



Shropshire Council  
Legal and Democratic Services  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND  
Wednesday, 11 September 2019

**Committee: Council**

**Date: Thursday, 19 September 2019**

**Time: 10.00 am**

**Venue: Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND**

You are requested to attend the above meeting.  
The Agenda is attached

Claire Porter  
Director of Legal and Democratic Services (Monitoring Officer)

Jane MacKenzie  
Ann Hartley (Chairman)  
Peter Nutting (Leader)  
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  
David Evans  
Roger Evans

Hannah Fraser  
Rob Gittins  
Nat Green  
Simon Harris  
Nigel Hartin  
Nick Hignett  
Richard Huffer  
Tracey Huffer  
Roger Hughes  
Ioan Jones  
Simon Jones  
Mark Jones  
Heather Kidd  
Christian Lea  
Matt Lee  
Elliott Lynch  
Robert Macey  
Chris Mellings  
Paul Milner  
David Minnery  
Dan Morris  
Pamela Moseley  
Alan Mosley  
Cecilia Motley  
Peggy Mullock

Kevin Pardy  
William Parr  
Vivienne Parry  
Tony Parsons  
Malcolm Pate  
Alexander Phillips  
Lezley Picton  
Ed Potter  
John Price  
Keith Roberts  
Madge Shingleton  
Robert Tindall  
Dave Tremellen  
Kevin Turley  
David Turner  
David Vasmer  
Claire Wild  
Brian Williams  
Leslie Winwood  
Michael Wood  
Tina Woodward  
Paul Wynn  
Kate Halliday  
Gwendoline Burgess

Your Committee Officer is:

**Julie Fildes** Committee Officer

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Email: [julie.fildes@shropshire.gov.uk](mailto:julie.fildes@shropshire.gov.uk)

# AGENDA

## **1 Apologies for Absence**

## **2 Disclosable Pecuniary Interests**

Members are 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.

## **3 Minutes (Pages 1 - 10)**

To approve as a correct record the minutes of the previous meeting held on 25<sup>th</sup> July 2019.

## **4 Announcements**

To receive such communications as the Chairman, Speaker, Leader and Head of Paid Service may desire to lay before the Council.

## **5 Public Questions**

To receive any questions from the public, notice of which has been given in accordance with Procedure Rule 14.

A petition, bearing over 1,000 signatures, has been received from Mr D L Cheese on behalf of the White Hall Medical Practice Patient Group requesting a debate under the Council's Petition Scheme. Mr Cheese will be in attendance to present the petition.

The wording on the petition reads: White Hall Medical Practice Help Save our GP Surgery.

The petitioner will be allowed 5 minutes to outline their case, after which there may be a debate of up to 15 minutes maximum.

## **6 Returning Officer's Report - Meole Electoral Division (Pages 11 - 12)**

The Report of the Returning Officer [Meole Electoral Division] is attached.

Contact: Claire Porter Tel: 01743 252763

## **7 Returning Officer's Report - Bishops Castle Electoral Division**

Report of the Returning Officer [Bishop's Castle Electoral Division] is to follow.

Contact: Claire Porter Tel: 01743 252763

## **8 New School Provision in West Shrewsbury (Pages 13 - 42)**

Report of the Director of Children's Services is attached.

Contact: Karen Bradshaw Tel: 01743 254201

**9 Care Leaver Covenant: Shropshire's Pledge and Sign up (Pages 43 - 48)**

Report of the Director of Children's Services is attached.

Contact: Karen Bradshaw Tel: 01743 254201

**10 Proposed Removal of the Existing Five Hackney Carriage Zones (Pages 49 - 76)**

Report of the Director of Public Health is attached

Contact: Rachel Robinson Tel: 01743 252003

**11 Review of Polling Districts, Polling Places and Polling Stations 2019 (Pages 77 - 106)**

Report of the Returning Officer is attached.

Contact: Claire Porter Tel: 01743 252763

**12 Appointment of Independent Remuneration Panel (Pages 107 - 108)**

Report of the Director of Legal and Democratic Services is attached.

Contact: Claire Porter Tel: 01743352763

**13 Community Governance Reviews (Pages 109 - 112)**

Report of the Director of Legal and Democratic Services is attached.

Contact: Claire Porter Tel: 01743 252763

**14 Appointments to Committees**

To confirm the following changes of membership:

Health and Adult Social Care Overview and Scrutiny Committee

Councillor D Vasmer replaced Councillor V Parry as a substitute member of the committee.

Housing Supervisory Board

Councillors R Aldcroft, J Barrow, N Bardsley, S Harris, N Hignett, P Mullock, R Evans and K Turley be appointed as substitute members of the board.

North Planning Committee

Councillors N Green and D Vasmer be appointed as members and Councillors H Fraser and C Mellings be appointed as substitute members of the committee.

South Planning Committee

Councillors A Boddington and R Huffer be appointed as members and Councillors N Hartin and R Evans be appointed as substitute members of the committee.

**15 Motions**

The following motions have been received in accordance with Procedure Rule 16:

**1. The following motion has been received from Councillor Julian Dean and is supported by Councillors Pauline Dee, Andy Boddington, David Vasmer and Roger Evans:**

This Council recognises the damage that is likely to result from a No-Deal Brexit, highlighted by the 'Operation Yellowhammer' reports. For example, we note the threat to people's health due to the risk of shortages in medicines, and we note the threat to the livelihoods of our farming community due to the additional checks and changes to tariffs. We note that NFU President Minette Batters has said that a No-Deal Brexit will be "socially and economically absolutely disastrous."

This Council further recognises the Home Secretary's plans for a no-deal Brexit may well have a negative impact on those members of our community who have chosen to move from elsewhere in the EU to live and work in Shropshire, many of whom are essential workers in the NHS and in our agriculture sector.

This council states, loud and clear, to EU citizens living in Shropshire; 'you continue to be welcome here'.

This council calls on the MPs representing Shropshire to work to prevent a No-Deal Brexit. Allowing such a disaster to happen can be avoided by the UK Parliament so refusing to take the necessary action to prevent this would be to willingly inflict harm on the people of this county.

Finally, this council calls on the leader to write to the Prime Minister to make it clear to him that Shropshire Council is opposed to a No-Deal Brexit which will harm our community.

**2. The following motion has been received from Councillor Peter Adams and is supported by Councillors Dean Carroll, Steve Charmley, Peter Nutting and Brian Williams:**

SHROPSHIRE COUNCIL SUPPORTS A PROPOSAL TO EXTEND THE M54 MOTORWAY FROM JUNCTION SEVEN AT WELLINGTON TO PRESTON BOATS JUNCTION NEAR SHREWSBURY

Shropshire is experiencing a prolonged period of sustained growth, and this needs to be enhanced and reinforced with the continued levels of house building in the County. There is a need for increased levels of investment in the County's infrastructure.

With this in mind I would like Council to accept the above proposal. Foreign investors use decisions as to where they put their money and often rely on knowledge of the motorway systems of the Countries being examined, and in this respect, Shropshire is weak.

With the North West Relief Road being given the go ahead, this will open up North Shropshire and parts of Mid Wales for development.

Council is asked:

1. To encourage Local Members of Parliament to lobby Government and Highways England to extend the M54.
2. To allow Officers to signal our intentions to Partners like Midland Connect.
3. To ask Officers to provide a Business Plan.

**3. The following motion has been received from Councillor Andy Boddington and is supported by the Liberal Democrat Group:**

**Shropshire Tree Bank**

Shropshire Council declared a Climate Emergency at its May 2019 meeting. This council supports the work in progress by the council and its partners to reduce its carbon emissions, including the creation of a task and finish group to map the route forward to zero carbon. The formation of a working group does not rule out Council establishing initiatives where there is a clear need to so do in the context of the declared climate emergency.

The role that trees can play in mitigating the increase in atmospheric CO<sub>2</sub> and promoting biodiversity is well understood. But this council has not set out a specific ambition for increasing tree cover in the county. This motion declares such an ambition and provides an innovative mechanism for helping achieve it. The mechanism, the Shropshire Tree Bank, recognises that sometimes householders, housing providers, landowners and developers cannot replace felled trees on site but would welcome the opportunity for substitute planting.

Specifically, this council resolves:

- 1) To declare its ambition to ensure that at least one additional tree is planted in the unitary area for every resident before 2050 – an estimated 345,000 trees.
- 2) To create a Shropshire Tree Bank. Where a tree is lost without replacement, the council should encourage a voluntary financial contribution towards the Tree Bank, a central pot that will distribute free native saplings each autumn (perhaps in a similar manner to the council's earlier Free Tree Scheme).

Such a scheme should be cost neutral to Shropshire Council and might be administered by either the Council or an independent body. By way of indication, those felling a tree without replacement might be encouraged to pay for two saplings at £5 each. This fee would be more than adequate to cover the cost of the saplings and contribute towards administrative, storage and distribution costs.

The scheme would initially be open to householders, housing providers and landowners. Scope for opening extending the scheme to developers will need to be considered in the context of the government's proposals to mandate biodiversity net gain for most developments in the forthcoming Environment Bill.

**4. The following motion has been received from Councillor David Vasmer and is supported by the Liberal Democrat Group:**

**Highways Contract Arrangements**

Members will be aware of the deep concerns that exist over the state of Shropshire's highways. I propose that firstly:

This Council Notes:

1. The poor record of Ringway who were responsible for highway projects and schemes, pothole repair, gritting, bridge maintenance, grass cutting, drainage, street lighting, emergency responses, winter maintenance and extreme weather provision.

2. That Kier were appointed to take over on 1st April 2018

3. That when the contract was awarded in October 2017, Steve Davenport, the Cabinet member for Highways and Transport said: "We're confident we have found the best contractor for this work and we look forward to working with them (Kier) to deliver the best possible highways maintenance services for the people of Shropshire.

4. Since April 2018 the service provided by Kier has not delivered the improved services we were promised, and in some cases is now worse than that provided by Ringway. Councillors of all parties have found it very difficult to get essential highway repairs done.

This Council Resolves:

1. To conduct an urgent review of the current arrangements for highways maintenance and whether the standards set out in the contract with Kier are being met.
2. To include within the review, options for the Council to take over functions from Kier and bring services in-house at some point in the future
3. To conclude the review before the next Council meeting so that the Council can debate its content and agree how we can deliver the quality of services our residents deserve

**5. The following motion has been received from Councillor D Vasmer and is supported by the Liberal Democrat Group:**

**This Council Notes**

- i. The growing numbers of people across England reliant upon the private rented sector for their homes, including families on low incomes or receiving benefits, single parents, people living with disabilities, LGBTQ+ people, older people, and people who are from two or more of these categories.
- ii. The use of Section 21 of the Housing Act to evict private rental tenants, via a no-fault eviction, where a landlord needs to provide no reason, and needs to provide only two months' notice, leaving the tenant to cover moving and relocation costs, irrespective of their circumstances.
- iii. The impacts that no fault evictions have on those evicted, who may not have sufficient funds to find new accommodation in the time available, including forcing children to move schools, tearing people away from their friends and communities, and leaving tenants financially compromised and requiring support from the state.
- iv. The impact that the threat of a no-fault eviction has on tenants who cannot plan their lives when they have no confidence where home will be in 12 months' time or are intimidated into not complaining about disrepair or mistreatment.
- v. The impact that no fault evictions have on local authorities like Shropshire, increasing the numbers of people they must support as a consequence of being forced into homelessness following a S21 eviction.

**This Council calls for:**

- a. Reform of the private rental market to make it fairer for private renters.
- b. Support for private renters to enable them to safely report health and safety issues in rented properties.
- c. Local authorities to be enabled to create and maintain registers of landlords providing private rental properties for lease.

- d. Tenants to be given the first refusal to buy the home they are renting when a landlord decides to sell during their tenancy, and at the market rate according to an independent valuation.
- e. Longer tenancies of three years or more, with an inflation-linked annual rent increase built in giving tenants security and limit rent hikes.
- f. Improved protections against rogue landlords through mandatory licensing and allow access for tenants to the Database of Rogue Landlords and Letting Agents

*This Council resolves:*

- To encourage renters across Shropshire to take part in the End Unfair Evictions coalition online survey as part of the Government consultation on scrapping section 21. Including sharing support for the End Section 21 campaign on all social media channels
- That the Leader of the Council will write to the Secretary of State for Housing, Communities and Local Government to stress that any changes to section 21 and section 8 cannot allow no-fault evictions through the back door.
- Call on the member of parliament to publicly state his support for the abolition of section 21.

**16 Questions from Members (Pages 113 - 116)**

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

**17 Exclusion of the Press and Public**

To resolve 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 Procedure Rules, the public and press be excluded during consideration of the following items.

**18 Exempt Minutes of 25th July 2019 (Pages 117 - 120)**

To approve as a correct record the exempt minutes of the Council meeting held on 25<sup>th</sup> July 2019.

**19 Local Housing Company - Funding and Land Transfers (Pages 121 - 166)**

Exempt report of the Director of Place is attached.

Contact Mark Barrow Tel: 01743 258671

**20 Strategic Property Acquisition - Oswestry East**

Exempt Report of the Director of Place is to follow.

Contact: Mark Barrow Tel: 01743 258671

**21 Rural Entrepreneurship and Competitiveness Investment Programme Phase 1 (Bishop's Castle Business Park) (Pages 167 - 196)**

Exempt Report of the Director of Place is attached.

Contact: Mark Barrow Tel: 01743 258671

## **22 Warm Homes Fund Award Report**

Exempt Report of the Director of Place is to follow.

Contact: Mark Barrow Tel: 01743 258671



## Committee and Date

Council

19<sup>th</sup> September 2019

## **COUNCIL**

### **Minutes of the meeting held on 25 July 2019**

**In the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND**

**10.00 am - 12.05 pm**

**Responsible Officer:** Julie Fildes

Email: [julie.fildes@shropshire.gov.uk](mailto:julie.fildes@shropshire.gov.uk) Tel: 01743 257723

### **Present**

Councillors Ann Hartley and Peter Nutting (Leader)

Councillors Vince Hunt (Speaker), Peter Adams, Roy Aldcroft, Nicholas Bardsley, Joyce Barrow, Thomas Biggins, Ed Bird, Andy Boddington, Gwilym Butler, Karen Calder, Dean Carroll, Ted Clarke, Gerald Dakin, Steve Davenport, Julian Dean, Pauline Dee, David Evans, Roger Evans, Rob Gittins, Nat Green, Kate Halliday, Simon Harris, Nigel Hartin, Nick Hignett, Richard Huffer, Tracey Huffer, Roger Hughes, Ioan Jones, Simon Jones, Heather Kidd, Matt Lee, Elliott Lynch, Robert Macey, Chris Mellings, Paul Milner, David Minnery, Dan Morris, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Kevin Pardy, William Parr, Tony Parsons, Alexander Phillips, Lezley Picton, Ed Potter, John Price, Madge Shingleton, Dave Tremellen, Kevin Turley, David Turner, David Vasmer, Claire Wild, Brian Williams, Leslie Winwood, Michael Wood, Tina Woodward and Paul Wynn

### **19 Apologies for Absence**

Apologies for absence were received from Councillors C Aspinall, L Chapman, S Charmley, H Fraser, M Jones, J Mackenzie, M Pate and V Parry.

### **20 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.

### **21 Minutes**

**RESOLVED:** That the Minutes of the meeting held on 16<sup>th</sup> May 2019, as circulated with the agenda papers, be approved and signed as a correct record.

### **22 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 16<sup>th</sup> May 2019, which had been circulated at the meeting.

### **Customer Portal Demonstration**

The Chairman advised Members that on the rising of Council there would be a demonstration of the new Customer Portal outside the Council Chamber.

### **23 Motion without Notice**

Councillor Mosley moved the motion without notice under Part 4 Section 17[q] of the Constitution.

#### **RESOLVED:**

That under Section 85 of the Local Government Act 1972, the reasons for the failure of Councillor Jane Mackenzie to attend meetings of the authority due to ill health be approved and the matter reviewed at the Council meeting to be held 19<sup>th</sup> September 2019, if necessary.

### **24 Public Questions**

Question 1 – from Mr K Piggott, Shrewsbury resident

Mr Piggott asked when the work to the lighting column on Underdale Lane would be undertaken. Councillor Davenport Portfolio Holder for Highways and Car Parks agreed to meet with Mr Piggott after the meeting to discuss the matter.

### **25 Questions from Members**

The Speaker advised that six questions from Members had been received in accordance with Procedure Rule 15 (copy of the report containing the detail questions and their formal responses is attached to the signed minutes).

- i) Received from Councillor D Turner and answered by Councillor S Davenport, Portfolio Holder for Highways and Car parks, in relation to Highways issues.

By way of a supplementary question, Councillor Turner asked for the Portfolio's comments on problems with drainage which created unsafe road conditions. The Portfolio Holder responded that it was not a problem confined to Much Wenlock and addressing flooding issues had been identified as a highway priority.

- ii) Received from Councillor D Vasmer and answered by Councillor S Charmley, Deputy Leader and Portfolio Holder for Assets, Economic Growth and Regeneration, in relation to the rents received from retailers situated in the Shrewsbury shopping centres.

By way of a supplementary question, Councillor Vasmer asked the Leader to comment on the downturn in rental income from the shopping centres. The Leader responded that the Shopping Centres in Shrewsbury had been

purchased as a long-term investment with the expectation that this would happen. He continued that the investment return was still greater than the return the capital would have received from the banking sector.

- iii) Received from Councillor A Boddington and answered by Councillor S Davenport Portfolio Holder for Highways and Carparks in relation to highway repairs by the utility companies and the disruption this caused.

Councillor Boddington had no supplementary question.

- iv) Received from Councillor A Boddington and answered by Councillor S Charmley, Deputy Leader and Portfolio Holder for Assets, Economic Growth and Regeneration, in relation to the Community Lottery.

By way of a supplementary question, Councillor Boddington asked to see the Officers report advising not to continue with the lottery scheme. The Chairman responded that this would be discussed outside the meeting.

- v) Received from Councillor C Mellings and answered by Councillor G Butler, Portfolio Holder for Communities, Place, Planning and Regulatory Services, in relation to creating a market towns vitalisation fund.

By way of a supplementary question, Councillor Mellings asked if the revitalisation package was going to be available to support all market towns in Shropshire. The Portfolio Holder responded that he was in agreement that the agenda to revitalise the market towns needed to be set out again. He continued that the successful completion of Place Plans provided useful intelligence across the county to identify the important issues for individual areas.

- vi) Received from Councillor C Mellings and answered by Councillor S Davenport Portfolio Holder for Highways and Carparks in relation to the performance of the highways contract.

By way of a supplementary question, Councillor Mellings asked if the contract with Keir would be terminated in the event that performance did not improve. The Portfolio Holder responded that that the company's performance would be considered by the Place Overview Scrutiny Committee on 5<sup>th</sup> September 2019. Contract termination would not be considered until the company had been given a period of time to improve its performance.

## 26 Financial Outturn 2018/19

It was proposed by the Leader, Councillor Nutting, and seconded by Councillor Minnery, that the report of the Director of Finance, Governance and Assurance on the Financial Outturn 2018/19, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

Members commented on the uncertainty caused by the Comprehensive Spending Review and the Fair Funding Review, and the marked difference in funding between urban and rural areas, with a difference of around 50% more funding per-capita in favour of urban areas.

Members raised concerns regarding the impact of increases in statutory spending for Children's Services and Adult Social Services and unbudgeted pressures; on low interest rates on funds held in the bank; and, the financial risk of proposed spending on large projects.

The Portfolio Holder for Finance and Corporate Support, Councillor Minnery responded that the Council was working to deliver a sustainable budget and it was to be expected that during the year there would be deviations from the budget set at the start of the financial year. He agreed that there had been unexpected growth in the expenditure for Children's Services, reflected nationally, and congratulated the Service on its achievement in keeping costs down. He reminded Members that the interest rates referred to were on accounts where access to funds was required for cash flow and so were realistic for that type of account.

The Leader, Councillor Nutting, responded that the County's Members of Parliament had been made aware of the unfairness in the funding formulas between rural and urban areas. He commented on the level of Member confusion between capital and revenue budgets.

**RESOLVED:**

- i) That it be noted that the outturn for the revenue budget for 2018/19 is a controllable underspend of £0.167m. This represents 0.03% of the original gross budget of £561.950m.
- ii) That it be noted that the level of the General Fund balance after adjusting for the outturn underspend and insurance position stands at £15.537m, which is above the anticipated level assessed in February 2019.
- iii) That it be noted that the Outturn for the Housing Revenue Account for 2018/19 is an underspend of £3.859m and the level of the Housing Revenue Account reserve stands at £9.813m (2017/18 £8.225m).
- iv) That it be noted that the increase in the level of Earmarked Reserves and Provisions (excluding delegated school balances) of £4.986m in 2018/19 and the reasons for this.
- v) That it be noted that the level of school balances stand at £4.178m (2017/18 £5.381m).
- vi) That the net budget variations of £0.848m to the 2018/19 capital programme, detailed in Appendix 5 / Table 11 and the re-profiled 2018/19 capital budget of £60.703m be approved

- vii) That the re-profiled capital budgets of £69.243m for 2019/20, including slippage of £15.728m from 2018/19, £22.181m for 2020/21 and £16.001m for 2021/22 as detailed in Appendix 5 / Table 15 be approved
- viii) That the outturn expenditure set out in Appendix 5 of £50.975m, representing 76% of the revised capital budget for 2018/19 be accepted.
- ix) That retaining a balance of capital receipts set aside of £20.515m as at 31st March 2019 to generate a one-off Minimum Revenue Provision saving of £0.621m in 2019/20 be approved.

## **27 Audited Statement of Accounts 2018/19**

It was proposed by the Leader, Councillor Nutting, and seconded by Councillor Minnery, that both the report and addendum report of the Director of Finance, Governance and Assurance, copies of which are attached to the signed minutes, and the recommendations therein be received and agreed.

Thanks were conveyed to the Finance Team for the amount of work undertaken within demanding timescales.

In responding to comments from Members, the Leader, Councillor Nutting recognised that savings targets set out in the budget had been ambitious. He expressed confidence for the future whilst remaining aware that it held challenges to be overcome with a continued common-sense approach.

### **RESOLVED:**

- i) That the 2018/19 Statement of Accounts be considered and approved and that the Chairman of the Council signs them (in accordance with the requirements of the Accounts and Audit Regulations 2015).
- ii) That the Director of Finance, Governance and Assurance be authorised to make any minor adjustments to the Statement of Accounts prior to the 31<sup>st</sup> July 2019.
- iii) That the Director of Finance, Governance and Assurance and the Chairman of the Audit Committee sign the Letter of Representation in relation to the financial statements on behalf of the Council and send to the external auditor.

## **28 Annual Assurance Report of the Audit Committee to Council 2018/19**

It was proposed by Councillor P Adams and seconded by Councillor B Williams that the report of the Director of Finance, Governance and Assurance, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

Council was pleased to note that an unqualified report was imminently expected from the Council's auditors. Councillor R Evans congratulated the Committee on their work.

**RESOLVED:**

That the contents of the Annual Assurance Report 2018/19 be considered and accepted.

**29 Adoption of Woore Neighbourhood Plan**

It was proposed by Councillor R Macey and seconded by Councillor R Aldcroft that the report of the Director of Place, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

In response to a Member's question, Councillor Macey agreed that support would be provided to all communities wishing to prepare a Neighbourhood Plan and that it aligned with the Development Plan.

**RESOLVED:**

That the Woore Neighbourhood Plan be adopted and brought into force as part of the Development Plan for Shropshire.

**30 Portfolio Holder Annual Report for Communities, Place, Planning and Regulatory Services**

It was proposed by Councillor G Butler, the Portfolio Holder for Communities, Place, Planning and Regulatory Services, and seconded by Councillor C Motley that the report, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

Councillor Butler presented and amplified his report and responded to questions, concerns and comments from Members including Councillors Turner, Shingleton, Hartin, Mosley, Vasmer, Evans, Kidd and Motley.

**RESOLVED:**

That the contents of the report be noted and approved.

**31 Constitution of Committees and the Allocation of Seats to Political Groups  
(Pages 31 - 38)**

It was proposed by the Speaker, Councillor V Hunt and seconded by the Chairman, Councillor A Hartley that the report of the Director of Legal and Democratic Services, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

Councillor R Evans stated his continued opposition to the reduction in the number of Planning Committees from three to two which had previously been agreed and on this basis could not support the recommendations within the report.

**RESOLVED:**

That the constitution of committees and the allocation of seats to each of the political groups for the remaining 2019/20 municipal year and the allocation of seats between the political groups, as set out in Appendices 1 and 2 of the report [as circulated prior to the meeting] be confirmed.

**32 Motions**

The following motion was proposed in accordance with Procedure Rule 16, by Councillor Andy Boddington, and duly seconded by Councillor D Vasmer on behalf of the Liberal Democrat Group:

There is growing interest among many organisations about introducing a four day week. Pilot trials and research show that a four day week improves staff wellbeing and innovation, without reducing productivity. Reducing staff travel to work will also contribute to national and council commitments to progress towards a zero carbon expectation.

This motion does not propose shutting council offices three days in seven but to give most staff flexibility in which four weekdays they work. It does not apply to Shropshire Council employees in schools.

Shropshire Council must continue to operate public facing services Monday to Friday, as well as maintaining emergency and essential cover 24x7. But this should not be an impediment to introducing a four day week norm for staff and increasing use of flexible hours.

This council requests the chief executive and an appropriate cabinet member to examine the case for a four day working week with a view to reporting to cabinet and council by February 2020 on the feasibility of a four day week norm for council staff.

Following a debate it was

**RESOLVED:**

That the Notice of Motion be not supported.

**33 Report of the Shropshire and Wrekin Fire and Rescue Authority**

It was proposed by Councillor C Mellings 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.

**RESOLVED:**

That the report of the Shropshire and Wrekin Fire and Rescue Authority meeting held on 26<sup>th</sup> June 201, be noted.

**34 Exclusion of the Press and Public**

**RESOLVED:**

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 Procedure Rules, the public and press be excluded during consideration of the following items.

**35 Support for the Marches Centre for Manufacturing and Technology**

The Speaker, Councillor V Hunt, advised that this item had been withdrawn and would not be considered.

**36 Mile End Roundabout Improvements - Housing Infrastructure and Construction Programme**

It was proposed by the Leader, Councillor P Nutting and seconded by the Speaker, Councillor V Hunt, that the exempt report of the Director of Place, a copy of which is attached to the exempt signed minutes, and the recommendations therein be received and agreed.

**RESOLVED:**

That five exempt recommendations as detailed in the exempt report be approved.

**37 London Road, Shrewsbury Self Build Development**

Councillor N Green left the chamber for this item.

It was proposed by Councillor R Macey and seconded by the Leader, Councillor P Nutting that the exempt report of the Director of Place, a copy of which is attached to the exempt signed minutes, and the recommendations therein be received and agreed.

**RESOLVED:**

That four exempt recommendations as detailed in the exempt report be approved.

**38 Site Acquisition at Ennerdale Road Shrewsbury**

It was proposed by the Leader, Councillor P Nutting and seconded by Councillor D Carroll, that the exempt report of the Director of Place, a copy of which is attached to the exempt signed minutes, and the recommendations therein be received and agreed.

**RESOLVED:**

That three exempt recommendations as detailed in the exempt report be approved.

### 39 **Shrewsbury Business Park Investment**

It was proposed by the Leader Councillor P Nutting and seconded by Councillor D Minnery that the exempt report of the Director of Place, a copy of which is attached to the exempt signed minutes, and the recommendations therein be received and agreed.

#### **RESOLVED:**

That two exempt recommendations as detailed in the exempt report be approved.

Signed ..... (Chairman)

Date: .....

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# Agenda Item 6



## Committee and date

Council

19 September 2019

10.00 am

## Item

Public

## RETURNING OFFICER'S REPORT

**Responsible Officer** Claire Porter

Email: [claire.porter@shropshire.gov.uk](mailto:claire.porter@shropshire.gov.uk)

Telephone: (01743) 252763

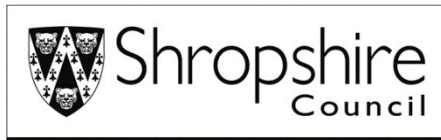
I Claire Porter, the Returning Officer for the Shropshire Council area, do hereby certify that the person named below was elected as Councillor for the Meole Division of the Shropshire Council area:

<u>Electoral Division</u>	<u>Name and Address</u>	<u>Description</u>
Meole	Gwendoline Laura Burgess  24 Eskdale Road Shrewsbury SY2 5UE	Conservative Party Candidate

Dated this 15<sup>th</sup> day of August 2019

Claire Porter  
Returning Officer  
The Shirehall  
Abbey Foregate  
SHREWSBURY  
SY2 6ND

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<u>Committee and Date</u>	<u>Item</u>
Council	
19 September 2019	
	<u>Public</u>

## NEW SCHOOL PROVISION IN WEST SHREWSBURY

**Responsible Officer** Karen Bradshaw

e-mail: karen.bradshaw@shropshire.gov.uk Tel: 01743 254201

### 1. Summary

- 1.1. A report to Cabinet on 28 November 2018 on School Place Planning secured agreement to launch the first (informal consultation) phase for a new mainstream school in the west of Shrewsbury - under the Government's 'free school presumption process' - on land secured from developers at Bowbrook for this purpose via a Section 106 (S106) agreement.
- 1.2 In March 2019, the local authority received notification from the Department for Education that a bid to establish a special school in the local authority – via the Wave 2 Special and Alternative Provision Free Schools process - was proceeding to the next stage of the process. This is effectively a similar, but separate presumption/competition process to that set out in paragraph 1.1 above, to secure a provider to operate the special school.
- 1.3 The special school is planned to be co-located on the same 7 hectare site in Bowbrook as the mainstream school. In order to progress the development of both of the schools there is a need to activate the appropriate clause in the S106 agreement, in particular the 'Land Trigger Event', which requires the passing by Council of a resolution to construct a school(s) on the community land in Bowbrook.
- 1.4 This paper provides Council with an overview of the new school provision planned for west Shrewsbury and seeks their agreement for a resolution to secure the release of the community land to construct the schools.

### 2. Recommendations

That Council agrees:

- 2.1 To construct two new schools on the community land at Bowbrook so as to enable the activation of Clause 7 of the Third Schedule of the S106 agreement and to approve the respective leases as set out in this report.

- 2.2 To manage the construction of the special school using the self-delivery model as set out in this report.
- 2.3 To manage the procurement and construction of the mainstream school as set out within this report in conjunction with the delivery of the special school.
- 2.4 To delegate to the Executive Director of Children's Services the ability to deliver the recommendations as set out above in consultation with the Portfolio Holder for Children's Services.
- 2.5 To delegate to the Executive Director of Place the ability to deliver the land and property aspects of the recommendations as set out above in consultation with the Portfolio Holder for Assets, Economic Growth and Regeneration.

## REPORT

### 3. Risk Assessment and Opportunities Appraisal

- 3.1 Local authorities have a statutory duty under section 14 of the Education Act 1996 to ensure sufficient schools are available in their area to provide primary and secondary education, whether in maintained schools or academies. This requires the provision of a school place for every child living in its area of responsibility who is of school age and whose parents choose for their child to be educated in the state funded sector.
- 3.2 Where this statutory duty for additional school places extends to establishing a new school, local authorities are required to follow the Government's presumption process. The latest Department for Education (DfE) advice, '*The free school presumption*', was published in May 2018 and is available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/706171/Academy\\_and\\_free\\_school\\_presumption\\_departmental\\_advice.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/706171/Academy_and_free_school_presumption_departmental_advice.pdf).
- 3.3 Local authorities are responsible for determining the specification for any new mainstream school and to lead and implement the project to establish the school, and to fund the build. All new schools established through this process are classified as 'free schools', which is the DfE's term for any new academy provision, which means they are independent of local authority control and receive their funding directly from the Government.
- 3.4 The proposal for a new special school, through the Wave 2 Special and Alternative Provision Free Schools process, will also be a free school, though the construction will be funded by the DfE. While the bid to establish a special school has progressed to the competition stage, the final decision to open and fund the free school rests with the Secretary of State for Education formally entering into a funding agreement with the academy trust which will operate the school. The provision of a suitable

site upon which the school can be constructed will be a critical factor in this decision making – in Shropshire’s case, the availability of land at Bowbrook is significant in reducing the risk of the funding agreement not being signed.

- 3.5 Initial discussions with DfE representatives indicate that there are 3 routes through which the construction of the special school can be delivered:
- the DfE leads and delivers the project
  - the DfE secures the provider to run the school and this academy trust leads and delivers the project
  - Shropshire Council leads and manages the project through what is termed ‘self-delivery’.
- 3.6 While the DfE is able to lead on the delivery of the special school, the Council would not be commissioning them to lead on the construction of the mainstream school which will be co-located on the Bowbrook site, as the provisioning of statutory school places rests with the local authority. Given the potential economies of scale, efficiencies and value for money through using a single contractor to build both schools, the Council is looking to self-deliver the construction of the 2 schools.
- 3.7 In order to go down this route the Council, as what is termed the Responsible Body, has to secure DfE approval to self-deliver the special school. This process, which is prescribed in the DfE’s *External Guidance on Self-Delivery for Responsible Bodies*, requires the completion of a self-delivery business case. Part 1 of this business case was submitted to the DfE in early August. A final decision from the DfE around self-delivery for the special school will be made following the submission of part 2 of the business case in the autumn.
- 3.8 There are additional risks in going down the self-delivery route, in particular an overrun on cost, which the DfE would require the Council to meet. However, as the Council has to ‘self-deliver’ the mainstream school regardless of which route the special school is delivered through, these risks are likely to be reduced through having oversight and control of both projects on a single site and to realise financial efficiencies. The DfE will also be closely involved and engaged throughout the project, which will ensure that they monitor the progress of the project, from procurement and design, through to construction and opening.
- 3.9 In the case of the mainstream school, as highlighted in the 28 November report, a key risk is not securing the appropriate funding to meet the costs of the additional school places resulting in the Council not meeting its statutory duties under section 14 of the Education Act 1996.
- 3.10 It is not anticipated that there are any significant risk factors preventing Council passing a resolution to secure the release of the land, other than to note that there is a reservation period of 10 years from the commencement of development at Bowbrook in which to activate the

release clauses. As the S106 agreement was signed on 1 August 2014 and the commencement of development was on 5 January 2015, this does not present a current risk.

- 3.11 An Equality and Social Inclusion Impact Assessment (ESIIA) will be produced in respect of the construction process and as the projects progress.

#### **4. Financial Implications**

- 4.1 Where additional school places are required, whether on an existing school site or through a new school, there are a range of funding streams to meet the costs of any necessary capital works. These include: Government allocated basic need capital grant, contributions from housing developments through Community Infrastructure Levy (CIL) and S106, and any potential receipts from the sale of surplus school sites within Council ownership (dependent on Cabinet approval to allocate such receipts for education provision).
- 4.2 In respect of the mainstream school in Bowbrook, the construction work will be funded by a combination of basic need capital grant and developer contributions. This project is in the draft Shrewsbury Place Plan as a Priority A category project and, as such, has been identified as being critical infrastructure that is supporting development. Further detail will be provided in a subsequent report.
- 4.3 As indicated above, funding for the special school will be provided by the DfE following approval of the self-delivery business case – the authority will be advised of the initial capital budget including delivery fees at this point and a Project Delivery Grant Letter covering feasibility and survey costs will be issued by the DfE. Economies of scale and greater value for money are potentially available through securing a single contractor to build both schools. Discussions with the DfE contacts indicate that they would be in favour of this approach. Opportunities for shared facilities for the 2 schools will also be explored which could realise further efficiencies in overall project costs.
- 4.4 The DfE has indicated that they will be expecting Modern Methods of Construction (MMC) to be used in the construction of the special school. MMC differs from traditional construction and commonly includes off-site construction, factory-built, industrialised or system building and pre-fabrication. This same approach will be used for the construction of the mainstream school, which is likely to deliver greater value for money for the Council.

## **5. New Special School**

- 5.1 The DfE launched the Wave 2 Special and Alternative Provision Free Schools process in July 2018, inviting applications from local authorities to secure funding for new special schools or alternative provision in their areas. The School Place Planning report to Cabinet on 28 November 2018 advised that the authority was submitting an application. The Shropshire Council application dated October 2018 is attached at Appendix 1.
- 5.2 The application is for a 120 place cross-phase special school for children and young people with social, emotional and mental health issues including Autistic Spectrum Disorder. The rationale and requirement for the provision is detailed in the application. The application was required to detail the proposed location of the school, with a clear expectation that this was essential in order for the bid to progress. The land at Squinter Pip Way in Bowbrook was specified in the application as the proposed location for the school.
- 5.3 In March 2019, the Council was informed that the application to establish a special school had been approved to move to the next stage of the process, the trust competition or 'free school presumption' stage (letter attached at Appendix 2). The approval required the authority to advertise the opportunity for potential academy trusts to apply to operate the new school and to publish a specification on the Council's website, which was done on 22 March – details available on the website at <https://shropshire.gov.uk/the-send-local-offer/news/seeking-proposals-to-establish-a-special-free-school/> . Applications have to be submitted by the end of September 2019, with a decision on the successful provider expected in early 2020.
- 5.4 The letter also initiated discussions between DfE officials and Council officers on the securing of the land and the required legal documentation relating to this, including an agreed Heads of Terms and the provision of a 125-year peppercorn lease along similar lines as the 125-year leases the Council is required to provide for maintained schools converting to academy status.
- 5.5 The DfE contact has indicated that technical advisers from their team will be commissioned to undertake feasibility studies of the site, which will be at their cost. The Council will be responsible for any ground abnormal costs required on the site that the surveys flag up, over and above a minimum threshold. The costs of services to the site will also have to be met by the Council, though there are S106 developer funds available to meet these – see below.

## **6. New Mainstream School**

- 6.1 The report on School Place Planning considered by Cabinet on 28 November 2018 secured approval to launch the first (informal

consultation) phase for a new mainstream school in the west of Shrewsbury, under the Government's 'free school presumption process', on the land secured at Squinter Pip Way in Bowbrook.

- 6.2 The approval of the special free school application has delayed progress on this informal consultation phase, particularly as the presumption process for the provider to run the special school was launched almost immediately following receipt of the DfE's letter in March 2019. The informal consultation on the mainstream school will now take place in the autumn term.
- 6.3 As a consequence, a separate presumption process will be run for the provider to run the mainstream school. There is a likelihood that the academy trust that secures the approval to operate the special school will be different from the trust that secures the approval to run the mainstream school. This is likely to mean that the 2 schools will be operated by different academy trusts, given the differences in the education provision being provided in each school. It is worth noting that a number of Shropshire based multi-academy trusts have indicated a strong interest in applying to operate the mainstream school, which is positive.

## **7. Land and Property Agreements**

- 7.1 The S106 agreement for the land at Bowbrook was signed on 1 August 2014. It includes provision for the transfer of 7 hectares of community land 'for future recreation, community and/or education purposes'. There is a reservation period of 10 years for the transfer of the land from the commencement of development on the site. A plan of the 7 hectare site is attached at Appendix 3.
- 7.2 The acquisition of the land by the Council is to be governed by a 999-year lease. The S106 agreement requires a 'Land Trigger Event' to be activated, which is through one of the following:
- the passing by the Council of a resolution to construct a school on part of the community land
  - the passing by the Council or the Town Council of a resolution to create an indoor or outdoor community facility on the community land
  - the passing by the Council or the Town Council of a resolution to create public recreation facilities on the community land.
- 7.2 The footprint for the 2 schools – including playing fields and car parking - will require a significant part of the land available, particularly as they will potentially operate as separate schools and be run by different academy trusts. It is estimated that the two schools will require at least 4 hectares, with the mainstream school potentially requiring further land to expand in the future to accommodate pupils from further housing development on preferred sites, highlighted in the Local Plan review, to the south of the current site.

- 7.3 The new schools could provide for the shared use of playing fields for the wider community and recreation use, while ensuring the necessary safeguarding of pupils.
- 7.4 The S106 agreement includes other developer contributions, over and above the land transfer. A phased education contribution totalling £829,317 is written into the agreement. An element of this will be used to address any abnormal land costs emerging from the DfE feasibility studies, as well as ensuring that the site is provided 'clean' and serviced prior to the school construction works commencing.
- 7.5 In respect of the providers that secure the Secretary of State approval to deliver education provision in each of the schools, there will be a requirement for 125-year leases to be drawn up, using DfE model leases. All new academy schools and free schools are granted 125-year land leases from the date of conversion or opening of a new school.
- 7.6 It is recommended that Council agrees to construct 2 schools on the community land off Squinter Pip Way in Bowbrook. This will enable the serving of notice to the landowner as required in the S106 agreement and to commence discussions on the acquisition of land on the basis of a 999-year lease, which is required to be agreed between the developer and the Council within 3 months of the date of service of the notice. Once the lease is agreed and the transfer of the land has taken place, the Council has 5 years within which to let a contract for the construction of the school(s). With a current planned delivery date of September 2022 for the schools, this will not be an issue.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Cabinet report on School Place Planning – 28 November 2018

**Cabinet Member (Portfolio Holder)**

Edward Potter

**Local Member**

All Council members for Shrewsbury town wards and those wards bordering the town

**Appendices**

Appendix 1 - Shropshire Council Special Free School application – October 2018

Appendix 2 - Shropshire SEN free school outcome letter – 11 March 2019

Appendix 3 – Land at Bowbrook, Shrewsbury

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Department  
for Education

# **Shropshire Council Special Free School**

**Seeking proposals to establish a  
Special Free School**

**Shropshire.**

**October 2018**

## SECTION ONE: OVERVIEW

### 1. Summary

The Department for Education (DfE) is working collaboratively with selected Local Authorities to establish new schools that fit within the local authorities' strategies for children and young people with special educational needs and disabilities (SEND) and those requiring alternative provision. This opportunity is intended to identify and meet untapped demand for special and alternative provision free schools as a supplement to LAs' existing resources. If a strong proposal is received by a trust that both the Local Authority and the Secretary of State wish to take forward, DfE will provide capital funding and start-up grants subject to value for money assessments.

This document sets out the key information regarding the school that Shropshire will be establishing alongside DfE. Trusts should use the information within this document, alongside the engagement events, to determine whether they would like to apply to open the school, and to base their application on.

### 2. Key dates

<b>24 July 2018</b>	Special and AP free schools wave is launched – the guidance and criteria for local authorities seeking to establish new special or alternative provision free schools is published.
	Announcement of successful LA bids. Competitions in successful areas subsequently open.
	Sponsor Engagement Event
	Deadline for proposers to submit applications in successful areas.
	Shropshire and DfE to evaluate submitted applications and interview trusts
	Approved applications announced.

### 3. Contact details and further information

If you would like any further information or would like to discuss your application, please contact:

**Name: Julia Dean**

**Job title: Service Manager, Special Educational Needs and Disability**

**Email: [julia.dean@shropshire.gov.uk](mailto:julia.dean@shropshire.gov.uk)**  
**Tel: 01743 254563**

If you would like any further information or would like to discuss the site,  
please contact:

**Name: Phil Wilson**  
**Job title: Service Delivery Manager - Learning & Skills**  
**Email: [phil.wilson@shropshire.gov.uk](mailto:phil.wilson@shropshire.gov.uk)**  
**Tel: 01743 254344**

Please find below the contact details of the Regional Schools Commissioner:

**RSC: Christine Quinn**  
**RSC's office: West Midlands**  
**Email: [rsc.wm@education.gov.uk](mailto:rsc.wm@education.gov.uk)**

#### 4. Shropshire Context and Planning

*Please include here details of why the local authority is running this competition and requires this school. Should this be a joint bid, please explain how the local authorities will work together and how other local authorities are involved in commissioning places.*

We have chosen to bid in to this wave in order to establish new free school that will fit within the local authorities' strategy for children and young people with special educational needs and disabilities (SEND) . The capital support will help us to open new special school which best meet the needs of children and young people so that they all have an equal opportunity to achieve better outcomes alongside their non- SEND peer group.

Shropshire is a good local authority with a rate of improvement in the top 10% of the country. We are committed to developing this free school and believe it is a vital addition to complement the current local education offer.

The geography of the Shropshire provides us with a large challenge, so much of the population spread thinly across large areas. This presents unique challenges in ensuring access to appropriate specialist provision, with many of the most vulnerable learners spending significant time travelling with Shrewsbury being the largest single area of need.

With existing specialist provision being either full or nearly full, there is limited capacity to meet growing demand from an increasing SEND population particularly in the areas of significant growth both in Speech Language & Communication Needs (**SLCN**) and Autistic Spectrum Disorders (**ASD**).

Our strategy appreciates the fact that many of these learners can flourish in mainstream schools and as a result we are utilising our limited special provision capital; fund allocation to create resourced provision in existing primary and secondary schools. We also accept that there are increasing numbers who struggle in mainstream classrooms. With the right support they are able to access the mainstream curriculum, but not without extra help and the right environment that only a special school with the specification we are bidding for can provide.

In Shropshire (as nationally) there is a trend of increasing complexity of need – children are presenting with higher levels of need, or with complex combinations of need that have not been experienced before, even by experienced specialist staff. More and more learners cannot adequately be described by a single category of need and many have a range of overlapping factors that impact on their learning.

## **SECTION TWO: THE SCHOOL**

The tables below list key details of the school proposed. Your application must be for a school that has these key characteristics. Please note you only need to complete the relevant table depending on the type of school.

<b>Type of school</b>	<b>Special</b>
<b>Area of SEN provided for (please detail designation alongside additional information known about the cohort's needs and abilities)</b>	Social Emotional and Mental Health including Autistic Spectrum Disorder.  In particular:-  Disruptive, antisocial and uncooperative behaviour, withdrawn and depressed attitudes, anxiety and self-harm.
<b>Which local authorities are committed to commissioning places?</b>	Shropshire Council.
<b>How many places have been commissioned and by which local authority?</b>	Proposed 120 places are to be commissioned by Shropshire Council phased over a 3 year period. 50 places year one. 90 places year two and 120 places year 3.
<b>Per-pupil revenue funding the local authority would expect to pay (if a range of rates, please explain and detail the rates per pupil, including estimates for how many of the cohort will be in each band)</b>	£10,000 per place plus top up anticipated to be in the range of £12000 to £14000, depending on the severity of need.  <b>PLEASE NOTE THIS HAS BEEN INCREASED FROM £7,000.</b>
<b>Age range</b>	5-16.
<b>Gender (Boys/Girls/Co-educational)</b>	Co- Educational.
<b>Total number of proposed full time equivalent places (once school is at full capacity – this should include 16-19 places but not nursery)</b>	120 places.
<b>Type of placements offered (e.g. full time, short term, part time)</b>	120 FTE including combinations of full time, part and short term in order to be as flexible as possible to meet individual needs and to allow for re-integration back into mainstream where appropriate.
<b>Number of nursery places, if applicable</b>	N/A
<b>Number of 16-19 places, if applicable</b>	N/A

**Any planned outreach, training and/or reintegration support (including details of funding that will be made available to support the school with this)**

It is the intention that the school would provide outreach support to improve outcomes for pupils with SEMH and ASD attending mainstream schools by building capacity through bespoke training packages and programmes of support, working with staff and children over fixed periods to develop specific skills. Additional support for parents would also be freely available.

The Outreach support would be able to draw upon the experience and expertise of the special school staff, who would provide practical advice and strategies to support:

- assessment of need
- multisensory approaches for effective classroom access
- structuring curriculum routines and developing schedules
- person centred learning
- positive behaviour management approaches
- attachment disorder
- communication programmes
- disability awareness and working with pupils who have specific learning disabilities.

The ambitious plan is to site the special school on the same site as a mainstream all through school. Either as a fully integrated build or extended on a modular basis as funding permits. This approach would maximise the opportunities for young people to access a complete range curriculum options much in the way that resourced provision hubs in mainstream schools operate but on a much larger scale.

## SECTION THREE: RATIONALE AND CONTEXT FOR THE SCHOOL

This section describes the rationale and the context in which the new school will operate.

*3A. Please include a brief description of the existing provision in your area, future expected growth in pupil numbers and how you expect places to be filled.*

The table below details the number of places that the local authority proposes for each year group at the point of opening until the school is full.

	Year of opening	+1	+2	+3	+4	+5	+6
Nursery							
Reception							
Key stage 1 (Y1-2)	10	20	30	30	30	30	30
Key stage 2 (Y3-6)	20	30	30	30	30	30	30
Key stage 3 (Y7-9)	20	30	30	30	30	30	30
Key stage 4 (Y10-11)		10	30	30	30	30	30
16-19: commissioner referred	0	0	0	0	0	0	0
Totals	50	90	120	120	120	120	120

On the January 2017 school pupil census, there were **6,112** children in Shropshire identified with special educational needs (SEN), making up **13.9%** of the school population. This includes **1,577** children with statements or education, health and care (EHC) plans (**3.6%** of the school population) and **4,535** children receiving SEN support (**10.3%** of the school population).

Shropshire's size and rurality are its biggest challenges in terms of provision of specialist services. In part a consequence of this geography means a significantly higher than average proportion of children with SEN are being supported within mainstream settings. It follows that Shropshire's mainstream schools are supporting more pupils with highly complex needs than is the case elsewhere and as a result there is a real present need for additional special school capacity.

To further evidence this if Shropshire had the same proportion of learners in special school as is the average for its **statistical neighbours** (37.9% as opposed to 28.4%) this would represent an **additional 150 pupils in special schools plus an additional 60 pupils in designated specialist provision**.

If Shropshire had the same proportion of learners in special school as is the average for its **West Midlands neighbours** (55.4% as opposed to 28.4%) this would represent an **additional 426 pupils in special schools plus an additional 56 pupils in designated specialist provision**.

We are positive we are already supporting learners either in independent placements, out of county or in mainstream provision that would fill this school freeing up vital provision to support the growing numbers that require additional support. Whilst we are positive that we already have the numbers to fill this 120 places proposed, we would not consider doing this at the detriment of students who have successful stable placements so would propose that the schools is filled to capacity in a staged process over a three year period.

Whilst we are commissioning this on a solo bid basis we have consulted with our neighbouring authorities and have determined that a number would be interested in commissioning places should the bid be successful.

The current provision in Shropshire is noted below:

SCHOOL / ACADEMY / BASE	SEN SPECIALISM / SERVICES PROVIDED	AGE RANGE	CAPACITY
Severndale Specialist Academy	Moderate, severe, complex and profound learning difficulties; autism, complex medical conditions, physical & mobility difficulties	3-19	315
Severndale satellite Mary Webb	Moderate Learning Difficulties	11-16	30
Severndale satellite Futures (at Shrewsbury College)	Broad Spectrum	16-19	60
Woodlands	Social, Emotional and Mental Health needs	9-16	56
Woodlands satellite - Acorns (at Holy Trinity CofE Primary in Oswestry)	Autism Spectrum Conditions / Social, Emotional & Mental Health needs	4-11	12

SCHOOL / ACADEMY / BASE	SEN SPECIALISM / SERVICES PROVIDED	AGE RANGE	CAPACITY
Woodlands satellite - Acorns (at Community College Bishops Castle)	Autism Spectrum Conditions / Social, Emotional & Mental Health needs	4-11	12
Tuition, Medical and Behaviour Support Service (TMBSS)	Encompasses the functions of a PRU, a hospital school, and 6th day provision for permanently excluded pupils	4-16 (KS1- 4)	145 – across various sites
Kettlemere Centre, part of Lakelands Academy	Communication & interaction Needs / ASD	11-16	24

There are examples of excellent provision for children and young people with SEND within Shropshire schools, however far too many children have to go to a school too far from home and sometimes outside of Shropshire to have their needs met. This is unsatisfactory for the young people and their families and is having a significant impact on local authority budgets

With regards to budgets Shropshire has historically poorly funding. Shropshire is placed 132nd out of 152 councils when ranked high to low on spending allocations per pupil population, with £570.57 per pupil allocated for 2017/18. The national average is £701.42 and the average for statistical neighbour authorities is £586.29. For authorities with similar populations it is notably higher at £772.29. Shropshire ranks 7th when placed against its ten statistical neighbours



*3B Please also include details as to how these proposed new arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs, and the outcomes for pupils, across the local authority and how you expect trusts to support this.*

Shropshire Council's overall aim is to improve outcomes for children and young people with Special Educational Needs & Disabilities (SEND) by promoting high aspirations and expectations. Children and young people with SEND and their families will feel happier, healthier, safer, more valued, more accepted, and more responsible for their actions.

This will mean that children and young people with SEND living in Shropshire

- are safe and well looked after in a supportive environment
- are resilient with good emotional wellbeing
- are positively engaged in their community
- are as healthy as they can be and see health inequalities reduced
- see any achievement gap narrowed and are successful in achieving their goals
- are prepared for independence and work in their adult lives

In order to achieve this, we will take a strategic approach to the commissioning and coordination of services for children and young people with SEND and their families.

Shropshire is an inclusive authority and works to ensure that, where possible, all children and young people will be able to attend their local mainstream school. Where this is not possible, Shropshire Council's aim is that the majority of children who require specialist provision will be able to access an appropriate school within a 30-minute commute.

Regardless of where children receive their education it is essential that all children and young people with SEN will access an appropriate curriculum.

After and extensive consultation exercise outlined below:

DATE STAKEHOLDER EVENT OR METHOD OF COMMUNICATION		
10/11/2017	Parents and Carers	Shropshire Parent Carer Council AGM - Shrewsbury
10/11/2017 to 8/1/2018	Various Schools – Special, Mainstream and independent	Face to face meetings with a number of schools across Shropshire
29/11/2017 to 22/12/2017	All stakeholders	Strategic Review Discussion Document and Online questionnaire hosted on Shropshire Council's Website
11/1/2018	Headteachers and Local Authority Officers	Central Policy Group meeting
1/2/2018	Secondary Headteacher's	

84% of respondents were positive about the need for this special school. All were supportive of the increase options this would afford children and young people in Shropshire.

Shropshire has a comparatively high numbers with EHC Plans and Statements and also a high number of children supported in mainstream schools. The introduction the Graduated Support Pathway in September 2017 should allow mainstream schools to continue to support children who do not meet the thresholds for an EHCP. This reinforces the need for training and support for all education providers, and for skill-sharing between the special and mainstream sectors that it is hoped the free school can in part provide.



## SECTION FOUR: THE PROPOSED LOCATION AND SITE

This section describes the provisional site.

<b>Full address and full post-code</b>	Land at Squinter Pip Way, Bowbrook, Shrewsbury, Shropshire. SY58QB  <b>Googlemap location:</b> <a href="#">google maps location</a>
<b>Size of site</b>	Approximately 7 ha
<b>Further details on site (for example, current use/your reasons for choosing it/further developments (e.g. housing) planned for area</b>	<p>Bowbrook is a village in Shropshire and a western suburb of the larger conurbation of Shrewsbury. Bowbrook is an area undergoing significant development in terms of housing and it is anticipated that the population will grow rapidly over the next few years. The land proposed for use is currently owned by the Local Authority and is not currently used.</p> <p>Shrewsbury holds the largest population of learners in Shropshire and as such is the area which creates the largest demand for SEND places and in particular SEMH and ASD provision. This would mean that travel to learn times on the whole would be kept to a minimum. The location also provides access to the road and rail networks making it for more accessible than other suitable locations in Shropshire.</p> <p>Whilst this is the preferred location at this time, there are also another 3 suitable locations all owned by the Local Authority that were identified as part of the Free School Bid.</p> <p>Using building bulletin 104 guidelines for SEND and Alternative Provision we estimate the school would require a floor area of between 2500m<sup>2</sup> and 2790m<sup>2</sup>.</p> <p>The site will be made available to the incoming trust by way of a standard academy lease. The Council will retain the freehold.</p>

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Shropshire Council  
Letter by email to:  
[julia.dean@shropshire.gov.uk](mailto:julia.dean@shropshire.gov.uk)  
cc. [karen.bradshaw@shropshire.gov.uk](mailto:karen.bradshaw@shropshire.gov.uk)

11 March 2019

Dear Ms Dean,

Local Authority special and alternative provision free schools bid

I am pleased to inform you that the Secretary of State has decided that your bid to establish a special school in your local authority should proceed to the next stage of the process – the trust competition stage.

The approval of your bid is subject to specific conditions set out in Annex A. We will need to receive written confirmation from the Director of Children's Services that you accept the conditions by 1 April 2019. Please email your confirmation to [apspecial.FREESCHOOL@education.gov.uk](mailto:apspecial.FREESCHOOL@education.gov.uk).

The next step is to advertise the opportunity for potential trusts to apply to establish the new school. You must publish your specification on your website and send the link to your published specification to [apspecial.FREESCHOOL@education.gov.uk](mailto:apspecial.FREESCHOOL@education.gov.uk) within a week of this letter. We have included an induction guidance sheet which contains information and next steps.

As we have made clear in the published guidance, the final decision to open any free school depends on the Secretary of State formally entering into a funding agreement with the academy trust. The Secretary of State will only do so if he is satisfied that (a) there is a suitable site upon which we can construct and open a school on an agreed date and in a way that provides good value for money; and (b) the school will be ready to deliver at least a good standard of education, with a viable and sustainable number of places, from its first day of operation.

I would like to thank you and your colleagues for the commitment and time that you have shown in developing your bid.  
Please note a copy of this letter has been sent to your DCS, Ms Karen Bradshaw.

Yours sincerely



**Kathryn Prince**  
**Free Schools Directorate**

## **Annex A**

The approval of your bid is conditional upon:

**i. Fair and open competition**

This process is intended to create open competition, which will be available to all types of proposer groups.

It is not designed for co-located schools where there is only one feasible proposer. This is particularly important where the new school will be co-located with an existing school. You and the co-located school in question must confirm that you understand and accept that another provider could win.

It is also crucial for you to give an equal chance to all proposer groups, whether or not you think they are likely to submit a high quality application – you cannot give information only to favoured proposers, or only to established providers. If we believe a competition is not treating all potential applicants equally, we may either terminate the process or coordinate the competition internally. The information in the bid will form the basis of the information local authorities will need to publish.

**ii. Deliverability**

LA to provide the site on a 125 year peppercorn lease without premium with Heads of Terms agreed within 3 months and exchange within 5 months of project entering pre-opening. LA to meet s278 and any ground abnormal costs requiring remediation pursuant to planning. It is noted that this is an s106 site and that the same should be provided clean and serviced by the developer.

The LA/applicant to engage with the Local Planning Authority (LPA) to arrange a meeting between the Head of Planning (or equivalent), the Director of Children Services, other LA and LPA representatives where appropriate, and a Department for Education official, to be held within 6 weeks of the Secretary of State's formal approval of the project. A minute of the meeting, setting out the strategy for, and prospects of, securing the

necessary planning permission in a timely manner, to be circulated and agreed by all parties within two weeks of the meeting.

**iii. New provision**

The process is to establish a new special free school and not to replace or expand existing provision. This is not a mechanism to close a school and re-open it as a special free school in a new building.

However, strong independent schools wishing to join the state sector may apply to become free schools on the condition that the new places that are created meet the specification and are in addition to the number of existing places that they plan to convert.

**iv. Financial viability**

The school must be affordable and sustainable within your local authority's high needs block funding allocations, and the high needs funding of other local authorities commissioning places. To enable prospective proposers to develop realistic applications including robust financial plans, you must be able to state clearly in the specification the number of places your authority (and any other local authorities) will be commissioning, at a cost of £10,000 per place and the top-up funding rates your authority and other authorities will expect to pay in addition to the place funding to secure the required provision.

**v. Eligible places**

For special schools, the provision is only for pupils with an EHC plan, or, without an EHC plan in accordance with the SEND Code of Practice.

Alternative Provision is: education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour. Pupils attending AP may or may not have an EHC plan.

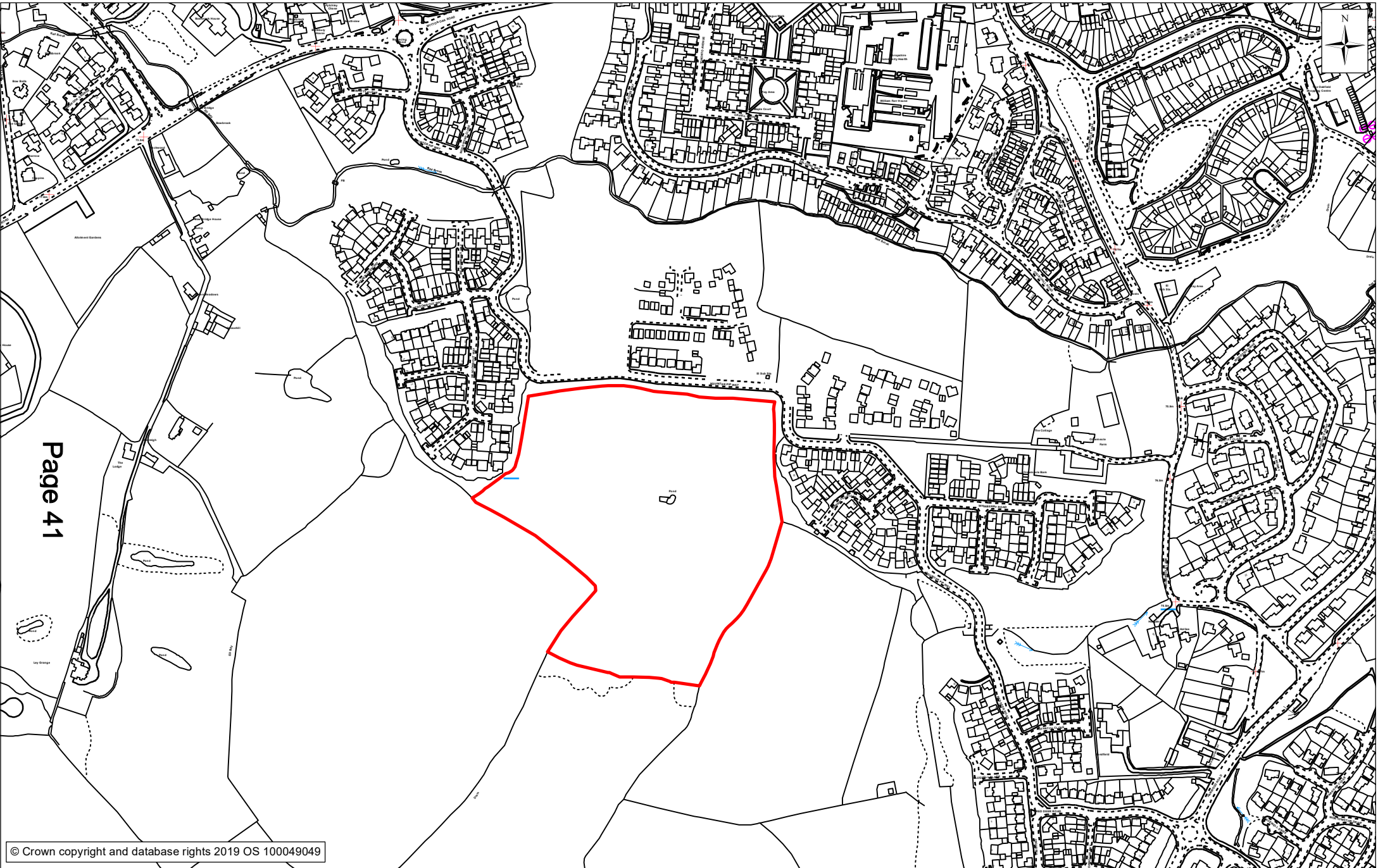
In many cases, the aim is for the child to reintegrate back into mainstream or move onto special education, after their placement. Where this is not possible, the Department expects schools and providers to work together to ensure that the young person can move on to suitable education, employment or training.

**vi. Impact assessment**

As part of the planning process for new schools, local authorities must also undertake an assessment of the impact of the proposal, both on existing educational institutions locally and in terms of impact on particular groups of pupils from an equalities perspective. This is to enable the

Secretary of State to meet his duties under section 9 of the Academies Act 2010 and under section 149 of the Equality Act 2010. Most local authorities will do this when putting together the specification, so in practice, we anticipate that it will just be a matter of providing the Secretary of State with a copy of their assessment.

However, in the unlikely event that the Secretary of State has concerns about the level or quality of analysis, he may require the relevant local authority to undertake further work on the impact of the proposed new school and/or the equalities assessment so as to ensure the effective discharge of the duties mentioned.



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**Business Enterprise and Commercial Services**  
Shirehall, Abbey Foregate  
SHREWSBURY  
SY2 6ND

Title: Land at Bowbrook, Shrewsbury	Drawing No:
	Scale: 1:5,000
	Date: July 2019
	Drawn by: Property Strategy and Review

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<u>Committee and Date</u>  Council  19 September 2019	<u>Item</u>    <u>Public</u>
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## Care Leaver Covenant: Shropshire's Pledge and sign up

**Responsible Officer**

e-mail: Karen Bradshaw

Tel: 01743 254201

## 1. Summary

- 1.1 This paper seeks Council approve to sign up to the Government's Care Leaver Covenant. The proposal encourages businesses and organisations county-wide, including Shropshire Council, to exercise their corporate social responsibility and to continue to build the strong culture of business contribution in the local area by signing up to the Care Leaver Covenant and publish their offers of support for Shropshire on the national MyCovenant App.
- 1.2 As corporate parents, Shropshire Council has made good progress with its offer to care leavers and has recently published what it makes available. The care leaver covenant is in addition to the existing care leavers offer provided under the Children Act 1989.

## 2. Recommendations

- 2.1 That Shropshire Council sign up to the Care Leaver Covenant and that each Directorate consider opportunities that could be offered to our care leavers as set out in section 5.5.
- 2.2 That Shropshire Council calls on other organisations and businesses to sign up to the Care Leaver Covenant.

### **3. 0 Risk Assessment and Opportunities Appraisal**

(NB this will include the following: Risk Management, Human Rights, Equalities, Community, Environmental consequences and other Consultation)

- 3.1 The proposal aims to improve the opportunities and outcomes for our care leavers and give them the best possible chance of transitioning in to adulthood and independence successfully and help them make a positive contribution to society.
- 3.2 Failure to adopt the proposal would risk Shropshire not fulfilling its corporate parenting and social responsibilities and possible opportunities and resources for our care leavers being missed.

### **4. Financial Implications**

- 4.1 Cost of the care leaver covenant launch and sign-up event and related printed information, approximately £500-£600.
- 4.2 Costs dependent on offers of support and resources pledged within each department (Shropshire Council's Pledge to the covenant only).
- 4.3 Sign up from outside businesses and organisations would incur no additional costs to Shropshire Council.

### **5.0 Background**

- 5.1 In July 2016, the Government published a major policy document 'Keep on Caring' to support young people from care to independence. A key policy commitment in the paper is a strategic pledge to introduce a Care Leaver Covenant.
- 5.2 The Care Leaver Covenant was officially launched in October 2018 and aims to provide care leavers with opportunities and a package of support to help smooth their transition into adulthood.
- 5.2 The Covenant is a promise made by the private, public and voluntary sectors to provide support for care leavers aged 16-25 to help them to live independently.
- 5.3 Undoubtedly a large proportion of young people leave their care setting poorly prepared for independence. Typically, they lack the appropriate resource to acquire and hold down gainful employment as well as the skills needed to manage their financial affairs and domestic arrangements. They frequently do not have the social and emotional

confidence or the family and friend networks that would provide the confidence and resilience to face the challenges of earning a living and making their way in society.

- 5.4 The aim of the Care Leaver Covenant to which organisations commit is to provide additional support for those leaving care, making available a different type of support and expertise from that statutorily provided by local authorities. Drawing on the resourcefulness and imagination of their staff and their working environment, organisations have the potential to offer new perspectives and professional expertise. These can offer opportunities and a new way of thinking to aid the care leavers in moving forward successfully to the next phase of their lives.
- 5.5 The national Care Leaver Covenant App is designed for young people to find available opportunities and is available for them to download via app stores. The app has been planned with the needs of the care leaving community in mind. It is continually filled with a variety of opportunities for work placements across the UK, as well as details of training provisions and even discounts and other promotions. It is easy to navigate by geographical region or type of opportunity and it regularly updated to improve functionality.
- 5.6 The action a young person needs to take once they have seen an interesting opportunity varies. In some cases they need to contact Care Leaver Covenant directly, or they may need to contact the employer directly. Within each listing it will be made clear who the first point of contact is.
- 5.7 Work with universities and higher education institutions is also important, in order to ensure that those who are leaving the care system have access to a fulfilling and enriching higher education/further education experience. Statistics show that the number of people going to university from the care system could be improved and it is important that we do what we can to give them the confidence to apply. But the work doesn't just stop there. Once a young person has begun university it is necessary to ensure that they have the necessary support to make that experience positive and fulfilling. This could be through additional mentoring, pastoral support or access to new equipment or financial aid. Universities are also big employers and it hoped that university jobs will be made available to care leavers.
- 5.8 Examples of the sort of activities that the offer might include, depending on the nature of the organisation, are:
  - Work experience placements, work shadowing placements, internships
  - Providing care leavers with additional support; for example, one-to-one mentoring or pastoral support and guidance on various aspects

of their lives, financial guidance, career/employment guidance, educational prospects and opportunities.

- Providing care leavers with opportunities to broaden their horizons for example, concessionary access to sport, leisure and cultural activities along with discounted retail offers.
- Encouraging their involvement in specific activities and events which inspire their personal interest and widen their employment prospects.
- Providing or supporting them in educational and training opportunities that will improve their vocational and educational profile and open up future employment opportunities.
- Practical items, for example, first home starter packs (towels, utensils, pots and pans, cleaning items etc) decorating equipment and furnishing.

5.9 In the last OFSTED inspection, the leaving care team was rated as requiring improvement and the corporate parenting panel chaired by Cllr Nick Bardsley has committed to ensuring improvement is made. One of the tasks set out in the plan for improvement was for the Local Authority to launch the Care Leaver Covenant within Shropshire.

5.10 The outlined proposal has been endorsed by the Chief Executive who is committed to spearhead the proposal and raise its profile and implementation within Council Directorates and outside businesses and organisations.

5.11 Information and awareness regarding the proposal will be ongoing and a Care Leaver Covenant sign up event is organised for 25<sup>th</sup> Oct 2019, to be held at University Centre Shrewsbury.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Government website on Care Leaver Covenant: <https://mycovenant.org.uk/>

**Cabinet Member (Portfolio Holder)**  
Cllr Ed Potter

**Local Member**

All

**Appendices**

None

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<u>Committee and Date</u>	<u>Item</u>
Council	
19 September 2019	
	Public

## PROPOSED REMOVAL OF THE EXISTING FIVE HACKNEY CARRIAGE ZONES

**Responsible Officer** Rachel Robinson, Director of Public Health

e-mail: [rachel.robinson@shropshire.gov.uk](mailto:rachel.robinson@shropshire.gov.uk) Tel: 01743 252003

### 1. Summary

- 1.1 This report concerns the final stage of the process to remove the existing five Hackney Carriage Zones ('the zones'), which are defined by reference to the five district and borough council areas that existed prior to the creation of Shropshire Council, and to provide for all provisions of the hackney carriage licensing regime to be applied across the whole of the administrative area of Shropshire Council with effect from 1 April 2021.

### 2. Recommendation

- 2.1 That the Council resolves to remove the five existing Hackney Carriage Zones, which are defined by reference to the five district and borough council areas that existed prior to the creation of Shropshire Council, and that all provisions of the hackney carriage licensing regime be applied across the whole of the administrative area of Shropshire Council with effect from 1 April 2021.

## REPORT

### 3. Risk Assessment and Human Rights Act Appraisal

3.1 The proposal to remove the five existing Hackney Carriage Zones is based on a recommendation from the Strategic Licensing Committee. Full details are referenced at paragraph 3.14 below.

3.2 The matter has previously been considered by Shropshire Council ('the Council') on 13 December 2018 where it was resolved that the Trading Standards and Licensing Operations Manager be instructed to publicise the Council's intention to remove the five existing Hackney Carriage Zones and that all provisions of the hackney carriage licensing regime be applied across the whole of the administrative area of Shropshire Council with effect from 1 April 2021. The relevant Council report, entitled 'Proposed Removal of the Existing Five Hackney Carriage Zones', is available at the following link:

<https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=125&MId=3757&Ver=4>

3.3 The Council's intention to remove the zones has now been publicised in accordance with the relevant provisions of Schedule 14 of the Local Government Act 1972, namely a notice was served on every parish council, or the chairman of the parish meeting, within the Shropshire Council area between 26 and 29 July, and notices were published for two consecutive weeks in the Shropshire Star on the 31 July 2019 and 7 August 2019. The notice to the parish councils is required to be served no later than the date on which the advertisement was first published in the Shropshire Star; this requirement has been satisfied.

3.4 The control of hackney carriage licensing is currently based on the regimes that existed within the previous district and borough councils (South Shropshire District Council, North Shropshire District Council, Shrewsbury and Atcham

Borough Council, Oswestry Borough Council and Bridgnorth District Council) prior to the formation of Shropshire Council in 2009.

- 3.5 Hackney carriage licensing is a function of the Council and the power to remove the existing five zones (see paragraph 5.3 below for details of the existing zones) is set out in provisions within the Local Government Act 1972 ('the LGA72'). There is no power to re-create the five zones, or any other combination of zones, once the existing zones are removed.
- 3.6 The removal of the zones will create a single area that will permit Shropshire Council licensed hackney carriages to operate across the whole of the administrative area of Shropshire Council rather than being restricted to the zone for which they are currently licensed. The most significant impact for existing hackney carriage proprietors, who currently operate outside of 'Zone 4', is that all vehicles will be required to be wheelchair accessible.
- 3.7 In practice, the removal of the zones will require existing hackney carriage proprietors to make a commercial decision based on whether they want to operate wheelchair accessible hackney carriage vehicles, in which case the Council will support them to do so by publishing their contact details on the Designated List of Wheelchair Accessible Vehicles, or alternatively to focus on being a private hire business and be subject to the private hire regime for their vehicles and to the relevant private hire operator conditions.
- 3.8 The Public Sector Equality Duty (PSED), under the Equality Act 2010 (EA2010), requires the Council to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Furthermore, in April 2017, Sections 165 and 167 of the EA2010 were enacted giving the Council the power to publish a Designated List of Wheelchair Accessible Vehicles. The Department for Transport (DfT) actively encourages local authorities to undertake the necessary steps to publish such a list in order to improve access to transport for wheelchair users. This work has been

undertaken and a list is now being maintained for Shropshire Council licensed wheelchair accessible vehicles.

3.9 The removal of the zones is inextricably linked to both the PSED and the more recent change that was made to the EA2010 in April 2017. Given the equality responsibilities that are placed on the Council, there is a clear basis on which to seriously consider enabling licenced hackney carriages to operate across the whole of the Shropshire Council administrative area in order to achieve the most effective outcomes for wheelchair users and, where relevant, their carers.

3.10 The DfT's 'Inclusive Transport Strategy' demonstrates that there is an increasing expectation for transport strategies to provide inclusive transport solutions for disabled passengers. The removal of Shropshire's existing zones aims to further promote equal transport rights for wheelchair users and, where relevant, their carers who may wish to use hackney carriages as a form of transport without unduly undermining the commercial operation of existing hackney carriage provision outside of 'Zone 4' and taking account of the PSED placed on the Council.

3.11 The DfT, in its 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' recommends the removal of zones on the basis that they can diminish the supply of taxis and the scope for customers. It can be confusing and frustrating for those who wish to hire a taxi to find that a vehicle licensed by the Shropshire Council is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of Shropshire. The removal of zones can also simplify administration and enforcement. It can also promote fuel efficiency and reduce environmental impacts, because taxis can pick up a passenger anywhere in the county, rather than having to return empty to their licensed zone after dropping a passenger in another zone.

3.12 Directly linked to the Council's safeguarding responsibilities, particularly in relation to tackling exploitation, including child sexual exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults, the Deregulation Act 2015, whilst aiming to enable private hire operators to more

readily fulfil demand, has also enabled an increase in private hire drivers and vehicles licensed by other local authorities operating across the administrative area of Shropshire Council, i.e. cross-border hiring. This has increased the risk to public safety and has not only led to business being taken away from Shropshire Council private hire operators but has also adversely impacted on the available business for hackney carriage proprietors. This is further compounded by the inability of hackney carriage proprietors to operate outside their current designated zone.

3.13 Private hire operators are subject to robust checks in order to operate legitimate private hire businesses. There are a number of businesses that have traditionally operated under the hackney carriage regime when in reality they are operating in the same manner as licenced private hire operators but without having to comply with the Council's operator conditions. Although the law allows hackney carriage proprietors to conduct their business in this way, it has the potential to undermine the steps that the Council initially implemented in 2015 to tackle child sexual exploitation and it will limit the Council's future ability to fully demonstrate that it robustly tackles wider exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults. Hackney carriage proprietors are strongly encouraged to consider how they operate their business to ensure they meet all their safeguarding responsibilities.

3.14 For the purposes of considering the removal of the existing zones, two periods of consultation were undertaken; initially a ten-week period from 5 June 2018 to 2 September 2018 and a further four-week period from 8 October 2018 to 4 November 2018. Full details of the consultation process, together with the actual responses and analysis of those responses with officer comments and explanatory notes, are available in the three Strategic Licensing Committee Reports entitled 'Proposed Consultation on the Removal of the Five Hackney Carriage Zones' dated 20 June 2018, 3 October 2018 and 20 November 2018. The reports are available at the following links:

- <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=166&MId=3729&Ver=4> (June)
- <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=166&MId=3730&Ver=4> (October)
- <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=166&MId=3858&Ver=4> (November)

3.15 Considering the feedback from both periods of consultation, the response was limited; only 22 (one of which was not relevant) received, set against over 100 hackney carriages and over 700 private hire vehicles currently licensed by the Council. This should not necessarily be perceived as a negative outcome; rather, it may demonstrate that the trade's understanding of the key role they have to play in the future of inclusive transport options, particularly for those who are wheelchair users, has improved significantly in recent years and this has been influenced by the continuing constructive dialogue between the Council's licensing team and the hackney carriage and private hire trade. Nevertheless, the low response rate must be borne in mind.

3.16 In addition, despite the limited response, the majority (67%) of responders fully supported the removal of the zones. Those who were against the proposals were unable to provide robust or substantive evidence for their position and the comments made were largely based on localised economic impacts linked to the wider licensing changes that have occurred over the previous three years, rather than as a direct result of removing the zones in the future.

3.17 The fundamental change that arose as a result of the consultation was to delay the actual removal of the zones from 1 April 2019 to 1 April 2021. This is primarily to maintain a more balanced economic position for all hackney carriage proprietors and to avoid an unfair and potentially adverse impact on the existing 'Zone 4' proprietors whilst, in practice, still retaining a two-year transition period, which was part of the original proposals.

- 3.18 If existing hackney carriage proprietors upgrade their vehicles, this will clearly increase the number of wheelchair accessible vehicles operating in Shropshire. If they opt to licence their vehicles as private hire vehicles, the number of wheelchair accessible vehicles will not increase; however, equally this approach will not reduce the number of wheelchair accessible vehicles, and, significantly, under the private hire regime, the Council will be in a position to enhance its safeguarding checks on more vehicle proprietors and drivers, providing they remain with Shropshire Council and do not apply to be licensed by another Council with less robust policies in place.
- 3.19 The equality and human rights impact of the proposed removal of the zones has been considered and an Equality and Social Inclusion Impact Assessment (ESIIA) has been undertaken for all groups; this can be found at **Appendix A**.
- 3.20 For all the groups, the impact is rated as positive; notably, with respect to the 'disability' group, the impact is rated as 'high positive' and 'age' as 'medium positive'. The impact is also rated as 'medium positive' for people for whom there are safeguarding concerns, given the greater ability of the Council to fully demonstrate that it robustly tackles exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults, and the likely improvements overall to public safety under the proposed changes, bringing particular benefits for vulnerable households.
- 3.21 With respect to the remaining groups, the impact, in reality, is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact. The assessment took into account children and young people who are looked after by Shropshire Council and the families of children in need when considering the 'age' group and adults with care and support needs, e.g. adults with learning disabilities, when considering the 'disability' group.
- 3.22 The proposed implementation date will provide an increased lead in time to further engage with hackney carriage proprietors for the purposes of reviewing

the existing five hackney carriage tariff cards with the aim of replacing this with a single card. This will enhance transparency and consistency across hackney carriage fares in Shropshire, which will, in turn, increase consumer protection as it relates to the pricing of hackney carriage journeys.

#### **4. Financial Implications**

- 4.1 The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the consultation exercises and the cost of publicising the Council's intention to remove the zones in the Shropshire Star. These costs are recovered through the licensing fees.

#### **5. Background**

- 5.1 The Council has a duty to provide for the licensing of hackney carriages under the Town Police Clauses Act 1847 and under the relevant adopted provisions of the Local Government (Miscellaneous Provisions) Act 1976 ('1976 Act'). In addition, the adopted provisions of the 1976 Act mean that the Council must provide for the licensing of private hire drivers, vehicles and operators.
- 5.2 Whilst it is recognised that this duty requires an efficient and effective administrative process, the fundamental purpose of the licensing regime is to protect the safety of the public. This means the Council must ensure that only fit and proper persons are licensed to be drivers, operators and proprietors of licensed vehicles and that vehicles remain safe and fit for the purpose of transporting fare-paying passengers.
- 5.3 Within the administrative area of Shropshire Council, there are currently five separate Hackney Carriage Zones, which are defined by reference to the five district and borough council areas, that existed prior to the creation of the unitary authority, namely:

Zone 1 – Bridgnorth District Council

Zone 2 – North Shropshire District Council

Zone 3 – Oswestry Borough Council

Zone 4 – Shrewsbury & Atcham Borough Council

Zone 5 – South Shropshire District Council

- 5.4 The existence of zones stems from 19<sup>th</sup> century hackney carriage legislation and local government reorganisation in 1974 under the terms of the Local Government Act 1972 and has been further impacted by changes to transport legislation and subsequent local government reorganisations.
- 5.5 The DfT, in its 'Inclusive Transport Strategy' report that in England 58% of all hackney carriages were wheelchair accessible in 2018. This has remained at similar levels since 2015. In comparison, 2% of private hire vehicles were wheelchair accessible in 2018, similar to the proportion in 2017.
- 5.6 The number of Shropshire Council licensed vehicles that are currently wheelchair accessible is 77; 57 are hackney carriages and 20 are private hire vehicles. There are a further 69 licensed hackney carriages and 688 licensed private hire vehicles that are currently not wheelchair accessible.
- 5.7 This means that 45.2% of Shropshire Council licensed hackney carriages and 2.8% of private hire vehicles are wheelchair accessible. The percentage of wheelchair accessible vehicles in Shropshire is below the percentage for England as a whole and is clearly very low for private hire vehicles, albeit it is slightly higher (by less than 1%) in Shropshire compared with the figure for England.
- 5.8 There is no single source of data that gives a true or reliable picture of the number of wheelchair users in Shropshire; however, a report by Fleur C. Perry, using data from the 2011 census, estimates there are 6,129. Data available from the Council's 'Care First' records indicates there are 3,166 people registered with a physical disability; however, this data does not

indicate whether the physical disability is such that the individual needs to use a wheelchair.

## **6. Conclusions**

- 6.1 Overall, there is a strong case to support the removal of the existing five hackney carriage zones and the implementation of a single hackney carriage licensing regime across the whole of the administrative area of Shropshire Council.
- 6.2 It is abundantly clear that central Government, through the DfT, is driving improvements in the inclusivity of transport; there continues to be a need to improve and promote equality outcomes for those with disabilities, which is enshrined in the PSED that is placed on the Council; and the fact that the majority of those who responded (albeit a limited number) to the Council's consultation were in support of the proposal, are all factors that outweigh the small number of hackney carriage proprietors who expressed their opposition to the change.
- 6.3 Confirmation that implementation of the proposal will not take effect until 1 April 2021 will provide an adequate transition period for all hackney carriage proprietors and other stakeholders to adjust to the proposed arrangements and satisfy the new requirements.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

- Department for Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (March 2010)  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212554/taxi-private-hire-licensing-guide.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/212554/taxi-private-hire-licensing-guide.pdf)
- Deregulation Act 2015
- Equality Act 2010
- Town Police Clauses Act 1847
- Local Government Act 1972
- Local Government (Miscellaneous Provisions) Act 1976
- Stand up and be counted: An attempt to estimate the number of wheelchair users within the areas used by the 2011 census by Fleur C. Perry  
[https://www.muscular dystrophy uk.org/assets/0001/0981/Stand\\_Up\\_And\\_Be\\_Counted.pdf](https://www.muscular dystrophy uk.org/assets/0001/0981/Stand_Up_And_Be_Counted.pdf)
- Taxi and Private Hire Vehicle Licensing – Steps towards a safer more robust system  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/745516/taxi-and-phv-working-group-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/745516/taxi-and-phv-working-group-report.pdf)
- Department for Transport 'The Inclusive Transport Strategy: achieving equal access for disabled people'  
<https://www.gov.uk/government/publications/inclusive-transport-strategy/the-inclusive-transport-strategy-achieving-equal-access-for-disabled-people>
- Taxi and Private Hire Vehicle Statistics, England: 2018  
<https://www.gov.uk/government/statistical-data-sets/taxi01-taxis-private-hire-vehilces-and-their-drivers>

**Cabinet Member:** Councillor Gwilym Butler, Portfolio Holder for Communities, Place Planning and Regulatory Services

**Local Member:** Report is applicable to the whole administrative area of the Council

**Appendices:**

Appendix A - Equality and Social Inclusion Impact Assessment (ESIIA)



## **Shropshire Council Equality and Social Inclusion Impact Assessment (ESIIA)**

### **Part One Screening Record**

#### **A. Summary Sheet on Accountability and Actions**

##### **Name of proposed service change**

*Please use this box for the full formal name of the proposed service change, whether it is a policy, a procedure, a function, a project, an update of a strategy, etc. The term "service change" is used in this form as shorthand for whatever form the changes may take.*

Removal of the existing five hackney carriage (taxi) zones ('the zones')\* in Shropshire and the application of a single taxi licensing regime throughout the administrative area of Shropshire Council.

\*For full details of the zones, see the 'Aims of the service change and description' section below.

##### **Name of lead officer carrying out the screening**

Frances Darling, Trading Standards & Licensing Operations Manager

##### **Decision, review and monitoring**

<b>Decision</b>	<b>Yes</b>	<b>No</b>
Part One ESIIA Only?	✓	
Proceed to Part Two Full Report?		✓

*If completion of a Part One assessment is an appropriate and proportionate action at this stage, please use the boxes below and sign off as indicated. If a Part Two report is required, please move on to separate full report stage.*

##### **Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations**

For all the groups, the impact is rated as positive; notably, with respect to the 'disability' group, the impact is rated as 'high positive' and 'age' as 'medium positive'. The impact is also rated as 'medium positive' for people for whom there are safeguarding concerns, given the greater ability of the Council to fully demonstrate that it robustly tackles exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults, and the likely improvements overall to public safety under the proposed changes, bringing particular benefits for vulnerable households.

With respect to the remaining groups, the impact, in reality, is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact. The assessment took into account children and young people who are looked after by Shropshire Council and the families of children in need when considering the 'age' group and vulnerable adults, e.g. adults with learning disabilities, when considering the 'disability' group.

To give legal effect to the decision of the Strategic Licensing Committee to support the

removal of the five existing zones, separate reports to Council to address the required procedural steps are required. This first of these reports was prepared and presented to full Council on 13 December 2018. Full details are available in the Council papers at Agenda Item 69 <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=125&MId=3757&Ver=4>. This report brought to the attention of all Council Members the proposals to remove the existing five zones and afforded every Member the opportunity to review and enhance the process that had already been overseen by the Strategic Licensing Committee. This also afforded all stakeholders a further opportunity to provide feedback to Council Members prior to, and as part of, the Council meeting in accordance with relevant Council meeting procedural rules. All stakeholders, including Members, will have a further opportunity to review the process and consider the outcomes at the full Council meeting due to be held on 19 September 2019 when the final resolution to remove the existing zones will be formally considered.

Prior to the Council removing the zones, there is a legal requirement to give notice of the Council's intention to do so, including making clear the date upon which the removal of the zones will take effect. The effective date must be at least one month after the date the Council agrees the resolution. Giving notice must be undertaken by advertising the details in the Shropshire Star newspaper for two consecutive weeks and by serving a notice on every parish and town council in the administrative area of Shropshire Council. The service of the notice on the parish and town councils must be no later than the date on which the advertisement in the Shropshire Star is first published. This process commenced on the 26 July 2019 and will be concluded on the 14 August 2019.

This process, in effect, legally requires the Council to widely publicise its intention to remove the zones, thus helping to ensure the public and wider stakeholders across the county are aware of the change. The legal requirements will be supplemented by additional voluntary information provided on the Council's website and periodically through both corporate and service social media messaging throughout the transition period. Information will also be sent by email/post directly to all existing hackney carriage proprietors.

The arrangements to implement and address the impact of the removal of the zones has been incorporated into the Council's revised Hackney Carriage and Private Hire Licensing Policy 2019 – 2023, which was subject to a separate consultation and took effect from the 1 April 2019. Applicants and licence holders, including those who are not already aware of the revision of this policy as a result of the consultation undertaken between June to September 2018, will be made aware of the implementation of the revised policy through normal licensing processes and it is available on the Council's website. This will ensure that the taxi and private hire trade, together with the public and other relevant stakeholders, have ongoing access to the policy that clearly sets out the Council's expectations for applicants and licence holders over the next four years as it relates to the licensing of wheelchair accessible vehicles and the wider taxi and private hire licensing regime. Licensing staff will remind all taxi proprietors by email/letter of the changes that will be implemented at appropriate intervals throughout the period up to 1 April 2021 to ensure that all those who want to continue to operate a licensed taxi from that date are able to do so in accordance with the wheelchair accessibility requirements.

Proactive and visible enforcement of the requirements of relevant legislation, particularly Sections 165 and 167 of the Equality Act 2010, will further enhance the positive impact of the removal of the zones. Any complaints/information that indicate licensed drivers are discriminating against wheelchair users, will be fully investigated by the Trading Standards & Licensing Service, and, where sufficient evidence exists, and it is in line with the Council's

Better Regulation and Enforcement Policy, legal proceedings will be pursued, together with the application of the full range of licensing sanctions, including licence revocation, where this is proportionate. In addition, the work that has been undertaken to publish and maintain the Council's Designated List of Wheelchair Accessible Vehicles will also enhance the positive impact of the change.

Removal of the existing zones will not lead to a reduction in wheelchair accessible vehicles in Shropshire; those that are already wheelchair accessible (both taxi and private hire) will remain accessible. If taxi proprietors who currently operate outside of zone 4 decide not to change their taxis so that they are wheelchair accessible, they will re-licence as non-wheelchair accessible private hire vehicles, i.e. the accessibility of the vehicle will remain the same. The only practical implication is that those vehicles that are then licensed as private hire vehicles cannot then be 'hailed' in the street; however, this has never been the primary manner by which taxis are used in Shropshire. With the exception of Shrewsbury, in the majority of cases, passengers pre-book taxis in the same way as they are legally required to do for private hire vehicles.

To further enhance the positive impact, there is a commitment to continue to work with the trade on a voluntary basis to further understand and address vehicle accessibility issues across the taxi and private hire fleet in line with Government expectations set out in the Inclusive Transport Strategy.

#### **Actions to review and monitor the impact of the service change in terms of equality and social inclusion considerations**

Whilst there will be ongoing opportunities to review and monitor the impact of the removal of the existing five zones, the procedural steps described in the 'Actions to mitigate negative impact or enhance positive impact of the service change in terms of equality and social inclusion considerations' section above are important, because, once the zones are removed, the Council has no power to re-introduce the existing five zones or to create any other combination of zones; hence, should any adverse impacts arise as a result of the removal of the zones, they will have to be addressed through alternative solutions.

There will be opportunities for ongoing dialogue with the trade through direct contact and 'Taxi Forums' or similar meetings that will provide the opportunity for the trade to provide feedback to the licensing team. A dedicated telephone number and email address is and will continue to be generally publicised on the Council's website for stakeholders, including disability organisations and members of the public generally, to provide feedback on the impact of the removal of the existing five zones. In addition, these contacts, together with social media contacts, will be publicised in taxi and private hire vehicles to encourage passengers to provide feedback to the Council. All feedback will be recorded either on the Idox system used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager.

Licensing staff will be able to monitor the number of wheelchair accessible vehicles, both taxis and private hire, through the administration of the vehicle licensing process. Wheelchair users, carers and disability groups will be able to find out about the availability of wheelchair accessible vehicles by accessing the Council's Designated List of Wheelchair Accessible Vehicles and provide feedback to licensing staff and to elected Members accordingly.

Licensing staff will work with wheelchair users and disability groups to determine the most

appropriate mechanisms to distribute and provide access to the Designated List of Wheelchair Accessible Vehicles to ensure those who need the information actually have access to it. They will also continue to work with the taxi and private hire trade to respond to any feedback that is provided, including taking steps to advise, assist and provide guidance to the trade in order to facilitate an increase in the number of wheelchair accessible vehicles operating in Shropshire.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing & Safety Sub-Committee, with issues brought before these Committees, as appropriate. This will include reports detailing any issues/concerns that arise as a result of the information that is published on the Council's Designated List of Wheelchair Accessible Vehicles.

As the consultation did not include a direct approach to the West Mercia Police and Crime Commissioner (PCC), who covers a wider area than Shropshire with commensurate potential policy impact for other local authorities and police authorities besides West Mercia, the PCC and other police forces, in addition to West Mercia, will be briefed on the developments, once the final outcomes from the Council are known. This will assist in the sharing of good practice and relevant knowledge across geographical and agency boundaries.

#### **Associated ESIIAs**

Hackney Carriage and Private Hire Licensing Policy 2019 – 2023 (ESIIA undertaken between October 2017 and March 2019)

Equality Act 2010 – Shropshire Council List of Designated Wheelchair Accessible Vehicles (ESIIA undertaken in May/June 2018)

Amendment to the Hackney Carriage and Private Hire Licensing Policy 2015 – 2019 (ESIIA undertaken in February/March 2018)

Hackney Carriage and Private Hire Licensing Policy 2015 – 2019 (ESIIA undertaken in 2014/15)

#### **Actions to mitigate negative impact, enhance positive impact, and review and monitor overall impacts in terms of any other considerations**

In addition to the Council's corporate approach towards prioritising and measuring the overall economic, environmental and community outcomes (<https://www.shropshire.gov.uk/shropshire-council/corporate-plan/>), the removal of the existing zones also has the potential to impact more generally on such matters as set out below.

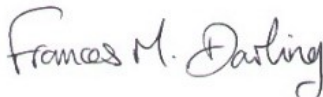



- a) Over time, the supply of taxis is likely to improve and the scope for all customers to access taxis will increase across communities in Shropshire.
- b) There is the potential to reduce public confusion and frustration for those who wish to hire a taxi as a licensed taxi will be able to pick up a customer irrespective of the part of Shropshire in which the customer is located.
- c) Promotion of fuel efficiency and reduction in environmental impacts because taxis can

pick up a passenger anywhere in the county (without the need for it to be pre-booked), rather than having to return empty to their licensed zone after dropping a passenger in another zone.

- d) Improving public safety.
- e) Support and enhance the Council's actions insofar as they relate to safeguarding responsibilities, particularly in relation to tackling exploitation, including child sexual exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults by attempting to address the changes that have inadvertently arisen as a result of the Deregulation Act 2015.
- f) Recovering trade for private hire operators and taxi proprietors who continue to choose to be licensed by Shropshire Council.
- g) Simpler administration and enforcement.

In relation to a) to g) above, further explanation is provided in the 'Aims of the service change and description' section below.

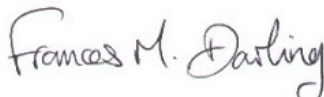
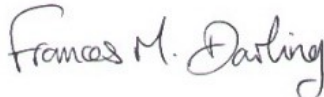
### Scrutiny at Part One screening stage

People involved	Signatures	Date
Lead officer carrying out the screening <b>Frances Darling – Trading Standards &amp; Licensing Operations Manager</b>		5 August 2019
Any internal support* <b>Mandy Beever – Transactional and Licensing Team Manager</b> <b>Kate Roberts – Public Protection Officer (Professional)</b>	 	6 August 2019 9 August 2019
Any external support** <b>Lois Dale – Rurality and Equalities Specialist</b>		6 <sup>th</sup> August 2019

\*This refers to other officers within the service area

\*\*This refers either to support external to the service but within the Council, eg from the Rurality and Equalities Specialist, or support external to the Council, eg from a peer authority

### Sign off at Part One screening stage

Name	Signatures	Date
Lead officer's name <b>Frances Darling – Trading Standards &amp; Licensing Operations Manager</b>		9 August 2019
Accountable officer's name* <b>Frances Darling – Trading Standards &amp; Licensing Operations Manager</b>		9 August 2019

\*This may either be the Head of Service or the lead officer

**B. Detailed Screening Assessment****Aims of the service change and description****Aims**

To further promote equal transport rights for wheelchair users in Shropshire and, where relevant, their carers who may wish to use hackney carriages (taxis) as a form of transport without unduly undermining the commercial operation of existing taxi provision outside of 'zone 4' (this area being defined by reference to the previous Shrewsbury & Atcham Borough Council area) and taking account of the Public Sector Equality Duty (PSED) placed on Shropshire Council ('the Council').

To create a single area that would permit Shropshire Council licensed taxis to operate across the whole of the administrative area of the Council rather than being restricted to the zone for which they are currently licensed.

To ensure all taxis (not only those currently licensed to operate in 'zone 4'), licensed by the Council in the future, are wheelchair accessible.

To protect the safety of the public.

**Description**

The control of taxi licensing is currently based on the regimes that existed within the previous district and borough councils prior to the formation of Shropshire Council in 2009; hence, within the administrative area of Shropshire Council, there are currently five separate taxi zones that are defined by reference to the five previous district and borough council areas, namely:-

- Zone 1 – Bridgnorth District Council
- Zone 2 – North Shropshire District Council
- Zone 3 – Oswestry Borough Council
- Zone 4 – Shrewsbury & Atcham Borough Council
- Zone 5 – South Shropshire District Council

The removal of the zones is inextricably linked to both the Public Sector Equality Duty (PSED) and the more recent enactment of Sections 165 and 167 of the Equality Act 2010 that gave the Council the power to publish a Designated List of Wheelchair Accessible Vehicles. Given the responsibilities that are placed on the Council in this regard, there is a clear need for the Council to enable Shropshire Council licenced taxis to operate across the whole of the Shropshire Council administrative area to achieve the most effective outcomes for wheelchair users and, where relevant, their carers.

The Council has a duty to provide for the licensing of taxis under the Town Police Clauses Act 1847 and under the relevant adopted provisions of the Local Government (Miscellaneous Provisions) Act 1976. In addition, the adopted provisions of the 1976 Act mean that the Council must also provide for the licensing of private hire drivers, vehicles and operators.

The Council has the legal power to remove the five existing taxi zones and this is set out in provisions within the Local Government Act 1972; there is no power to re-create the five zones, or any other combination of zones, once the existing zones are removed.

Whilst it is recognised that the duty to provide for the licensing of taxis requires an efficient and effective administrative process, the fundamental purpose of the licensing regime is to protect the safety of the public. This means the Council must ensure that only fit and proper persons are licensed to be drivers, operators and proprietors of licensed vehicles and that vehicles remain safe and fit for the purpose of transporting fare-paying passengers

The Deregulation Act 2015, whilst aiming to enable private hire operators to more readily fulfil demand, has also enabled an increase in private hire drivers and vehicles licensed by other local authorities operating across the administrative area of Shropshire Council, i.e. cross-border hiring. This has increased the risk to public safety and has not only led to business being taken away from Shropshire Council private hire operators but has also adversely impacted on the available business for taxi proprietors. This is further compounded by the inability of taxi proprietors to operate outside their current designated zone.

Private hire operators are subject to robust checks in order to operate legitimate private hire businesses. There are a number of businesses that have traditionally operated under the taxi regime when in reality they are operating in the same manner as licenced private hire operators but without having to comply with the Council's operator conditions. Although the law allows taxi proprietors to conduct their business in this way, it has the potential to undermine the steps that the Council implemented in 2015, and which have been further enhanced in 2019 through the Council's most recent Hackney Carriage and Private Hire Licensing Policy 2019 – 2023 ('the 2019-2023 Policy'), to tackle child sexual exploitation, and it will limit the Council's future ability to fully demonstrate that it robustly tackles wider exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults.

As part of the removal of the zones process, there is the potential for existing taxi proprietors who choose not to convert their vehicles to being wheelchair accessible to instead licence themselves and their vehicles for private hire purposes, which will bring them under the private hire operator requirements that were enhanced following implementation of the 2019-2023 Policy. For those proprietors who choose to remain under the taxi regime, they are being strongly encouraged to consider how they operate their business to ensure they meet all their safeguarding responsibilities.

In practice, the removal of the zones will require existing taxi proprietors to make a commercial decision based on whether they want to operate wheelchair accessible taxis, in which case the Council will support them to do so by publishing their contact details on the Designated List of Wheelchair Accessible Vehicles, or alternatively to focus on being a private hire business and be subject to the private hire regime for their vehicles and to the relevant private hire operator conditions.

The practical impact of the removal of the zones is reflected in the Hackney Carriage and Private Hire Licensing Policy 2019 to 2023, which has been the subject of a separate consultation. Full details of the process that led to the approval of the 2019-2023 Policy is available in the papers that were presented to the Council's Cabinet on the 20 March 2019 at Agenda Item 8 <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=130&MId=3687&Ver=4>.

#### **Intended audiences and target groups for the service change**

- Persons who wish to apply for taxi and private hire vehicle, drivers or operator licences
- Persons who hold existing licences, including those that are the subject of review
- The Council, in its capacity as the licensing authority, including licensing officers,

members of the relevant licensing committees and the internal panel (or other relevant decision-making bodies)

- Licensing consultants, solicitors and barristers advising and/or representing applicants/license holders
- Magistrates and judges hearing appeals against Council decisions
- Members of the public, particularly those with disabilities, who use/rely on taxi/private hire services, irrespective whether this is because they live, visit or work in Shropshire
- Other local authorities, particularly Telford & Wrekin Council, City of Wolverhampton Council and others that border the Shropshire Council area
- Shropshire Safeguarding Children Board
- Shropshire Council Children Services
- Keeping Adults Safe in Shropshire Board
- Shropshire Council Adult Services
- Shropshire Council Highways and Transport (Passenger Transport and Environmental Maintenance Teams)
- Shrewsbury Business Improvement District
- Oswestry Business Improvement District
- Shropshire Voluntary and Community Sector Assembly
- Voluntary Groups/Organisations, particularly those who represent, work with or provide services for disabled people
- Shropshire Tourist Board
- Police forces, in particular West Mercia Police
- Police and Crime Commissioner
- Shropshire located Town and Parish Councils
- Shropshire MPs

### Evidence used for screening of the service change

The number of Shropshire Council licensed vehicles that are currently wheelchair accessible is 77; 57 are taxis and 20 are private hire vehicles. There are a further 69 licensed taxis and 688 licensed private hire vehicles that are currently not wheelchair accessible. This means that 45.2% of Shropshire Council licensed taxis and 2.8% of private hire vehicles are wheelchair accessible. The percentage of wheelchair accessible vehicles in Shropshire is below the percentage for England as a whole and is clearly very low for private hire vehicles, albeit it is slightly higher (by less than 1%) in Shropshire compared with the figure for England. (See below for England figures reported by DfT.)

There is no single source of data that gives a true or reliable picture of the number of wheelchair users in Shropshire; however, a report using data from the 2011 census estimates there are 6,129.

[https://www.musculardystrophyuk.org/assets/0001/0981/Stand Up And Be Counted.pdf](https://www.musculardystrophyuk.org/assets/0001/0981/Stand_Up_And_Be_Counted.pdf).

Data available from the Council's 'Care First' records indicates there are 3,166 people registered with a physical disability; however, this data does not state whether the physical disability is such that the individual requires the use of a wheelchair.

In April 2017, Sections 165 and 167 of the Equality Act 2010 were enacted giving the Council the power to publish a Designated List of Wheelchair Accessible Vehicles. The Department of Transport (DfT) is actively encouraging local authorities to undertake the necessary steps to publish such a list in order to improve access to transport for wheelchair users (see reference to DfT letter of 30 July 2018 below).

Continuous lobbying from disability groups highlighting the lack of availability of suitable wheelchair accessible vehicles in Shropshire.

Complaints, and subsequent investigations by the Council's Trading Standards & Licensing Service, concerning licensed drivers that have discriminated against wheelchair users and passengers with other disabilities.

Government's recently published Inclusive Transport Strategy and the clear evidence that there is an increasing expectation for transport strategies to provide inclusive transport solutions for disabled passengers. The DfT report that in England 58% of all taxis were wheelchair accessible in 2018. This has remained at similar levels since 2015. In comparison 2% of private hire vehicles were wheelchair accessible in 2018, similar to the proportion in 2017.

Letter (30 July 2018) from the DfT to the Council highlighting the publication of the Inclusive Transport Strategy and including specific reference to actions that the DfT expects the Council to take in relation to improving the accessibility of taxi and private hire vehicles, specifically:

- Publishing lists of taxis and PHVs designated as being "wheelchair accessible" for the purposes of Section 167 of the Equality Act 2010.
- Prosecuting drivers for discriminating against assistance dog owners and wheelchair users, where sufficient evidence exists to do so, and applying appropriate licensing sanctions.
- Reviewing the demand for wheelchair accessible taxis and PHVs in Shropshire, and taking steps to ensure that the composition of fleets reflects this need.
- Requiring all taxi and PHV drivers to complete disability awareness training.

An increasing number of vehicles, licensed by other neighbouring local authorities that do not have the same requirements in place as Shropshire Council, are now operating in Shropshire. The extent of this increase is not known for certain, although officers undertaking enforcement exercises in Shropshire have noted up to 50% of the vehicles checked are licensed by other local authorities. In addition, the overall number of vehicles licensed by Shropshire Council is on a downward trend.

Information contained in the DfT's 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (March 2010).

### **Specific consultation and engagement with intended audiences and target groups for the service change**

The Council's Strategic Licensing Committee has overseen the proposal to remove the existing five taxi zones. The Committee is a group of Councillors drawn from across the whole of the Shropshire area. The Members of the Committee considered and approved a draft policy for formal public consultation through the Council's website and directly with relevant stakeholders. The relevant report can be found in the papers for the Committee meeting held on the 20 June 2018 at Agenda Item 13 <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=166&MId=3729&Ver=4>

A public consultation in respect of the proposed change was undertaken over a 10-week period from 25 June 2018 to the 2 September 2018.

In addition to the general information about the consultation that was made available on the Council's 'Get involved' section of its website and on the Council and licensing team social media platforms, hard copy inserts informing driver, proprietor and operator applicants and licence holders were included in all renewal reminder correspondence and with issued licences; links to the consultation were also embedded into all emails sent out from the generic 'taxis' email address and from individual officers involved in taxi and private hire licensing.

Details of the consultation were also sent directly, by email, to:

- All hackney carriage and private hire drivers, proprietors and operators, where an email address was held on record
- Shrewsbury Tourism
- Competition and Markets Authority
- Oswestry Access Group
- Shropshire Disability Network
- West Mercia Police
- Shropshire Fire and Rescue Service
- Shropshire Council Adult Safeguarding
- Shropshire Council Children Safeguarding
- Neighbourhood Authority Working Group and Regional Taxi Licensing Forum (which included Telford & Wrekin Council and City of Wolverhampton Council)
- Shropshire Council Regulatory Services and Trading Standards & Licensing managers
- Shropshire Council Passenger Transport Team
- Director of Public Health

The consultation welcomed and encouraged feedback on the proposal to remove the existing five taxi zones and to replace this with a single taxi licensing regime throughout the administrative area of Shropshire Council.

Full details of the responses, together with the analysis of those responses with officer comments and explanatory notes, were considered by the Strategic Licensing Committee on the 3 October 2018. The relevant report can be found in the papers for the Committee meeting held on the 3 October 2018 at Agenda Item 7 <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?MId=3730>. A summary of the responses is set out below.

There were 16 responses received following the consultation; 1 of which was not relevant. Of the 15 relevant responses, a significant majority (80%) were in full support of the removal of the existing five taxi zones citing advantages that would benefit both passengers and the trade. The supporting responses were received from taxi proprietors (or their representatives) who are currently licensed to operate in zones 3, 4 and 5, together with responses from a private hire operator/driver based in zone 1, a member of the public who resides in zone 4 and a town council in zone 5. No responses were received from anyone linked to zone 2 and no taxi proprietors that currently operate in zones 1 or 2 responded. The 20% of responses that were against the proposal to remove the existing zones were based on localised economic impacts linked to the wider licensing changes that have occurred over the previous three years rather than as a direct result of removing the zones in the future.

The initial proposal to remove the existing five zones was based on an implementation date of 1 April 2019 with a two-year transition period to allow the trade to undertake appropriate

financial business planning and for all taxis to be wheelchair accessible by 31 March 2021. However, feedback from the consultation suggested that this would give the taxi proprietors in zones 1, 2, 3 and 5 (who don't already have wheelchair accessible taxis) an unfair economic advantage over proprietors in zone 4 who currently do have wheelchair accessible taxis. As a result, the Committee considered a revised proposal to make the decision to remove the existing zones in 2018/19, but with an effective implementation date delayed until 1 April 2021. If this is implemented, it would mean that the trade would, in effect, still have a two-year transition period, but the taxi proprietors in zone 4 will not face immediate competition from existing proprietors in zones 1, 2, 3 and 5 as all proprietors will continue to operate in their current zones until 31 March 2021. The taxi proprietors who currently operate in zones 1, 2, 3 and 5 will, however, be fully aware that they have two years to upgrade their taxis to accommodate wheelchairs or to take a business decision not to do so and instead licence their vehicles under the private hire regime.

If taxi proprietors upgrade their vehicles, this will clearly increase the number of wheelchair accessible vehicles operating in Shropshire. However, if they opt to licence their vehicles as private hire vehicles, the number of wheelchair accessible vehicles will not increase; however, equally this approach will not reduce the number of accessible vehicles, and, significantly, under the private hire regime, the Council will be in a position to enhance its safeguarding checks on more vehicle proprietors and drivers, providing they remain with Shropshire Council and do not apply to be licensed by another Council with less robust policies in place.

This proposed amendment to the implementation date will also provide a longer lead in time for the licensing team to engage with taxi proprietors for the purposes of reviewing the existing five taxi tariff cards with the aim of replacing this with a single card. This will enhance transparency and consistency across taxi fares in Shropshire, which will, in turn, increase consumer protection as it relates to the pricing of taxi journeys.

The proposed amendment to the implementation date was held to be a fundamental change from that which had originally been consulted upon. Consequently, the Committee was asked to agree a further period of consultation for no less than four weeks commencing on the 8 October 2018. The Committee supported this and the additional consultation period was undertaken between the 8 October 2018 and 4 November 2018.

The consultation was again publicised through the Council's 'Get involved' section of its website and on the Council and licensing team social media platforms. Hard copy inserts informing driver, proprietor and operator applicants and licence holders were included in all correspondence. Links to the consultation were embedded into all emails sent out from the generic 'taxis' email address and from individual officers involved in taxi and private hire licensing. Details were also sent directly, by email, to all hackney carriage and private hire drivers, proprietors and operators, where an email address was held on record by the licensing team.

Full details of the responses to the second consultation, together with the analysis of those responses with officer comments and explanatory notes, were included in the report that was considered by the Strategic Licensing Committee on the 20 November 2018. The relevant report can be found in the papers for the Committee meeting held on the 20 November 2018 at Agenda Item 5 <https://shropshire.gov.uk/committee-services/ieListDocuments.aspx?CId=166&MId=3858&Ver=4>. A summary of the responses is set out below.

A total of 6 responses were received all from taxi proprietors; 4 were against the proposal to

remove the five zones and 2 were in full support. The 2 in support were both from zone 4 and the 4 against were from zones 2 and 3. Of the responses, the 2 in favour of removing the zones were also supportive of the proposal to delay the implementation date until 1 April 2021.

Considering the feedback from the two consultations together, it is clear that the response is limited – only 22 (one of which was not relevant) set against over 100 taxis and over 700 private hire vehicles currently licensed by the Council. This should not, however, necessarily be perceived as a negative outcome; rather, it may demonstrate that the trade's understanding of the key role they have to play in the future of inclusive transport options, particularly for those who are wheelchair users, has improved significantly in recent years and this has been influenced by the continuing constructive dialogue between the licensing team and the taxi and private hire trade. In addition, despite the limited response, the majority (67%) of responders fully supported the removal of the zones. Those against were unable to provide robust or substantive evidence for their position and it was largely based on localised economic impacts linked to the wider licensing changes that have occurred over the previous three years rather than as a direct result of removing the zones in the future.

Overall, the clear central Government drive to improve the inclusivity of transport options, the need to improve and promote equality outcomes for those with disabilities, which is enshrined in the PSED that is placed on the Council, and the fact that the majority of those who responded (albeit a limited number) to the Council's consultation were in support of the proposal, all collectively outweigh the very small number (7) of proprietors who have indicated they are against the removal of the existing five hackney carriage zones.

As a result, the Strategic Licensing Committee concluded that it is appropriate to recommend to the Council that the five existing taxi zones are removed and a single taxi licensing regime be applied throughout the administrative area of Shropshire Council. Based on feedback to the consultation, the Committee also considered it appropriate to recommend that the Council continue with the procedural steps required to remove the five zones but to delay the actual implementation date of the single taxi licensing regime until the 1 April 2021. This is primarily to provide a more balanced economic position for all taxi proprietors and to avoid an unfair and potentially adverse impact on the existing zone 4 proprietors.

### **Initial assessment for each group**

*Please rate the impact that you perceive the service change is likely to have on a group, through inserting a tick in the relevant column. Please add any extra notes that you think might be helpful for readers.*

<b>Protected Characteristic groups and other groups in Shropshire</b>	<b>High negative impact</b> <i>Part Two ESIIA required</i>	<b>High positive impact</b> <i>Part One ESIIA required</i>	<b>Medium positive or negative impact</b> <i>Part One ESIIA required</i>	<b>Low positive or negative impact</b> <i>Part One ESIIA required</i>
<b>Age</b> (please include children, young people, people of working age, older people. Some people may belong to more than one group eg child for whom there are safeguarding concerns eg older person with disability)			✓	

<b>Disability</b> (please include: mental health conditions and syndromes including autism; physical disabilities or impairments; learning disabilities; Multiple Sclerosis; cancer; HIV)		✓		
<b>Gender re-assignment</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<b>Marriage and Civil Partnership</b> (please include associated aspects: caring responsibility, potential for bullying and harassment)				✓
<b>Pregnancy &amp; Maternity</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<b>Race</b> (please include: ethnicity, nationality, culture, language, gypsy, traveller)				✓
<b>Religion and belief</b> (please include: Buddhism, Christianity, Hinduism, Islam, Judaism, Non conformists; Rastafarianism; Sikhism, Shinto, Taoism, Zoroastrianism, and any others)				✓
<b>Sex</b> (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓
<b>Sexual Orientation</b> (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				✓
<b>Other: Social Inclusion</b> (please include families and friends with caring responsibilities; people with health inequalities; households in poverty; refugees and asylum seekers; rural communities; people for whom there are safeguarding concerns; people you consider to be vulnerable)			✓	

### Identification of likely impact of the service change in terms of other considerations

The removal of the zones may impact adversely on individual human rights, particularly in relation to Article 1, Protocol 1 - peaceful enjoyment of possessions (a licence is considered a possession in law and people should not be deprived of their possessions except in the public interest) and Article 8 - respect for private and family life (in particular, removal or restriction of a licence may affect a person's private life), insofar as existing taxi proprietors that do not currently have wheelchair accessible vehicles, will jeopardise their vehicle licences if they do not take the necessary action prior to the 1 April 2021 to ensure compliance. However, this is outweighed by the very positive impact that the removal of the zones will have on Article 14 rights, i.e. the prohibition of discrimination, and that the changes are being phased in over a 2-

year period. These specific human rights are clearly referenced within the overarching Hackney Carriage and Private Hire Licensing Policy 2019 – 2023 and it is made clear that officers and members of the relevant committees will have regard to these rights when determining outcomes as they relate to licensing decisions.

Furthermore, the process to implement the removal of the five existing zones is inextricably linked to the Public Sector Equality Duty (PSED). It will help to eliminate discrimination, advance equality of opportunity and foster good relations between the taxi and private hire trade, disability groups and individuals (particularly those who are wheelchair users), other stakeholders and the Council as it relates to their activities associated with transport options. This is further enhanced by the steps that have already been taken to publish a Designated List of Wheelchair Accessible Vehicles in accordance with Sections 165 and 167 of the Equality Act 2010 and, through ongoing monitoring and updates to this list, will continue to benefit wheelchair users and their carers.

There is an increasing prevalence of ‘cross-border hiring’ that has been compounded by certain provisions enacted within the Deregulation Act 2015. The Council believes that this is undermining local licensing control and that as a result the improvements relating to the protection of public safety and environmental air quality that Shropshire Council has been driving forward over the previous four years are potentially being adversely impacted by drivers/vehicle proprietors who ‘shop around’ to be licensed by local authorities that demand lower standards than Shropshire Council and then exclusively or predominantly work in the Shropshire area where standards are higher and licences more difficult to obtain and retain.

There is a risk that the removal of the existing zones may result in more proprietors applying to other local authorities to licence drivers and/or vehicles, particularly under the private hire regime, and as a result further compounding the impact of the Deregulation Act. However, the Hackney Carriage and Private Hire Licensing Policy 2019 – 2023 attempts to redress this impact by clearly stating that the Council believes that the hallmark of the regulatory licensing regime is localism and that the local authority responsible for granting licences ought to have the authority to exercise full control over all vehicles and drivers being operated within its area in order to protect the high level of public safety and environmental betterments that have been the aim of the Council in recent years. It will, however, also require other local authorities to take a similar position to deliver successful outcomes in this regard; to this end officers will continue to work in partnership with relevant local authorities and negotiate and influence appropriate parties at a regional and national level to secure the necessary changes in law and approach.

There is a risk that the removal of the zones may undermine local economic growth, insofar as the robust nature of the requirements and expectations that are placed on applicants and licence holders are such that only those drivers, proprietors and operators who have financially sound business plans and legitimate business practices are likely to survive in the marketplace. However, there is a clear need to balance this against the requirements of the PSED placed on the Council, and the specific responsibility to promote inclusive transport options and to prevent discrimination. In this regard, it is important that the taxi and private hire trade understand the key role they have and that the Council is proactively driving the necessary changes at a local level to address this national agenda.

Guidance Notes**1. Corporate and Service Area Policy and Practice on Equality and Social inclusion**

This involves taking an equality and social inclusion approach in planning changes to services, policies or procedures, including those that may be required by Government.

The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision making processes.

This is where Equality and Social Inclusion Impact Assessments (ESIAs) come in. Where you carry out an ESIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet;
- What target groups and audiences you have worked with to date;
- What actions you will take in order to mitigate any likely negative impact upon a group or groupings, and enhance any positive effects for a group or groupings; and
- What actions you are planning to review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand alone for a member of the public to read.

The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

This assessment encompasses consideration of social inclusion. This is so that we are thinking as carefully and completely as possible about all Shropshire groups and communities, including people in rural areas and people we may describe as vulnerable, for example due to low income or to safeguarding concerns, as well as people in what are described as the nine 'protected characteristics' of groups of people in our population, eg Age. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging or delivering services.

When you are not carrying out an ESIA, you still need to demonstrate that you have considered equality in your decision-making processes. It is up to you what format you choose.-You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESIA, but you should still be ready for it to be made available.

**Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council. Help and guidance is also available via the Commissioning Support Team, either for data, or for policy advice from the Rurality and Equalities Specialist. Here are some examples to get you thinking.**

*Carry out an ESIA:*

- If you are building or reconfiguring a building;
- If you are planning to reduce or remove a service;
- If you are consulting on a policy or a strategy;
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

For example, there may be a planned change to a leisure facility. This gives you the chance to look at things like flexible changing room provision, which will maximise positive impacts for everyone. A specific grouping that would benefit would be people undergoing gender reassignment

*Carry out an equality and social inclusion approach:*

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them;
- If you are setting out the standards of behaviour we expect from people who work with vulnerable groupings, such as taxi drivers that we license;
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself;
- If you are looking at services provided by others that help the community, where we need to demonstrate a community leadership approach

For example, you may be involved in commissioning a production to tour schools or appear at a local venue, whether a community hall or somewhere like Theatre Severn. The production company should be made aware of our equality policies and our expectation that they will seek to avoid promotion of potentially negative stereotypes. Specific groupings that could be affected include: Disability, Race, Religion and Belief, and Sexual Orientation. There is positive impact to be gained from positive portrayals and use of appropriate and respectful language in regard to these groupings in particular.

## 2. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. Carrying out ESIIAs helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

Service areas would ordinarily carry out a screening assessment, or Part One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

If the screening indicates that there are likely to be significant negative impacts for groupings within the community, the service area would need to carry out a full report, or Part Two assessment. This will enable more evidence to be collected that will help the service area to reach an informed opinion. Please contact the equality policy lead within the Council for more advice and guidance in this regard, as per details below.

***For further information on the use of ESIIAs: please contact your head of service or contact Mrs Lois Dale, Rurality and Equalities Specialist and Council policy support on equality, via telephone 01743 258528, or email [lois.dale@shropshire.gov.uk](mailto:lois.dale@shropshire.gov.uk).***



<u>Committee and date</u>	<u>Item</u>
Council	
19 September 2019 10.00 am	Public

**Responsible Officer** Claire Porter, Returning Officer  
 Email: Claire.porter@shropshire.gov.uk Telephone: 01743 252763

## REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2019

### 1.0 Summary

- 1.1 This report details the findings of the Review of the Polling Districts, Polling Places and Polling Stations in the Parliamentary Constituencies in accordance with the Representation of the People Act 1983 (as amended by the Electoral Administration Act 2006).
- 1.2 The main purpose of the review is to ensure that all electors have such reasonable facilities for voting and that all polling stations are accessible to electors who are disabled. The guidelines also state that every parish should be in its own polling district and that every polling place should, where possible, be in its own polling district.

### 2.0 Recommendations

- 2.1 That members of Council approve the following changes which have been agreed with Ward Members, in order for them to be implemented on or by 1 December 2019.
- 2.2 That delegated authority be given to the Returning Officer to find a suitable alternative, in conjunction with local members, should any polling station not be available for a particular election.

DIVISION	PROPOSED CHANGES
LAB Claverley	It is recommended that The Plough Inn (Function Room) replace Claverley C of E School as the polling place for LAB Claverley.
LJA Cleobury Mortimer LJF Milson LJH Neen Sollars	It is recommended that Cleobury Oddfellows Hall (Parish Hall) replace Cleobury Mortimer Market Hall as the polling place for LJA Cleobury Mortimer, LJF Milson, and LJH Need Sollars.

LLE Diddlebury	It is recommended that Diddlebury Village Hall replace The Church Room, Diddlebury, as the polling place for LLE Diddlebury.
NEA Market Drayton (East Ward) (part of) NEB Market Drayton (East Ward) (part of)	It is recommended that the Zone Community Building replace Longlands Primary School as the polling place for NEA and NEB Market Drayton (East Ward).
SIA Shrewsbury (Copthorne Ward) (part of) SPB Shrewsbury (Porthill Ward) (part of)	It is recommended that delegated authority be given to the Returning Officer to agree any polling place for SIA Shrewsbury (Copthorne Ward) (part of) and SPB Shrewsbury (Porthill Ward) (part of) in conjunction with local members.
SPA Shrewsbury (Porthill Ward) (part of)	It is recommended that St George's Church, Frankwell, replace Darwin Community Centre as the polling place for SPA Shrewsbury (Porthill Ward) (part of).
WCP Boscobel WCQ Donington	It is recommended that delegated authority be given to the Returning Officer to agree any polling place for WCP Boscobel and WCQ Donington in conjunction with the local member.

## REPORT

### 3. Risk Assessment and Opportunities Appraisal

- 3.1 The Council is obliged to conduct a review of polling districts, polling places and polling stations on a regular basis.
- 3.2 There is no anticipated environmental impact associated with the recommendations in the report.
- 3.3 The recommendation is not at variance with the Human Rights Act 1998 and is unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with relevant legal procedures prescribed by the Act and with guidance issued by the Home Office.
- 3.4 Any amendments to the current polling districts, polling places and polling stations will take into account the provisions of the Equalities Act, Representation of People Act 1983 (as amended by the Electoral Administration Act 2006), and the Local Government and Public Involvement in Health Act 2007.

- 3.5 The Council must seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances.
- 3.6 The Council must seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled.

#### **4. Financial Implications**

- 4.1 Appendix 1 gives either decreased or increased costs where they have occurred based on the hire charges applied for the European Parliamentary Election held in May 2019. There will be a total decrease of £41 in relation to room hire charges for Parliamentary, Unitary and Town and Parish elections if all of the proposals are accepted. There are no changes to staffing levels. It should be remembered that hire charges for many of the existing polling station venues may increase next year.

#### **5. Background**

- 5.1 Every authority must complete a review of each polling district, polling place and polling station within its area every five years. On this occasion, it was considered best to commence the review after the European Parliamentary Election in May 2019 as all polling stations were inspected on the day of the Election.
- 5.2 Council initiated the review on 13<sup>th</sup> December 2018 by giving public notice of its intention to conduct it and a consultation was held between 1<sup>st</sup> July and 12<sup>th</sup> August 2019.
- 5.3 Existing polling arrangements were assessed and the views of interested groups and individuals were invited. These included electors, political parties, Members of the Council, those organisations who cater for the specific needs of people with different disabilities and the Returning Officer for Telford and Wrekin Council.
- 5.4 Any comments, suggestions and requests received were explored and those found to be achievable and in the best interests of the electors affected are outlined in the recommendations given below.
- 5.5 Guidance issued by the Electoral Commission stipulates how reviews should be conducted in four stages. The first stage requires the Council to give public notice of its intention to conduct the review. The second requires the Council to review the existing polling arrangements to determine their suitability, or otherwise. The third stage requires the Council to consult widely. This includes local electors, interested groups and bodies, including political parties, elected Members and organisations experienced in assessing the needs of people with disabilities. The final stage relates to the consideration of proposals for changes to polling district boundaries and polling places by the Council, as these can require alterations to be made to the electoral register.

- 5.6 It is planned that any changes resulting from the review would be incorporated into the annual register and published on 1 December 2019.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Representation of the People Act 1983: Section 18

Electoral Administration Act 2006: Part 4 Section 16

Electoral Commission Guidance on Review of Polling Districts and Places

**Cabinet Member**

Councillor David Minnery

**Local Members**

All

**Appendices**

Appendix 1 – Schedule of Proposals

**LUDLOW CONSTITUENCY****ALVELEY AND CLAVERLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LAA LAD	Alveley Romsley	Alveley Village Hall	1808	2
LAB	Claverley	Claverley C. of E. Primary School	1397	1
LAC	Quatt Malvern	Quatt Village Hall	190	1

**Returning Officer's Proposals**

No changes proposed to Alveley, Romsley and Quatt Malvern polling places.

**Claverley (Claverley C of E Primary School)** – It has been requested that consideration be given to moving the polling place to the Plough Inn (Function Room). Officers conducted an assessment of the proposals, consulting with Councillor Tina Woodward, Ward Member, and Claverley Parish Council, and concluding that the proposed venue had been identified as a suitable alternative.

There would be no staffing implications, however, there would be an impact financially as the hire charges for the venue would increase costs by £20.00 based on charges incurred during 2019 European Parliamentary Election.

**RECOMMENDATION:**

It is recommended that The Plough Inn (Function Room) replace Claverley C of E School as the polling place for LAB Claverley.

**BISHOPS CASTLE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LBA LBB LBE LBF	Bishops Castle Colebatch Lydham Mainstone	Bishops Castle Public Hall	1739	1
LBC LBD	Edgton Lydbury North	Lydbury North Village Hall	521	1
LBG LBH LBI LBJ	More Myndtown Norbury Ratlinghope	Norbury Village Hall	575	1

LBK	Wentnor			
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### Returning Officer's Proposals

No changes.

### **BRIDGNORTH EAST AND ASTLEY ABBOTS**

Polling District		Polling Place /Polling Station	Elector s	No. of Stations in Venue
LCA	Astley Abbots	Astley Abbots Village Hall	395	1
LCB	Bridgnorth (part of East ward)	Bridgnorth Youth Club	665	1
LCC	Bridgnorth (part of East ward)	The Annexe, College House	1171	1
LCD	Bridgnorth (part of East ward)	Bridgnorth Community College	705	1
LCE	Bridgnorth (part of Morfe ward)	St. James Hall	2154	2
LCF	Bridgnorth (part of Morfe ward)	Quatford Village Hall	376	1

### Returning Officer's Proposals

No changes.

### **BRIDGNORTH WEST AND TASLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LDA	Bridgnorth (part of Castle ward) (Oldbury)	Oldbury Village Hall	303	1
LDB LDC	Bridgnorth (part of Castle ward)	The Castle Hall	1932	2
LDD	Bridgnorth (West ward)	St. Leonards Hall Church	2406	2
LDE	Tasley	Tasley Village Hall	823	1

### Returning Officer's Proposals

No changes.

### **BROSELEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LEA LEC	Broseley (East ward) (Jackfield)	Birchmeadow Centre	1002	1
LEB	Broseley (East ward)	Broseley Church Hall	1283	1
LED	Broseley (West ward)	Victoria Hall	1371	3

### Returning Officer's Proposals

No changes.

## **BROWN CLEE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LFA LFC LFN LFO LFQ	Acton Round Aston Eyre Monkhopton Morville Upton Crescent	Moreville Village Hall	621	1
LFD LFF	Billingsley Chelmarsh	Chelmarsh Parish Hall	567	1
LFG LFI LFM	Chetton Deuxhill Middleton Scrivens	Chetton Parish Hall	380	1
LFB LFE LFH LFP	Aston Botterell Burwarton Cleobury North Neenton	Cleobury North & District Village Hall	336	1
LFJ	Ditton Priors	Ditton Priors Village Hall	664	1
LFK LFL	Eardington Glazeley	Eardington & Astbury Village Hall	505	1

### **Returning Officer's Proposals**

No changes.

## **CHIRBURY AND WORTHEN**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LGA LGB LGC	Brompton and Rhiston Chirbury Marton	Chirbury Parish Hall	526	1
LGD	Middleton	Priest Weston Village Hall	174	1
LGE	Worthen with Shelve (Heath Ward)	Snailbeach Village Hall	471	1
LGF	Worthen with Shelve (Hope & Shelve Ward)	Hope Village Hall	485	1
LGG	Worthen with Shelve (Worthen Ward)	Worthen Village Hall	676	1

### **Returning Officer's Proposals**

No changes for Brompton and Rhiston, Chirbury, Middleton and Worthen with Shelve (Heath Ward), Worthen with Shelve (Hope & Shelve Ward), and Worthen with Shelve (Worthen Ward).

**Marton (Chirbury Parish Hall)** – Chirbury and Brompton Parish Council has requested that consideration be given to adding Marton Village Hall to the polling place/polling station provision to enable electors in Marton to vote locally instead of requiring them to travel to Chirbury Parish Hall. Officers have conducted an assessment of the proposals, consulted with Councillor Heather Kidd, and concluded that although the venue is suitable, the electorate figures involved would not warrant the inclusion of an additional station at this time.

It is therefore recommended that the polling place remains unchanged for LGC Marton.

### **CHURCH STRETTON AND CRAVEN ARMS**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LHA	Church Stretton (All Stretton Ward)	Silvester Horne Institute	3910	2
LHB	Church Stretton (North Ward)			
LHC	Church Stretton (South Ward)			
LHD	Church Stretton (Little Stretton Ward)			
LHE	Craven Arms (Part of)	Craven Arms Community Centre	1906	1
LHG	Hopesay	Aston on Clun Village Hall	505	1
LHI	Sibdon Carwood			
LHH	Onibury	Onibury Village Hall	257	1
LHJ	Wistanstow	Wistanstow Village Hall - The Greene Room	608	1

#### **Returning Officer's Proposals**

No changes.

### **CLEE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LIA	Bitterley (Bitterley Ward)	Bitterley Village Hall	655	1
LIB	Bittlerley (Cleeton St Mary Ward)	Clee Hill Village Hall	767	1
LIE	Caynham (Clee Ward)			
LIC	Boraston	Burford Parish Hall	1162	1
LID	Burford			
LIF	Caynham	Knowbury Village Hall	463	1
LIG	Greete	Nash Village Hall	506	1
LIH	Hope Bagot			
LII	Nash			
LIJ	Whitton			

#### **Returning Officer's Proposals**

No changes.

### **CLEOBURY MORTIMER**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LJA	Cleobury Mortimer	Cleobury Mortimer Market	2624	2

LJF LJH	Milson Neen Sollars	Hall		
LJB	Coreley	Coreley Memorial Hall	316	1
LJC LJK	Farlow Wheathill	Farlow & Oretton Village Hall	501	1
LJD	Hopton Wafers	Hopton Wafers Village Hall	610	1
LJE	Kinlet	Kinlet Village Hall	832	1
LJG	Neen Savage	Neen Savage Parish Hall	273	1
LJI LJJ	Sidbury Stottesdon	Chorley Village Hall	659	1

### Returning Officer's Proposals

No changes to Coreley, Farlow, Wheathill, Hopton Wafers, Kinlet, Neen Savage, Sidbury and Stottesdon polling places

**Cleobury Mortimer, Milson and Neen Sollars (Cleobury Mortimer Market Hall)** – It has been requested that consideration be given to moving the polling place to Cleobury Mortimer Oddfellows Hall (Parish Hall). Officers conducted an assessment of the proposals, consulting with Councillor Madge Shingleton and Councillor Gwilym Butler, Ward Members, Cleobury Mortimer Town Council and Milson and Neen Sollars Parish Council, and concluded that the proposed venue had been identified as a suitable alternative.

There would be no staffing implications, however, there would be an impact financially as the hire charges for the venue would increase costs by £87.00 based on charges incurred during 2019 European Parliamentary Election.

### RECOMMENDATION:

It is recommended that Cleobury Mortimer Oddfellows Hall (Parish Hall) replace Cleobury Mortimer Market Hall as the polling place for LJA Cleobury Mortimer, LJF Milson, and LJH Neen Sollars.

### CLUN

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LKA	Bettws-Y-Crwyn	Bettws y Crwyn Parish Hall	178	1
LKB LKC LKH	Bedstone Bucknell Hopton Castle	Bucknell Memorial Hall	738	1
LKD LKK	Clun Stowe	Redlake Valley Village Hall	240	1
LKE	Clun (Clun Ward)	Clun Memorial Hall	780	1
LKF	Clunbury	Clunbury Village Hall	433	1
LKG	Clungunford	Clungunford Parish Hall	268	1
LKI	Llanfairwaterdine	Everest Hall	184	1
LKJ	Newcastle on Clun	Newcastle Community Centre	254	1

### Returning Officer's Proposals

No changes.

## **CORVEDALE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LLA LLC	Abdon and Heath Clee St Margaret	Clee St. Margaret Village Hall	302	1
LLB LLF LLG	Acton Scott Eaton-Under-Heywood Hope Bowdler	Ticklerton Village Hall	409	1
LLD	Culmington	Culmington Village Hall	303	1
LLE	Diddlebury	The Church Room	510	1
LLH LLL	Hopton Cangeford Stoke St Milborough	Stoke St. Milborough Village Hall	327	1
LLI	Munslow	Beambridge Club Room	314	1
LLJ	Rushbury	Rushbury Village Hall	538	1
LLK	Stanton Lacy	Stanton Lacy Village Hall	282	1

### **Returning Officer's Proposals**

No changes to Abdon and Heath, Clee St Margaret, Acton Scott, Eaton-Under-Heywood, Hope Bowdler, Culmington, Hopton Cangeford, Stoke St Milborough, Munslow, Rushbury and Stanton Lacy polling places.

**Diddlebury (The Church Room)** – It was requested that consideration be given to moving the polling place back to Diddlebury Village Hall. Officers carried out an assessment of the proposals, consulting with Councillor Cecilia Motely, Ward Member, and Diddlebury Parish Council, and concluded that the proposed venue had been identified as a suitable alternative.

There would be no staffing implications, and there would be a reduction in the hire charge which would reduce costs by £10 based on charges incurred during 2019 European Parliamentary Election.

### **RECOMMENDATION:**

It is recommended that Diddlebury Village Hall replace The Church Room, Diddlebury, as the polling place for LLE Diddlebury.

## **HIGHLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LMA LMB	Highley (Part Of) Highley (Part Of)	Severn Centre	2733	2

### **Returning Officer's Proposals**

No changes.

## **LUDLOW EAST**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LNA	Ludlow (Clee View Ward)	Ludlow Baptist Church - Rockspring Centre	2022	2
LNC	Ludlow (Rockspring Ward)			
LNB	Ludlow (Hayton Ward)	St Peter`s Parish Centre	952	2

### **Returning Officer's Proposals**

No changes.

## **LUDLOW NORTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LOA	Bromfield	The Clive	223	1
LOB	Ludlow (Bringewood Ward)	St Peter`s Parish Centre	869	2
LOC	Ludlow (Corve Ward)	Ludlow Mascall Centre	1986	2
LOD	Ludlow (Whitcliffe Ward)			

### **Returning Officer's Proposals**

No changes.

## **LUDLOW SOUTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LPA	Ashford Bowdler	Ashford Carbonell Village Hall	340	1
LPB	Ashford Carbonell			
LPC	Ludford	Ludlow Elim Church	2491	2
LPD	Ludlow (Gallows Bank Ward)			
LPE	Richard`s Castle	Richard`s Castle Village Hall - Jubilee Room	243	1

### **Returning Officer's Proposals**

No changes.

## **MUCH WENLOCK**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LQA	Barrow (Willey)	Willey and District Village Hall	120	1
LQB	Barrow (Barrow and Benthall)	The Victoria Hall	649	3
LQC	Broseley (Broseley Wood Ward)			
LQD	Easthope	Easthope Village Hall	352	1

LQG LQH	Shipton Stanton Long			
LQE LQF	Much Wenlock (Part of) Much Wenlock (Part of)	The Priory Hall	2308	2

### Returning Officer's Proposals

No changes.

### WORFIELD

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
LRA LRB LRE	Badger Beckbury Ryton	Beckbury Village Hall	521	1
LRC	Kemberton	Kemberton Village Hall	189	1
LRD LRH LRI	Rudge Worfield (Hobbins Ward) Worfield (North Ward)	Worfield Village Hall	1762	1
LRF LRG	Stockton Sutton Maddock	Norton Village Hall	451	1

### Returning Officer's Proposals

No changes.

## **NORTH SHROPSHIRE CONSTITUENCY**

### **CHESWARDINE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NAA	Cheswardine	Cheswardine Parish Hall	851	1
NAB	Childs Ercall	Childs Ercall Jubilee Hall	620	1
NAC	Hinstock	Hinstock Memorial Hall	946	1
NAD	Sutton on Tern	Royal Irish Community Centre	808	1

#### **Returning Officer's Proposals**

No changes.

### **ELLESMERE URBAN**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NBA NBB	Ellesmere Urban (Part Of) Ellesmere Urban (Part Of)	Ellesmere Town Hall	3234	2

#### **Returning Officer's Proposals**

No changes.

### **HODNET**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NCA	Hodnet	Hodnet Lyon Memorial Hall	1193	1
NCB NCC	Stanton Upon Hine Heath (High Hatton Ward) Stanton Upon Hine Heath (Stanton Ward)	Stanton Village Hall	432	1
NCD NCE	Stoke Upon Tern (Stoke Heath Ward) Stoke Upon Tern (Stoke Upon Tern Ward)	Stoke on Tern Parish Hall	1096	1
NCF	Weston Under Redcastle	Weston under Redcastle Village Hall	214	1

#### **Returning Officer's Proposals**

No changes.

## **LLANYMYNECH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NDA NDB NDC NDD	Kinnerley (Argoed) Kinnerley (Edgerley) Kinnerley (Edgerley) Kinnerley (Maesbrook)	Kinnerley Parish Hall	986	1
NDE	Knockin	Knockin Assembly Rooms	232	1
NDF	Llanyblodwel	Silver Band Hall	631	1
NDG	Llanymynech	Llanymynech Village Hall	491	1
NDH	Melverley	Melverley Village Hall	124	1
NDI	Pant	Pant Memorial Hall	948	1

### **Returning Officer's Proposals**

No changes.

## **MARKET DRAYTON EAST**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NEA NEB	Market Drayton (East Ward) (Part of) Market Drayton (East Ward) (Part of)	Longlands Primary School	2184	2
NEC NED	Norton In Hales (Betton Ward) Norton In Hales (Norton In Hales Ward)	Norton in Hales Jubilee Hall	514	1
NEE	Woore	Woore Victory Hall	1042	1

### **Returning Officer's Proposals**

No changes to Norton in Hales (Betton Ward), Norton in Hales (Norton in Hales Ward) and Woore polling places.

**Market Drayton (East Ward) (part of) (Longlands Primary School)** – Officers conducted an assessment of the proposal to move the polling place to the Zone Community Building, consulting with Councillor Roy Aldcroft, Ward Member, and Market Drayton Town Council, and concluding that the proposed venue had been identified as a suitable alternative.

There would be no staffing implications resulting from the change, however there would be an increase in costs of £60 based on charges incurred during 2019 European Parliamentary Election.

### **RECOMMENDATION:**

It is recommended that the Zone Community Building replace Longlands Primary School as the polling place for NEA and NEB Market Drayton (East Ward) (part of).

## **MARKET DRAYTON WEST**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NFA	Market Drayton (North Ward) (Part of)	Beacon Community Centre - Committee Rooms	4369	2
NFB	Market Drayton (North Ward) (Part of)			
NFC	Market Drayton (North Ward) (Part of)			
NFD NFE	Market Drayton (South Ward) (Part of) Market Drayton (South Ward) (Part of)	Market Drayton Town Hall	2325	2

### **Returning Officer's Proposals**

No changes.

## **OSWESTRY EAST**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NGA	Oswestry (Cabin Lane Ward)	Eastern Oswestry Community Centre	2449	1
NGB	Oswestry (Cambrian Ward) (Part of)	Monkmoor Community Centre	1377	1
NGC	Oswestry (Cambrian Ward) (Part of)	Gatacre Pavilion	601	2
NGD	Oswestry (Carreg Llwyd Ward)	Hope Church Oswestry	2512	2

### **Returning Officer's Proposals**

No changes.

## **OSWESTRY SOUTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NHA	Oswestry (Castle Ward) (Part of)	Oswestry Memorial Hall	2455	2
NHC	Oswestry (Victoria Ward)			
NHB	Oswestry (Castle Ward) (Part of)	Horeb Welsh Methodist Rooms	849	1

### **Returning Officer's Proposals**

No changes.

## **OSWESTRY WEST**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NIA	Oswestry (Maserfield Ward) (Part of)	Seion Chapel	1364	1
NIB	Oswestry (Maserfield Ward) (Part of)			
NIC	Oswestry (Gatacre Ward)	Gatacre Pavilion	1462	2

### **Returning Officer's Proposals**

No changes.

## **PREES**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NJA	Adderley	Adderley Village Hall	334	1
NJB	Ightfield	Calverhall Village Hall	404	1
NJC	Moreton Say	Moreton Say Village Hall	387	1
NJD	Prees (Fauls Ward)	Fauls Church Hall	384	1
NJE	Prees (Prees Ward)	Prees Village Hall	1110	1
NJF	Prees (Prees Higher Heath Ward)	Higher Heath Village Hall	839	1

### **Returning Officer's Proposals**

No changes.

## **RUYTON AND BASCHURCH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NKA	Baschurch (Baschurch Ward)	Millington Close Community Room	1691	1
NKB	Baschurch (Weston Lullingfields Ward)	Weston Lullingfields Village Hall	418	1
NKC	Hordley	Hordley & Bagley Village Hall	214	1
NKD	Ruyton-XI-Towns	Ruyton-XI-Towns Memorial Hall	969	1

### **Returning Officer's Proposals**

No changes.

## **GOBOWEN, SELATTYN AND WESTON RHYN**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NLA	Gobowen (part of)	The Cross Keys	353	1
NLB	Gobowen (part of)	The Pavilion	1199	1
NLC	Gobowen (part of)	Gobowen Church Hall	1577	1
NLD	Oswestry Rural (Rhydycroesau with Llanforda Ward)	Rhydycroesau Village Hall	201	1
NLE	Weston Rhyn	Weston Rhyn Village Institute	2146	2

### **Returning Officer's Proposals**

No changes.

## **SHAWBURY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NMA	Clive	Clive Village Hall	410	1
NMB	Grinshill	Grinshill Village Hall	214	1
MNC	Hadnall	Hadnall Village Hall	647	1
NMD	Moreton Corbet & Lee Brockhurst (Lee Brockhurst)	Lee Brockhurst Village Hall	99	1
NME	Moreton Corbet & Lee Brockhurst (Moreton Corbet)	Preston Brockhurst Village Hall	141	1
NMF NMG	Shawbury (Part Of) Shawbury (Part Of)	Shawbury Village Hall	1995	2

### **Returning Officer's Proposals**

No changes.

## **ST MARTINS**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NNA NNB	St Martins (Part of) St Martins (Part of)	St Martins Centre	2361	2
NNC NND	Ellesmere Rural (Dudleston Ward) Ellesmere Rural (Dudleston Heath Ward)	Criftins Parish Hall	1222	1

### **Returning Officer's Proposals**

No changes.

## **ST OSWALD**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NOA	Oswestry Rural (Maesbury with Aston Ward)	Maesbury WI Hut	561	1
NOB	Oswestry Rural (Morda with Sweeney Ward)	Morda Village Hall	1734	1
NOC	Oswestry Rural (Trefonen with Treflach Ward)	Trefonen Village Hall	1129	1
NOD	Oswestry Rural (Sychtyn Ward)			

### **Returning Officer's Proposals**

No changes.

## **THE MERES**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NPA	Cockshutt Cum Petton (Cockshutt Ward)	Cockshutt Millennium Hall	679	1
NPB	Cockshutt Cum Petton (Petton Ward)			
NPC	Ellesmere Rural (Tetchill Ward)	Welsh Frankton Village Hall	679	1
NPD	Ellesmere Rural (Welsh Frankton Ward)			
NPE	Loppington	Loppington Village Hall	523	1
NPF	Myddle, Broughton & Harmer Hill (Broughton Ward)	Harmer Hill Village Hall	296	1
NPG	Myddle, Broughton & Harmer Hill (Harmer Hill Ward)			
NPH	Myddle, Broughton & Harmer Hill (Myddle Ward)	Myddle Village Hall	316	1
NPI	Welshampton & Lyneal (Lyneal Ward)	Lyneal Activity Centre	270	1
NPJ	Welshampton & Lyneal (Welshampton Ward)	Welshampton Parish Hall	452	1

### **Returning Officer's Proposals**

No changes.

## **WEM**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NQA	Wem Rural (Edstaston Ward)	Edstaston Village Hall	541	1
NQB	Wem Rural (Newtown Ward)	Newtown CE Primary School	284	1
NQC	Wem Rural (Roden Ward)	Edinburgh House	5196	5
NQD	Wem (East Ward) (Part of)			

NQE	Wem (East Ward) (Part of)			
NQF	Wem (West Ward) (Part of)			
NQG	Wem (West Ward) (Part of)			
NQH	Whixall	Whixall Social Centre	695	1

### **Returning Officer's Proposals**

No changes to Wem Rural (Edstaston Ward), Wem Rural (Newtown Ward) and Whixall polling places.

### **Wem Rural (Roden Ward), Wem (East Ward) and Wem (West Ward) (Edinburgh House) –**

Consideration was given to moving the polling place to Wem Sports and Social Club. Officers conducted an assessment of the proposals, consulting with Councillor Chris Mellings and Councillor Pauline Dee, Ward Members, and Wem Town Council, and although it was concluded that the venue was a suitable alternative, it was considered that the existing venue was still suitable and held a more central location for a large proportion of the electorate.

It is therefore recommended that the polling place remains unchanged.

### **WHITCHURCH NORTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NRA	Whitchurch (North Ward) (Part Of)	Whitchurch Market Hall	5810	6
NRB	Whitchurch (North Ward) (Part Of)			
NRC	Whitchurch (West Ward) (Part Of)			
NRD	Whitchurch (West Ward) (Part Of)			

### **Returning Officer's Proposals**

No changes.

### **WHITCHURCH SOUTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NSA	Whitchurch (South Ward) (Part Of)	Whitchurch Market Hall	1912	6
NSB	Whitchurch (South Ward) (Part Of)			
NSC	Whitchurch Rural (Ash Ward)	Ash Village Hall	596	1
NSD	Whitchurch Rural (Tilstock Ward)	Tilstock Bradbury Village Hall	673	1

### **Returning Officer's Proposals**

No changes.

## **WHITTINGHAM**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
NTA	West Felton	West Felton Village Hall	1178	1
NTB	Whittington	Whittington Senior Citizens Hall	3094	2

### **Returning Officer's Proposals**

No changes.

## **SHREWSBURY AND ATCHAM CONSTITUENCY**

### **ABBEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SAA	Shrewsbury (Abbey Ward) (Part of)	Robertsford Scout Centre	1307	1
SAB	Shrewsbury (Abbey Ward) (Part of)	Shropshire Wildlife Trust	2010	1

#### **Returning Officer's Proposals**

No changes.

### **BAGLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SBA	Shrewsbury (Bagley Ward) (Part of)	Bagley Sports and Social Club	2431	2
SBB	Shrewsbury (Bagley Ward) (Part of)	Riversway Elim Church - Severn Room	1291	1

#### **Returning Officer's Proposals**

No changes.

### **BATTLEFIELD**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SCA	Shrewsbury (Battlefield Ward) (Part of)	Harlescott Social Club	1350	1
SCB	Shrewsbury (Battlefield Ward) (Part of)	Shrewsbury Sports Village	1929	1

#### **Returning Officer's Proposals**

No changes to SCA Shrewsbury (Battlefield Ward) (part of) polling place.

**Shrewsbury (Battlefield Ward) (part of) (Shrewsbury Sports Village)** – Consideration was given to moving the polling place to the Satellite Centre, Harlescott Junior School, accessing the site via Field Crescent. Officers conducted a site visit to assess the proposal and concluded the proposed access route was not suitable, and no further alternatives have been identified.

It is therefore recommended that the polling place remains unchanged.

## **BAYSTON HILL, COLUMN AND SUTTON**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SDA	Bayston Hill (Part of)	Bayston Hill Memorial Hall	1520	1
SDB	Bayston Hill (Part of)	Bayston Hill Methodist Church Hall	2662	2
SDC	Shrewsbury (Column Ward)	St Giles` Memorial Hall	2651	2
SDD	Shrewsbury (Sutton & Reabrook Ward) (Part of)	Belle Vue Youth Club	1628	1
SDE	Shrewsbury (Sutton & Reabrook Ward) (Part of)	Mereside Community Centre	1328	1

### **Returning Officer's Proposals**

No changes.

## **BELLE VUE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SEA	Shrewsbury (Belle Vue Ward) (Part of)	Salvation Army Hall	1077	2
SEB	Shrewsbury (Belle Vue Ward) (Part of)	Belle Vue Road Methodist Church	2214	2

### **Returning Officer's Proposals**

No changes.

## **BOWBROOK**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SFA	Shrewsbury (Bowbrook Ward)	Bicton Heath Community Hall	3186	2

### **Returning Officer's Proposals**

No changes.

## **BURNELL**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SGA SGI SGL SGM	Acton Burnell Frodesley Pitchford Ruckley and Langley	Pitchford Village Hall	634	1
SGB SGJ	All Stretton Leebotwood	Leebotwood Village Hall	510	1

SGK	Longnor			
SGC	Cardington	Cardington Village Hall	360	1
SGD	Church Pulverbatch	Church Pulverbatch Village Hall	302	1
SGE	Condover (Condover Ward)	Condover Village Hall	706	1
SGF	Condover (Dorrington Ward)	Dorrington Village Hall	954	1
SGG	Condover (Ryton Ward)			
SGH	Condover (Stapleton Ward)			
SGN	Smethcott	Picklescott Village Hall	207	1
SGO	Woolstaston			

### Returning Officer's Proposals

No changes.

### CASTLEFIELDS AND DITHERINGTON

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SHA	Shrewsbury (Castlefields & Ditherington) (Part of)	Castlefields Community Hall	2219	3
SHB	Shrewsbury (Castlefields & Ditherington) (Part of)	Ditherington Community Centre	1241	2

### Returning Officer's Proposals

No changes.

### COPTHORNE

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SIA	Shrewsbury (Copthorne Ward) (Part of)	Woodfield Infant School	928	2
SIB	Shrewsbury (Copthorne Ward) (Part of)	Shropshire Education and Conference Centre	1718	2
SIC	Shrewsbury (Copthorne Ward) (Part of)			
SID	Shrewsbury (Copthorne Ward) (Part of)	Rad Valley Road Scout & Guide H.Q	487	2

### Returning Officer's Proposals

No changes to SIB, SIC and SID Shrewsbury (Copthorne Ward) (part of) polling places.

**SIA Shrewsbury (Copthorne Ward) (part of)** – It has been requested that consideration be given to moving the polling place to a stand-alone building on the current site. Officers are due to undertake a site visit to ascertain the suitability of the site once the school term begins.

### RECOMMENDED:

It is recommended that delegated authority be given to the Returning Officer to agree any polling place for SIA Shrewsbury (Copthorne Ward) (part of) and SPB Shrewsbury (Porthill Ward) (part of) in conjunction with local members.

## **HARLESCOTT**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SJA	Shrewsbury (Harlescott Ward) (Part of)	Hope Church Centre	2366	2
SJB	Shrewsbury (Harlescott Ward) (Part of)	Mount Pleasant Primary School - Studio	955	1

### **Returning Officer's Proposals**

No changes.

## **LONGDEN**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SKA	Ford	Ford Parish Hall	629	1
SKB	Great Hanwood	St. Thomas' Church Extension	846	1
SKC SKD	Longden (Longden Ward) Longden (Hook-A-Gate Ward)	The Swire Hall	1033	1
SKE SKF	Pontesbury (Cruckton Ward) Pontesbury (Plealey Ward)	Cruckton Village Hall	669	1

### **Returning Officer's Proposals**

No changes.

## **LOTON**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SLA	Alberbury with Cardeston (Alberbury)	Alberbury Village Hall - Foyer	263	1
SLB	Alberbury with Cardeston (Cardeston)	Wattlesborough Village Hall	454	1
SLC SLD	Great Ness Little Ness	Nesscliffe Village Hall	859	1
SLE	Montford	Montford Parish Hall	452	1
SLF	Westbury (Westbury Ward)	Westbury Village Hall	698	1
SLG	Westbury (Yockleton Ward)	Yockleton Victory Hall	365	1

### **Returning Officer's Proposals**

No changes.

## **MEOLE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SMA	Shrewsbury (Meole Ward) (Part of)	The Meet Place	1079	1
SMB	Shrewsbury (Meole Ward) (Part of)	Meole Brace Peace Memorial Hall	1461	1
SMC	Shrewsbury (Meole Ward) (Part of)	Radbrook Community Centre - Meeting Room	639	1

### **Returning Officer's Proposals**

No changes.

## **REA VALLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SNA	Minsterley	Minsterley Parish Hall	1449	1
SNB	Pontesbury (Asterley Ward)	Pontesbury Public Hall	1818	1
SNC	Pontesbury (Habberley Ward)			
SND	Pontesbury (Pontesbury Ward)			

### **Returning Officer's Proposals**

No changes.

## **MONKMOOR**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SOA	Shrewsbury (Monkmoor Ward) (Part of)	Belvidere Primary School	1377	1
SOB	Shrewsbury (Monkmoor Ward) (Part of)	Crowmoor Baptist Church Hall	1820	2

### **Returning Officer's Proposals**

No changes.

## **PORTHILL**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SPA	Shrewsbury (Porthill Ward) (Part of)	Darwin Community Centre	1337	1
SPB	Shrewsbury (Porthill Ward) (Part of)	Woodfield Infants School	1622	2
SPC	Shrewsbury (Porthill Ward)	Salvation Army Hall	340	2

	(Part of)			
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### Returning Officer's Proposals

No changes to SPC Shrewsbury (Porthill Ward) polling places.

**SPA Shrewsbury (Porthill Ward) (part of) (Darwin Community Centre)** - It was been requested that consideration be given to moving the polling place to St George's Church, Frankwell. Officers carried out an assessment of the proposals, consulting with Councillor Julian Dean, Ward Member, and Shrewsbury Town Council, and concluded that the proposed venue had been identified as a suitable alternative.

There would be no staffing implications, and there would be a reduction in the hire charge which would reduce costs by £198 based on charges incurred during 2019 European Parliamentary Election.

### RECOMMENDED

It is recommended that St George's Church, Frankwell, replace Darwin Community Centre as the polling place for SPA Shrewsbury (Porthill Ward) (part of).

**SPB Shrewsbury (Porthill Ward) (part of) (Woodfield Infants School)** – It has been requested that consideration be given to moving the polling place to a stand-alone building on the current site. Officers will undertake a site visit to ascertain the suitability of the site once the school term begins.

### RECOMMENDED:

It is recommended that delegated authority be given to the Returning Officer to agree any polling place for SIA Shrewsbury (Copthorne Ward) (part of) and SPB Shrewsbury (Porthill Ward) (part of) in conjunction with local members.

### QUARRY AND COTON HILL

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SQA	Shrewsbury (Quarry & Coton Hill) (Part of)	The Hive	1475	1
SQB	Shrewsbury (Quarry & Coton Hill) (Part of)	Castlefields Community Hall	585	3
SQC	Shrewsbury (Quarry & Coton Hill) (Part of)	Quaker Meeting House – Main Hall	1141	1

### Returning Officer's Proposals

No changes.

## **RADBROOK**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SRA	Shrewsbury (Radbrook Ward) (Part of)	Radbrook Community Centre - Main Hall	1947	2
SRB	Shrewsbury (Radbrook Ward) (Part of)	Rad Valley Road Scout & Guide H.Q	1922	2

### **Returning Officer's Proposals**

No changes.

## **SEVERN VALLEY**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SSA	Atcham	The Malthouse	222	1
SSB	Berrington	The Chapel Community Centre	836	1
SSC	Buildwas	Buildwas Village Hall	233	1
SSD	Church Preen	Church Preen Village Hall	220	1
SSH	Hughley			
SSI	Kenley			
SSE	Cound	Cound Guildhall	383	1
SSF	Cressage	Cressage Village Hall	851	1
SSG	Harley			
SSK	Sheinton			
SSJ	Leighton & Eaton Constantine	Leighton Village Hall	377	1
SSL	Wroxeter & Uppington	Wroxeter & Uppington Cricket Club	290	1

### **Returning Officer's Proposals**

No changes.

## **SUNDORNE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
STA	Shrewsbury (Sundorne Ward) (Part of)	The Lantern	2968	2
STB	Shrewsbury (Sundorne Ward) (Part of)			
STC	Shrewsbury (Sundorne Ward) (Part of)	Ditherington Community Centre	178	2

### **Returning Officer's Proposals**

No changes.

## **TERN**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SUA	Astley	Astley Village Hall	384	1
SUB	Bicton	Bicton Village Hall	954	1
SUC	Pimhill/Bomere Heath (Albrighton Ward)	Bomere Heath Village Hall	1458	1
SUD	Pimhill/Bomere Heath (Bomere Heath Ward)			
SUF	Pimhill/Bomere Heath (Leaton Ward)			
SUG	Pimhill/Bomere Heath (Preston Gubbals Ward)			
SUE	Pimhill/Bomere Heath (Fitz Ward)	Fitz Village Hall	250	1
SUH	Uffington	Uffington Village Hall	216	1
SUI	Upton Magna	Upton Magna Village Hall	301	1
SUJ	Withington	Withington Parish Hall	179	1

### **Returning Officer's Proposals**

No changes.

## **UNDERDALE**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
SVA	Shrewsbury (Underdale Ward)	St Peter's Church Parish Hall	3122	2

### **Returning Officer's Proposals**

No changes.

## **WREKIN CONSTITUENCY**

### **ALBRIGHTON**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
WAE WAF WAG	Albrighton (Part of) Albrighton (Part of) Boningle	The Red House, High Street, Albrighton	3596	3

#### **Returning Officer's Proposals**

No changes.

### **SHIFNAL NORTH**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
WBA	Sheriffhales	Sheriffhales Village Hall	579	1
WBB	Shifnal (Idsall Ward)	Shifnal Senior Social Club	2933	2
WBC	Shifnal (Rural Ward)	Shifnal Town Football Club Social Club – Main Room	731	1

#### **Returning Officer's Proposals**

No changes.

### **SHIFNAL SOUTH & COSFORD**

Polling District		Polling Place/ Polling Station	Electors	No. of Stations in Venue
WCP WCQ	Boscobel Donington	RAF Cosford Community Hub	1055	1
WCR	Shifnal (Manor Ward)	Shifnal Village Hall	2915	2
WCS	Tong	Tong Parish Hall	197	1

#### **Returning Officer's Proposals**

No changes to Shifnal (Manor Ward) and Tong polling places.

**Boscobel and Donington (RAF Cosford Community Hub)** - It has been requested that consideration be given to moving the polling place to St Mary's Church Centre, Albrighton. A site visit has been undertaken and officers continue to consult with Councillor Ed Bird, Ward Member, Donington and Boscobel Parish Council and the Returning Officer, Telford & Wrekin Council, over the suitability of the location of the venue as the proposals would see the polling place being designed outside the polling district for WCP Bosobel and WCQ Donington.

There would be a reduction in staffing as the current polling place requires an additional Poll Clerk to be employed at a rate of £175, and there would be a reduction in the hire charge which would reduce costs by £85 based on charges incurred during 2019 European Parliamentary Election.

**RECOMMENDATION:**

It is recommended that delegated authority be given to the Returning Officer to agree any polling place for WCP Bosobel and WCQ Donington in conjunction with the local member.



Committee and date  
Council

19 September 2019

Item

Public

## APPOINTMENT OF INDEPENDENT REMUNERATION PANEL

**Responsible Officer** Claire Porter

Email: [claire.porter@shropshire.gov.uk](mailto:claire.porter@shropshire.gov.uk)

Tel: 01743352763

Fax:

### 1. Summary

- 1.1 Shropshire Council is required to appoint an Independent Remuneration Panel of at least three members to produce a report making recommendations in respect of Members Allowances.

### 2. Recommendation

- 2.1 That the following be appointed to the Independent Remuneration Panel of Shropshire Council:

- Mr Stephen Donkersley
- Richard Garnett
- Tim Griffiths

## REPORT

### 3 Independent Remuneration Panel

- 1.2 Following consideration by Council of the recommendations of the Independent Remuneration Panel in February 2018, all members of the Panel resigned.
- 1.3 Efforts have been ongoing to recruit new members with little success until now.
- 1.4 Panel members from neighboring Authorities have been approached and Richard Garnett, from Herefordshire County Council, agreed to help. The two Independent Persons appointed by Shropshire Council under the Localism Act 2011, Stephen Donkersley and Tim Griffiths have also agreed to assist.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

None

**Cabinet Member (Portfolio Holder)**

Council 19 September 2019: Appointment of Independent Remuneration Panel
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Peter Nutting
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<b>Local Member</b>
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All
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<b>Appendices</b>
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None
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<u>Committee and date</u> Council 19 September 2019 10.00 a.m.
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<u>Item No</u>  Public
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## COMMUNITY GOVERNANCE REVIEWS

**Responsible Officer** Claire Porter

Email: [claire.porter@shropshire.gov.uk](mailto:claire.porter@shropshire.gov.uk)

Telephone: (01743) 252763

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### 1.0 Summary

- 1.1 A request has been received from Ellesmere Town Council to undertake a Community Governance Review of Ellesmere and its surrounding Parishes.
- 1.2 The Town Council has proposed that the Community Governance Review considers extending the boundaries of the Parish of Ellesmere to the South to take in part of the Parish of Ellesmere Rural.

### 2.0 Recommendations

- 2.1 That, whilst it is recognised that a Community Governance Review is desirable, in view of the likelihood that the Local Government Boundary Commission for England will shortly undertake a wider review of the Electoral Divisions within Shropshire, the Council considers that the current request is premature and that it is not appropriate to commence a review at this time.

### 3. Risk Assessment and Opportunities Appraisal

- 3.1 The recommendations in this report have no impact on the safeguarding arrangements for children and vulnerable adults. Shropshire Council is required to keep the electoral arrangements of Parishes in its area under review. The recommendations in this report do not have an adverse impact on human rights or equalities. When conducting a review, the Council is required to have regard to the identities and interests of the community in the area and is required to consult with local government electors in the area under review and any other person or body which, in the opinion of the Council, might have an interest in the review.

### 4. Financial Implications

- 4.1 The cost of carrying out the review will be borne by Shropshire Council and will be limited to officer time and any costs associated with the consultation and any publication required. There is no power to reclaim these costs from the Town/Parish Councils.

## 5.0 The Parishes of Ellesmere and Ellesmere Rural

- 5.1 A request has, on 12 June 2019, been received from Ellesmere Town Council (copy attached as appendix A) to review the Boundaries of the Parish of Ellesmere with a view to extending the parish boundary to the south into an area currently falling within the parish of Ellesmere Rural.
- 5.2 Consequential amendments to the boundaries of Shropshire Council Electoral Divisions would also be likely to be required.
- 5.2 Each year, the Local Government Boundary Commission for England reviews the electoral equality of the Shropshire Council divisions and has indicated that a review may now be appropriate. A final decision is awaited.
- 5.3 That part of Ellesmere Rural Parish Council which it is suggested would become part of the Parish of Ellesmere is represented by Councillor Brian Williams. He suggested that Ellesmere Town Council be given the opportunity to discuss the proposals with the Ellesmere Rural Parish Council prior to consideration being given to the request by Shropshire Council. There is currently no indication if such discussions took place and if so, the outcome.
- 5.4 Councillor Ann Hartley represents the division which comprises Ellesmere Town Council.
- 5.5 Councillors Hartley and Williams support the recommendation.
- 5.6 Whilst it is recognised that a review will need to be carried out, it is not considered appropriate at this time, prior to the implementation of any changes as a consequence of a wider review of Shropshire undertaken by the Local Government Boundary Commission for England.

### List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Attached

#### Cabinet Member

Peter Nutting

#### Local Member

Ann Hartley, Brian Williams

#### Appendices

Attached

# ELLESMERE TOWN COUNCIL



Miss Joanne Butterworth  
Town Clerk & RFO  
1-3 Willow Street  
Ellesmere  
Shropshire  
SY12 0AL

Tel: 01691 622689  
Email: jo.butterworth@ellesmere-tc.gov.uk

12 June 2019

Mr C Wright  
Chief Executive  
Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND

Dear Mr Wright

## REQUEST FOR COMMUNITY GOVERNANCE REVIEW

I am writing on behalf of Ellesmere Town Council, following a Town Council meeting where the urban boundary was discussed. The Town Council were of the view that the boundary of the town needs to be reviewed, and therefore formally request Shropshire Council to carry out a Community Governance Review of Ellesmere and its immediate hinterland.

Much of the future planned new housing for the town associated with the Wharf/Marina Development is actually in the Ellesmere Rural Parish Council area. However, people who come to live in these new estates will consider themselves to live in Ellesmere and look to Ellesmere Town Council as their local authority. A similar anomaly exists with Ellesmere Business Park, which is part of the Ellesmere Urban area in the Local Plan but administratively part of Ellesmere Rural Parish.

A recent planning application for the first phase of the Wharf/Marina Development highlighted the potential confusion. The site lies just in the Rural Parish, and the Town Council was not consulted on the application.

However, the main objections to the applications were from residents living in the Town area who would be impacted by construction vehicles etc accessing the site via their street.

Ellesmere Town Council requests Shropshire Council to consider a sensible change to our Town Council boundary to bring it into closer alignment with the Local Plan Development Boundary for Ellesmere. It is believed that the occupants of the new housing developments on the southern edge of the town will feel an identity, belonging and sense of community with the town itself rather than the Ellesmere Rural Parish area. It is hoped that a Community Governance Review of the boundaries could be undertaken in the near future, as this would prevent much confusion on behalf of new residents once the new housing developments are built.

We look forward to hearing your opinions on this matter.

Yours Sincerely

Jo Butterworth  
Ellesmere Town Clerk & RFO

Cc Cllr Peter Nutting, Leader  
Cllr Robert Macey, Portfolio Holder  
Cllr Ann Hartley, Local Ward Member  
Mr M Barrow, Director of Places

## COUNCIL 19<sup>th</sup> SEPTEMBER 2019

### MEMBER QUESTIONS REPORT

#### 1. Question from Councillor Andy Boddington:

My question concerns outcomes from green waste collections in 2018/19:

- 1) How many tonnes of green waste was collected in Shropshire?
- 2) What percentage of this is estimated to be food waste?
- 3) How many tonnes of compost were produced?
- 4) How much energy (Mhw) was supplied to end users from the composting process?

**Response** from the Portfolio Holder for Culture, Leisure, Waste and Communications

#### **LEZLEY PICTON, PORTFOLIO HOLDER:**

Outcomes from green waste collections in 2018/19

1. Veolia collected a total of 39,218 tonnes of organic waste from the kerbside. This was comprised of 10,792 tonnes of garden waste and a further 28,426 tonnes of garden waste mixed with food.

2. Based on operational observations at the composting site, circa 5-10% of the garden/food mix was estimated to be food.

3. Compost output is not weighed separately but based on studies in other parts of the country and professional opinion, the output is approximately 70% of the input and therefore circa 27,450 tonnes of compost.

4. The pure garden waste is taken through a Windrow composting process and the mixture of garden and food waste collected in Shropshire is processed via In-Vessel Composting, neither of which produce energy. Food waste collected separately (i.e. not with garden waste) can be processed through Anaerobic Digestion (AD) which does produce a gas which can be used to generate electricity. However, the greater costs of collecting separate food waste across a large, relatively sparsely populated, county cannot be offset by the additional benefits of the AD process.

The potential benefits of separate collection were considered when the current contract was agreed, and also tested in 2013 and again during the review which led to cardboard recycling collections in 2016. On each occasion the costs of separate food waste collection were found to be prohibitive in a largely rural county. We acknowledge the benefits of the Anaerobic Digestion process but separate collection of food waste to provide a feedstock would need an increase in the waste budget to provide more vehicles, loaders and cover additional fuel costs. Such an

increase is not possible in the current financial climate and the estimated additional food waste diversion would not reduce disposal costs sufficiently to make it viable.

There is also a potential environmental argument against separate collections due to the additional vehicles and emissions etc - but that would highlight a conflict with the emerging Resources and Waste Strategy which is heavily focussed on nationwide weekly separate collections. However, you might reference the Strategy as potentially providing funding to bridge the gap, given its commitment to finance any additional costs to Councils resulting from compliance.

## **2. Question from Councillor Roger Evans**

Recently we have had a number of very heavy rain showers causing many many roads to become flooded, a number being due to the drains and associated gullies becoming overgrown or blocked. A number of these are in my division and no doubt other councillors, especially those in rural areas are having similar problems.

Can a telephone number be provided so we, including Parish clerks, can contact the appropriate staff during office hours and so inform them of the problems and obtain updates on what action is being taken. In detail can the following be provided please.

Who is it best to report these to, especially the urgent ones so they can be attended to without undue delay.

How is it best to report these floods during weekends and when our offices are closed.

How do members of the public obtain updates on what actions are being taken and an indication of likely timescales when work to overcome the problem is to be carried out.

With the onset of Autumn can the process of how gully cleaning is being processed, who is doing the work and what resources are being made available to clean these numerous blocked drains and gullies.

Finally, can we all be informed how, when flooding of roads is reported what action is taken and how are these reports handled. Is there a hierarchy of how they are handled?

**Response** from the Portfolio Holder for Highways and Car Parks

**STEVE DAVENPORT, PORTFOLIO HOLDER:**

We have been reviewing our gully emptying programme and have changed the management arrangement that supports this area of highway maintenance. We have approximately 32,000 gully assets in our annual programme, our priority is to ensure that these are all routinely cleansed as efficiently as possible within the financial year. A high percentage of issues relate to this programme not being delivered appropriately in previous years.

Drainage issues should be reported via the appropriate highways email address. These can then be reviewed by the appropriate officer. They will have visibility of the annual programme and can advise on when the location in question will be attended to. If the flooding issue pose a significant risk to properties or present other significant highways issues, we may escalate this and attend ahead of the programme.

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