



Committee and Date

Council

13 December 2018

COUNCIL

**Minutes of the meeting held on 20 September 2018 in the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND
10.00 am - 1.25 pm**

Responsible Officer: Jane Palmer
Email: jane.palmer@shropshire.gov.uk Tel: 01743 257712

Present

Councillors Ann Hartley (Chairman) and Peter Nutting (Leader)
Councillors Vince Hunt (Speaker), Steve Charmley (Deputy Leader), Peter Adams, Roy Aldcroft, Clare Aspinall, Nicholas Bardsley, Joyce Barrow, Thomas Biggins, Ed Bird, Andy Boddington, Gwilym Butler, Karen Calder, Dean Carroll, Lee Chapman, Ted Clarke, Gerald Dakin, Steve Davenport, Julian Dean, Pauline Dee, Roger Evans, Hannah Fraser, Rob Gittins, Nat Green, Nigel Hartin, Nick Hignett, Richard Huffer, Tracey Huffer, Ioan Jones, Simon Jones, Mark Jones, Jonny Keeley, Heather Kidd, Nic Laurens, Christian Lea, Matt Lee, Elliott Lynch, Robert Macey, Jane MacKenzie, Chris Mellings, Paul Milner, David Minnery, Dan Morris, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Kevin Pardy, Tony Parsons, Malcolm Pate, Alexander Phillips, Lezley Picton, Keith Roberts, Madge Shingleton, Harry Taylor, Robert Tindall, Dave Tremellen, Kevin Turley, David Turner, David Vasmer, Claire Wild, Brian Williams, Leslie Winwood, Tina Woodward and Paul Wynn

37 Apologies for Absence

Apologies for absence were received from Councillors D Evans, S Harris, R Hughes, W Parr, V Parry, E Potter, J Price and M Wood.

38 Disclosable Pecuniary Interests

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

Councillors R Evans, M Shingleton and N Hartin declared that they were unpaid members of Housing Associations. Councillor Evans stated his intention to leave the chamber during consideration of the agenda item relating to the review of the Non-Domestic Rates Discretionary relief and Council Tax Discretionary Discounts.

39 Minutes

In response to a Member's query, the Speaker stated that the Minutes were produced in accordance with legal requirements and established practice, and that he was satisfied with the level of detail they contained.

RESOLVED:

That, subject to the following amendments:

- Councillor E Bird being shown as in attendance;
- Councillor N Hartin listed in apologies; and
- Mr Andy Johnson, who attended to pay tribute to the late Stuart West, represented Shropshire and Wrekin Fire Authority,

the Minutes of the meeting held on 26 July 2018, as circulated with the agenda papers, be approved and signed as a correct record.

40 Announcements

Chairman's Engagements

The Chairman referred Members to the list of official engagements carried out by herself and the Speaker since the last meeting of the Council on 26 July 2018, which had been circulated at the meeting.

Vote of Thanks

The Chairman proposed a vote of thanks to Lynne Evans and Nick Burns who had provided the poppy display and sculpture temporarily situated on the gallery outside the Council Chamber. She also thanked the eighty local schools which had been enlisted to write the names of fallen soldiers found on local war memorials onto the poppies incorporated in the art piece.

41 Public Questions

Public Questions

Mr S Mulloy was present at the meeting and asked two questions, a verbal response was supplied. A copy of the question and answers provided at the meeting is included with the formal record of the meeting.

42 Annual Treasury Report 2017/2018

It was proposed by Councillor D Minnery and seconded by the Leader, Councillor P Nutting that the report of the Head of Finance, Governance and Assurance on the Annual Treasury Report 2017/18, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Responding to concerns raised by some Members on the level of cash required and whether investing it would achieve a better financial return, the Portfolio Holder for Finance, Councillor D Minnery, explained that the level of cash needed varied throughout the year and statute constrained its use. He continued that investing this money would also create difficulties with retrieval when required and limit flexibility to act.

RESOLVED:

That the position as set out in the Annual Treasury report 2017/18 of the Head of Finance, Governance and Assurance be approved.

43 Revised Minimum Revenue Provision Statement 2018/19

It was proposed by Councillor D Minnery and seconded by the Leader, Councillor P Nutting that the report of the Head of Finance, Governance and Assurance on the Revised Minimum Revenue Provision Statement 2018/19, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

The Portfolio Holder for Finance, Councillor D Minnery explained that the Council was required by Statute to set aside a minimum revenue provision (MRP) for the repayment of external debt and it was at the Council's discretion to decide on the accounting method used to achieve this. Responding to concerns regarding the cost of borrowing the Portfolio Holder for Finance responded that various options had been considered, but difficult decisions had to be made about the best use of funds in the short term.

RESOLVED:

- i) That all the options modelled for the revision of the calculation of MRP charges in relation to supported borrowing be considered.
- ii) That the use of Option C3 (use a 45 year annuity method and apply Adjustment A from 2018/19) to calculate MRP charges in relation to supported borrowing be approved.
- iii) That the £2.217m saving generated in 2018/19 be ringfenced to fund the Digital Transformation Programme be approved.

44 Review of Non-Domestic Rates Discretionary Relief and Council Tax Discretionary Discounts

Councillor R Evans left the chamber during consideration of this item.

It was proposed by Councillor D Minnery and seconded by the Leader, Councillor P Nutting that the report and appendices of the Head of Finance, Governance and Assurance on the Review of Non-Domestic Rates Discretionary Relief and Council

Tax Discretionary Discounts, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

The Portfolio Holder for Finance, Councillor D Minnery, commented that, prior to the establishment of the Unitary Council in 2009, each Borough and District Council had individual schemes which had been inherited and continued by the Unitary Council. It had been recognised that to ensure future sustainability of village halls and community sports clubs it was necessary to develop a common policy for the whole County.

In response to Members concerns regarding individual organisations and the possibility of unintended consequences, the Portfolio Holder for Finance requested that Members provide him with details outside of the meeting to facilitate further investigation and clarification.

RESOLVED:

- i) That the Discretionary Relief Policy set out in Appendix A of the report be approved.
- ii) That Council Policy for Discretionary Business Rates and Council Tax reductions be reviewed every three years.

45 Local Government Act 1972, Section 101 - Proposed Definitive Map Modification Order to record a Restricted Byway in the Town of Bishop's Castle and Community of Churchstoke, Powys - Acceptance of the delegation from Powys County Council to make the order on their behalf

It was proposed by Councillor L Picton and seconded by Councillor C Motley, that the report of the Highways, Transport and Environment Manager entitled, ' Local Government Act 1972, Section 101, Proposed Definitive Map Modification Order to Record a Restricted Byway in the Town of Bishop's Castle and Community of Churchstoke Powys – Acceptance of the Delegation from Powys County Council to Make the Order on Their Behalf', a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

RESOLVED:

That Shropshire Council accept the delegated authority as agreed by Powys County Council.

46 Annual Portfolio Holder Report for Finance

It was proposed by Councillor D Minnery, Portfolio Holder for Finance, and seconded by the Leader, Councillor P Nutting that the Annual Report, a copy of which is attached to the signed Minutes, be received and agreed.

Councillor Minnery presented and amplified his report and responded to the questions, concerns and comments from Members, including those from Councillors D Turner, R Evans, A Moseley, H Fraser, D Vasmer and M Pate.

Councillor Minnery thanked Officers in the Finance Department for their patience and understanding, and for the support they provided to him in his Portfolio Holder role. This was endorsed by Councillors P Nutting, R Evans and A Moseley.

RESOLVED:

That the contents of the Annual Report of the Portfolio Holder for Finance be noted and approved.

47 Annual Portfolio Holder Report for Economic Growth

It was proposed by Councillor N Laurens, Portfolio Holder for Economic Growth, and seconded by Councillor E Lynch that the report, a copy of which is attached to the signed minutes, be received.

Councillor Laurens presented and amplified his report and responded to the questions, queries and concerns raised by Members, including Councillors H Fraser, M Shingleton, J Keeley, H Kidd, D Morris, K Calder, A Mosley, C Motley, T Parsons, N Green, E Lynch and D Minnery.

Members endorsed Councillor Lauren's proposed vote of thanks to Mandy Thorn MBE who was to step down as Chairman of the Marches Local Enterprise Partnership (LEP), for her invaluable support and assistance during her tenure as Chairman. Members noted the importance of the work undertaken by the LEP to support the County's economy.

Councillor Laurens thanked his Deputy Portfolio Holder, Councillor Lynch for the work he had undertaken on Broadband provision and problems with Broadband connectivity. In response to a Members' query, Councillor Lynch advised that BT only supported the delivery of superfast Broadband to commercially viable areas. He continued that once the Open Market Review had been undertaken and areas identified as commercially unviable the Council could then intervene. The Portfolio Holder for Economic Growth commented that BT Openreach's approach to the provision of a service to commercially unviable areas was unacceptable and alternative providers were being considered.

RESOLVED:

That the contents of the Annual Report of the Portfolio Holder for Economic Growth be noted and approved.

48 Annual Portfolio Holder Report for Planning and Housing Development

It was proposed by Councillor R Macey, Portfolio Holder for Planning and Housing Development and seconded by Councillor D Carroll that the report, a copy of which is attached to the signed minutes be received.

Councillor Macey presented and amplified his detailed report on undertaking his responsibilities as Portfolio Holder for Planning and Housing Development and drew attention to the key areas within the report relating to Planning Services, Strategic Planning and Housing Enabling and Development which formed part of the Economic Growth Service and supported the Council's Economic Growth Strategy.

He thanked Officers for their hard work and commitment and paid particular tribute to Councillor D Carroll for his ongoing support and assistance.

He responded to questions and comments raised by Members, including Councillors R Gittings, K Turley, P Dee, J Mackenzie, H Fraser, N Hartin, Lee Chapman, J Dean, H Kidd, I Jones, and R Evans.

RESOLVED:

That the contents of the Annual Report of the Portfolio Holder for Planning and Housing Development be noted and approved.

49 Annual Report 2017/2018 of the Performance Management Scrutiny Committee

It was proposed by Councillor C Wild, Chair of the Performance Management Scrutiny Committee, and seconded by Councillor G Butler that the Annual Report of the Performance Management Scrutiny Committee 2017/2018, a copy of which is attached to the signed Minutes, be received.

Councillor Wild presented her report and provided an overview of the work of the Committee during the last twelve months.

RESOLVED:

That the contents of the Annual Report 2017/2018 of the Performance Management Scrutiny Committee be noted and approved.

50 Annual Report 2017/2018 of the Place Overview Committee

It was proposed by Councillor G Butler, Chairman of the Place Overview Committee and seconded by Councillor P Milner, that the Annual Report 2017/2018 of the Place Overview Committee, a copy of which is attached to the signed Minutes, be received and agreed.

Councillor Butler presented his report and outlined the work carried out by the Committee. He thanked members of the Committee for their work throughout the

year and he thanked other Members who had attended or contributed to the work of the numerous Task and Finish Groups it had established.

RESOLVED:

That the contents of the Annual Report 2017/2018 of the Place Overview Committee be noted and approved.

51 Motions

- a) The following motion has been received from Councillor T Huffer and supported by Councillors A Boddington, R Huffer and V Parry.

‘Shropshire Council has an important role in supporting communities across the county. Resilient communities enhance the quality of life, promote wellbeing and reduce costs to the social care and health sectors. The council has been reducing its support for communities in the face of budget cuts. This includes cuts to the community enablement team and threats to abolish Local Joint Committees. Vital support for youth budgets and for early help through the Sure Start community centres has been cut.

This Council instructs the Chief Executive to develop a strategy for the Council to positively promote its engagement with the diverse communities across Shropshire, taking account of its rurality and levels of deprivation’.

An amended Motion was proposed by the Leader of the Council, Councillor P Nutting and seconded by Councillor J Barrow, as follows:

‘Shropshire Council has an important role in supporting communities across the county. Resilient communities enhance the quality of life, promote wellbeing and reduce costs to the social care and health sectors. Some elements of this support have come under financial pressure as a result of the wider need for the Council to make savings from its revenue budget.

This Council requests the appropriate Overview and Scrutiny Committee to look at the sustainability of this area through a Task and Finish Group and use this work to inform a report by the Chief Executive’.

On debating the amended Notice of Motion, it was accepted that new methodology needed to be agreed and established in 2019, the Constitution of Local Joint Committees needed to be revisited and and, to this end, a Scrutiny Task and Finish Group needed to be established in order for a collaborative piece of work to take place by the Communities Overview and Place Overview Committees.

RESOLVED:

That the following Notice of Motion be supported:

Shropshire Council has an important role in supporting communities across the county. Resilient communities enhance the quality of life, promote wellbeing and reduce costs to the social care and health sectors. Some elements of this support have come under

financial pressure as a result of the wider need for the Council to make savings from its revenue budget.

This Council requests the appropriate Overview and Scrutiny Committee/s to look at through a Task and Finish Group and devise a strategy for engaging with the diverse communities of the County and use this work to inform a report by the Chief Executive.

b) The following motion has been received from Councillor A Phillips and supported by Councillors D Carroll, D Turner, S Harris and R Gittins:

This Council abhors racism in all forms and is particularly concerned at the rise in profile and frequency of antisemitism nationally.

Shropshire Council wishes to join with the Government and other local authorities across the UK in signing up to the internationally recognised International Holocaust Remembrance Alliance guidelines on antisemitism which define antisemitism thus:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.”

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanising, demonizing or stereotypical allegations about Jews as such or the power of Jews as collective - such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust)
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens as being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations

- Denying the Jewish people their right to self-determination, e.g. by claiming that the existence of the State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g. claims of Jews killing Jesus or blood libel) to characterise Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis
- Holding Jews collectively responsible for the actions of the state of Israel.

This Council therefore resolves to:

- 1) Restate its condemnation of all forms of racism in all its manifestations
- 2) Adopt the IHRA definition of antisemitism as the working model for challenging and confronting incidents of this form of racism.
- 3) Asks the Chief Executive to look to adopt similarly agreed definitions to confront and challenge all forms of racism and discrimination that exist within our society.

RESOLVED:

That the Notice of Motion be supported.

52 Questions from Members

The Speaker advised that the three questions had been received in accordance with Procedure Rule 15. (A copy of the report containing the detailed questions their formal responses is attached to the signed minutes).

- i) Received from Councillor A Boddington and answered by Councillor R Macey, the Portfolio Holder for Planning and Housing Development in relation to the National Planning Policy Framework.

By way of a supplementary question Councillor Boddington asked whether consideration could be given to a trial design panel in one area of the county. The Portfolio Holder stated that this would be taken into consideration and looked at in future.

- ii) Received from Councillor A Boddington and answered by Councillor R Macey, the Portfolio Holder for Planning and Housing Development in relation to the South Planning Committee.

By way of a supplementary question Councillor Boddington requested that improved feedback be provided on the reasons why applications did not go forward for Planning Committee consideration. The Portfolio Holder noted the issue and raised and stated that this would be considered.

- iii) Received from Councillor D Morris and answered by Councillor S Davenport, Portfolio Holder for Highways and Transport in relation to speed limits on roads around rural schools.

By way of a supplementary question Councillor Morris asked that alternative ways of funding speed limit measures on roads around local schools be considered. The Portfolio Holder agreed and added that the 20 is Plenty issue would receive further investigation possibly by a Task and Finish Group.

53 Shirehall Redevelopment and Refurbishment Project

The Speaker advised that this item had been withdrawn.

54 Exclusion of the Public and Press

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

55 Exempt Minutes

RESOLVED:

That the confidential Minutes of the Council meeting held on 26 July 2018 be approved and signed as a correct record.

Signed (Speaker/Chairman)

Date: