date.
- Has it employed any consultants and if so how many and how much in total was paid them in the year ending March 31st 2014. Are any consultants at present employed by IP&E.
- What interest rate is being charged and consequently how much interest has been accrued as being due?
- When, if at all, is it anticipated that Shropshire taxpayers can expect some financial return on its investment.
- When employees of Shropshire Council carry out duties for outside bodies a charge is made to that organisation commensurate with the expertise of that person. Is a similar type of charging regime being made to IP&E when it uses Council staff of whatever Grade.

**MR STEVE CHARMLEY** will reply:

The Chairman of ip&e ltd is Cllr Michael Wood. As per the strategic contract, all Leaders of the opposition groups are notified about appointments prior to the appointment. It is confusing as to why you are asking who the current Chair of ip&e ltd is when you were notified about the appointment of Cllr Wood. Both you and Cllr Mosely were notified the week of 27 January 2014 and did not object.

The Board meets formally on a monthly basis, although business of ip&e ltd is obviously conducted on a daily basis. The Directors are appointed to fulfil the business needs of ip&e, so will always ensure it has the appropriate Directors for its needs. It is usual for Boards to change Directors to reflect the current needs of the company, especially in the early days when a company is forming, changing and growing. This seem to be a ridiculous question to be asking given that you are actually involved in the process.

ip&e ltd related business has been to Cabinet on no less than 4 occasions during this financial year so far. You are in attendance at these meetings and always take part in the debate, yet seem committed to misleading the public into thinking that you have absolutely no knowledge or understanding of business that is transferred into ip&e.

All of ip&e ltd annual accounts are prepared and then audited, as is perfectly usual and normal practice within a limited company environment, to ensure that financial management is conducted correctly. Audited accounts are the main way public bodies and limited companies show accountability for managing their finances. Publishing audited accounts through Companies House is a fundamental feature of good governance.

As you well know, we are into ip&e Ltd's 3rd year of formation. The Strategic Contract between Shropshire Council and ip&e Ltd was only agreed by Cabinet on the 26th June 2013, at a meeting that you attended.

The first services to actually transfer into ip&e did not occur until August 2013, following extensive due diligence, when the councils Communications Team was considered and agreed for transfer. You are aware of this because it went to Cabinet on 26th June, 2013 for approval, you were at that Cabinet meeting where a very full, detailed paper was available and discussed, detailing the proposed service transfer.

This means that the operation of this service was conducted for only a partial financial year, August 2013 - March 2014. During this financial year though, this part of the business was able to reduce its contract cost to Shropshire Council by 35%, therefore delivering the service at a reduced cost to the taxpayer. You are fully aware that no other services transferred into ip&e Ltd during this time.

Given the short timescale within the 13/14 financial year that this team operated within ip&e Ltd they have been able to secure external contracts that has made this possible. The team and the people who work within ThreeSixty Communications are a credit to the Council (where they moved from), a credit to ip&e Ltd and a credit to Shropshire. They work tirelessly to the principles of ip&e and the public service ethos - that is to deliver great, efficient, effective service to its clients, delivering public profit where possible to support Shropshire.

To do this and deliver a 35% saving back to the Council within 7 months of operation is remarkable. These dedicated individuals whose employment is now in ip&e Ltd, the company you so easily want to knock, should be congratulated on their hard work and achievement.

ip&e conduct regular financial monitoring and have undertaken budget monitoring up to the end of Period 4 (July 14) which is conducted on behalf of ip&e Ltd Board and are in the process of completing Period 5. The position for the existing services within ip&e, although commercially sensitive, remains healthy, you have seen the detailed business plans and there seems to be no indication at all that these won't be delivered. As already stated and usual practice within business, auditing of the final accounts takes place after the end of the financial year and is published.

Cabinet agreed a loan facility to ip&e at the Full Council meeting held on 27 September 2012, which you attended. A loan facility of up to £500,000 was made available, of which £90,000 has been used, the remaining £410,000 remains unused. The loan is provided at PWLB (Public Works Loan Board) interest rate and is subject to usual interest payments.

The staff numbers for the services that have transferred are:

- ThreeSixty Communications - 12 FTE
- Business Redesign - 11FTE, there are also a team of secondees working with Business redesign.

Both services are currently undergoing further recruitment processes at this current time.

No consultants were employed by ip&e in 2013/14.

The model of operation is, where appropriate, to employ specialist associates to fulfil a client's specific contract requirement. One associate is currently employed to fulfil a specific client contract need. Associates are employed on fixed term contracts to enable a flexible workforce model to deliver specific client contract skills and needs. Associates costs are met as part of a client contract.

ip&e Ltd does not and has not employed any management consultants to provide advice to the company itself.

Interest is paid on the loan amount drawn down to date. The loan is PWLB rates as agreed at Full Council. An agreement is in place between the Council's Treasury Services and ip&e to make regular monthly re-payments commencing April 2015 of both capital and interest on the loan. This was agreed through Cabinet on Full Council on 27 September 2012, a meeting that you attended.

Shropshire taxpayers have already begun to see a financial return from ip&e Ltd. ThreeSixty Communications delivered a 35% saving on its 2013/14 contract value and is expected to continue to provide further savings as part of its existing forecasts. It is expected that forecasts outlined in Business Redesign's business plan that went to Cabinet on 12 March this year, in which you were in attendance, will be met. This will be published in the audited annual accounts, as detailed and agreed within the Strategic Contract.

Charges are made to ip&e for all Council staff engaged in working on ip&e activities, where this is conducted in replacement of their normal working duties under the term of their contract of employment or if staff were to be seconded into ip&e. The re-charge is based upon the individual grade and time spent.

## **QUESTION 7**

**MR ROGER EVANS** will ask the following question:

I note that IP&E Trading was incorporated on 14 August 2014 and its first returns are due on 11 September 2014. Can a copy of this return when made be copied to Council.

I note this company has 6 Directors, only two of who are councillors. Four and therefore the majority are Council Officers. This company has now been trading for 12 months.

Can a Cabinet Member who is also a Director of IP&E (Trading) Limited supply Council with answers to the following questions:

- What was the financial position of the company on 31st August. How much of the £500,000 unsecured overdraft made available by Shropshire Council has been drawn down?
- How many employees it had on 31st August 2014, 12 months after being formed, and how many full time equivalent employees it had on this same date.
- Has it employed any consultants and if so how many and how much in total were paid them in the year ending March 31st 2014. Are any consultants at present employed by IP&E (Trading) Limited.
- What interest rate is being charged and consequently how much interest has been accrued as being due?
- When, if at all, is it anticipated that Shropshire taxpayers can expect some financial return on its investment.
- When employees of Shropshire Council carry out duties for outside bodies a charge is made to that organisation commensurate with the expertise of that person. Is a similar type of charging regime being made to IP&E (Trading) Limited when it uses Council staff of whatever Grade.

**MR STEVE CHARMLEY** will reply:

*I note that IP&E Trading was incorporated on 14 August 2014 and its first returns are due on 11 September 2014. Can a copy of this return when made be copied to Council?*

This is a very clear and transparent process. Annual returns are a statutory obligation required by Law, and are published by Companies House.

*I note this company has 6 Directors, only two of who are councillors. Four and therefore the majority are Council Officers. This company has now been trading for 12 months.*

ip&e Trading Ltd is a company wholly owned by Shropshire Council. It has been established to provide public services on the Councils behalf and will also be able to trade with other organisations. The company was incorporated on 30 May 2012.

As you are fully aware, a report went to Cabinet on 20 February 2013, detailing the formation of ip&e Trading Ltd, where a full description and explanation of the company was given - a meeting that you attended.

You are very well aware of this company and its purpose because this was detailed in the Cabinet paper that you read and commented upon. To indicate that you have no or little understanding of this company is disingenuous to the public of Shropshire.

*Can a Cabinet Member who is also a Director of IP&E (Trading) Limited supply Council with answers to the following questions.*

*What was the financial position of the company on 31st August? How much of the £500,000 unsecured overdraft made available by Shropshire Council has been drawn down?*

ip&e trading has not used a council loan facility.

*How many employees it had on 31st August 2014, 12 months after being formed, and how many full time equivalent employees it had on this same date.*

None.

*Has it employed any consultants and if so how many and how much in total were paid them in the year ending March 31st 2014. Are any consultants at present employed by IP&E (Trading) Limited.*

No.

*What interest rate is being charged and consequently how much interest has been accrued as being due?*

N/A.

*When, if at all, is it anticipated that Shropshire taxpayers can expect some financial return on its investment.*

There has so far been no 'investment' as you state, for our taxpayers to see a return on. The purpose of this company was clearly outlined in the Cabinet paper dated 20 February 2012 as you are aware. When the company starts to trade, any profit derived will be given directly back to Shropshire Council to invest back into Shropshire.

*When employees of Shropshire Council carry out duties for outside bodies a charge is made to that organisation commensurate with the expertise of that person. Is a similar type of charging regime being made to IP&E (Trading) Limited when it uses Council staff of whatever Grade.*

N/A although it would be the case if this happened.

## **QUESTION 8**

**MR MANSEL WILLIAMS** will ask the following question:

What progress is being made regarding the redevelopment of the Riverside Centre? The Riverside Centre used to provide local, affordable food and general provision, the loss of which is a serious loss to great numbers of residents, especially the elderly, from across the town. In any future redevelopment will Council consider such loss to a large number of our residents who are suffering from the present situation? Can the

redevelopment of the bus station be included as a key objective in any future redevelopment of the Riverside/Ravens Meadow area?

**MR STEVE CHARMLEY** will reply:

UKCPT, the owners of the centres continue to focus on the replacement of tenants in the Darwin and Pride Hill centres lost during the recession. There have been a number of lettings that have achieved this objective such as Poundworld, HMV, Blue Inc and The Entertainer. Although many are flexible lettings there are tentative signs of an improvement in the retail occupier markets which is leading to greater engagement with certain tenants which has given the owners some confidence of attracting other well know tenants to the town in the future. In the meantime initiatives such as Meanwhile Uses have helped inject some new life into Riverside Mall with more community orientated “pop up” shops. However, current confidence in the market is still not considered sufficiently strong enough by the owners to render the proposed redevelopment viable and discussions are ongoing between the Council and the owners on a redesign of the proposal to include more mixed uses including food and beverage uses. The inclusion of the Car Park and the Bus Station has previously been considered, however, consideration of these in any future redesign would be dependent upon scheme viability.

#### **QUESTION 9**

**MRS CHARLOTTE BARNES** will ask the following question:

When will IP&E hold its AGM that has been promised on numerous occasions and could you also confirm that the AGM will be open to all Shropshire residents as the people of Shropshire are all shareholders in this company?

**The response will follow.**

#### **QUESTION 10**

**MRS CHARLOTTE BARNES** will ask the following question:

Land searches are an important contributor to keeping the economy growing and home owners moving. They are an essential part of moving house especially when a mortgage is required. Land searches are also an income for the Council. I have evidence to suggest Shropshire are one of the poorest when it comes to speed at carrying out these searches. With Shropshire Council these searches were often taking 6-8 weeks which is irritating to say the least when a house sale can often be turned around in 4 weeks. For information other councils usually take a maximum of 2 weeks and are often less than that. I have raised this issue with officers and was promised that more staff resources would be provided to deal with the back log that has

occurred relatively recently. There is concern that the backlog came about after the recent voluntary redundancy round.

So my question is now that extra staff resource has been given to this department what is the average land search time now? Could you also confirm the extra staff will remain working on land searches to prevent future back logs?

**MR MALCOLM PRICE** will reply:

Councillor Mrs Barnes has recently raised this question through the press at the end of August where I confirmed that Shropshire Council land charge service provides information in respect of land and property searches. The time taken to respond to searches depends on a number of factors including data quality, the time for specialist departments to provide relevant information and whether the search includes additional information requests that may take longer to process. Accordingly 72% of searches undertaken in Shropshire in 2013/14 financial year were processed within the nationally set 10 day target.

We have recently experienced a rise in the number of searches received due to increased activity in the property market beyond the capacity of the existing team leading to an increase in response times to about 28 days at its peak and have therefore allocated additional resource into that team to reduce the turnaround which is currently 15 days, not 6-8 weeks as indicated by Councillor Mrs Barnes.

## **QUESTION 11**

**MR ANDY BODDINGTON** will ask the following question:

Planning is one of the drivers of Shropshire's future economy. Effective, efficient planning guarantees our county jobs and homes. Yet planning performance in the county is dropping.

It is welcome that major applications are currently processed in 13 weeks or an agreed time in line with government targets, keeping the county out of special measures. But performance on minor applications has collapsed. These are housing developments of 1-9 dwellings or under 0.5 hectares; or office, industrial or retail developments up to 999 sq m or under one hectare. These developments are the lifeblood of our county like ours that is full of small businesses and house-builders, especially in the south of the county.

Minor applications outnumber major applications by ten to one and are the major indicator of planning performance in the county. In the first quarter of 2010, 77% of minor planning applications made in Shropshire were decided within the government target of eight weeks, the same as the average national performance. In the first quarter of 2014, just 37% of minor planning

applications were processed in eight weeks, compared to a national performance of 68%.

My questions to the portfolio holder for built environment are:

- 1) What is the current average time taken to process a minor planning application in Shropshire?
- 2) Why has planning performance on minor applications collapsed?
- 3) What annual income does Shropshire Council receive from planning fees, including fees for pre-application advice?
- 4) How much does Shropshire Council spend annually on processing and deciding planning applications?
- 5) What plans are in place to improve performance on minor planning applications?

**MR MALCOLM PRICE** will reply:

I concur with Councillor Boddington's view that Planning is one of the drivers of the economy and growth. In Shropshire 95% of planning applications are ultimately approved. The National NI157 performance indicators prescribed 8 week deadlines for the determination of planning applications with a target of 80% of such applications to be considered in this timeframe. Speed of decision taking is one measure of performance but taken in isolation it is not a qualitative measure.

In Shropshire, for the first quarter of this year 39% of minor planning applications were determined in 8 weeks and the average determination time for minor planning applications is closer to 16 weeks. There are a number of reasons for this and it is not an indication alone of poor performance. The Government has moved away from NI157 figures as a measure of planning performance and has retained this as a reporting measure for major planning applications. National Planning Performance reporting has aligned to the Shropshire approach of agreeing time frames for determination with the applicant and 96% of planning applications in Shropshire are determined in a timeframe agreed in this way.

Shropshire has a planning income target of £1.762M which includes fees for pre application advice. Planning fee income is very much linked to activity in the development economy and has generally fluctuated since Local Government Reorganisation in 2009 with an average of £1.71M. Last year there was a sharp increase in fee income (60%) most of the rise due to a significant increase in major housing and renewable energy planning applications which attract proportionately higher application fees than other schemes.

The cost to the Council of providing the regulatory planning service is spread amongst a number of cost centres and departments which contribute to delivery including various consultees to the process and legal and democratic services and overheads. It is therefore difficult to put a precise figure on the

cost of processing planning applications without undertaking a detailed time assessment.

With regards to improving performance on minor planning applications, the Service is further refining business processes in order to increase capacity. The option of increasing staffing during periods of increased demand on a flexible basis is also being explored. This approach would be monitored closely and adjusted if demand declines.

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**MEMBERS' QUESTIONS**  
**AGENDA ITEM 6 – QUESTION 9**

**QUESTION 9**

**MRS CHARLOTTE BARNES** will ask the following question:

When will IP&E hold its AGM that has been promised on numerous occasions and could you also confirm that the AGM will be open to all Shropshire residents as the people of Shropshire are all shareholders in this company?

**MR STEVE CHARMLEY** will reply:

Under the Companies Act 2006 a private company is not statutorily obliged to hold an AGM unless required to do so by the company's Articles of Association. ip&e Limited's Articles do not include provision requiring an AGM to be held, therefore the Company is not obliged to hold an AGM. The articles were approved by Cabinet 6 June 2012 then again at a Special Meeting of Cabinet as shareholders on the 27 June 2014 following consideration by Scrutiny.

Information regarding the company's trading activities, its growth plans and financial forecasts will be set out in its business plan which will be considered by Cabinet on 15 October 2014.

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