



## Committee and Date

Council

22 September 2022

## COUNCIL

### **Minutes of the meeting held on 7 July 2022**

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

**10.00 am - 2.05 pm**

**Responsible Officer:** Tim Ward

Email: [tim.ward@shropshire.gov.uk](mailto:tim.ward@shropshire.gov.uk) Tel: 01743 257713

### **Present**

Councillors Vince Hunt and Lezley Picton (Leader), Brian Williams (Vice Chairman), Ed Potter (Deputy Leader), Roy Aldcroft, Jeff Anderson, Caroline Bagnall, Nicholas Bardsley, Joyce Barrow, Bernie Bentick, Andy Boddington, Peter Broomhall, Julia Buckley, Garry Burchett, Gwilym Butler, Dean Carroll, Steve Charmley, Ted Clarke, Gerald Dakin, Rosemary Dartnall, Steve Davenport, Mary Davies, Geoff Elner, David Evans, Julia Evans, Roger Evans, Rob Gittins, Nat Green, Kate Halliday, Simon Harris, Nigel Hartin, Nick Hignett, Ruth Houghton, Kirstie Hurst-Knight, Mike Isherwood, Mark Jones, Simon Jones, Duncan Kerr, Heather Kidd, Christian Lea, Hilary Luff, Nigel Lumby, Elliott Lynch, Robert Macey, Richard Marshall, Dan Morris, Pamela Moseley, Cecilia Motley, Ian Nellins, Kevin Pardy, Vivienne Parry, Tony Parsons, John Price, Chris Schofield, Dan Thomas, Robert Tindall, Edward Towers, David Vasmer, Claire Wild, Mark Williams, Rob Wilson, Leslie Winwood and Paul Wynn

### **23 Apologies for Absence**

Apologies for absence were received from Councillors Tom Biggins, Ed Bird, Julian Dean, Paul Gill, Richard Huffer, Tracey Huffer, David Minnery, Alan Mosley, Peggy Mullock, Kevin Turley, Alex Wagner, and Rob Wilson

### **24 Disclosable Pecuniary Interests**

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

Councillor Jeff Anderson declared an interest in agenda items 19 and 20 and stated that he would leave the meeting and take no part in the item

Councillor Lezley Picton declared an interest in agenda items 19 and 20 and stated that she would leave the meeting and take no part in the item

Councillor Claire Wild declared an interest in agenda items 19 and 20 and stated that she would leave the meeting and take no part in the item

## 25 Minutes

### **RESOLVED:**

That the Minutes of the meeting held on 12 May 2022, as circulated with the agenda papers, be approved, and signed as a correct record.

## 26 Announcements

The Chairman welcomed Councillor Mark Williams to his first meeting following his election as the Member for the Highley Division.

The Chairman advised the meeting that he proposed to amend the order of the agenda to take item 19 after item 21.

### Chairman's Engagements

The Chairman referred Members to the list of official engagements carried out by himself and the Vice Chairman since the last meeting of the Council on 12 May 2022, which had been circulated by email.

## 27 Public Questions

### Public Questions

The Speaker advised public questions had been received from Bob Saunders, Tina Teearu, Pamela Pink, Stephen Mulloy, Darren Childs and Kris Welch. A copy of the questions and the responses provided are attached to the signed minutes and available from the web page for the meeting.

[Agenda for Council on Thursday, 7th July, 2022, 10.00 am — Shropshire Council](#)

## 28 Report of Returning Officer - Highley Division

It was proposed by the Chairman, Councillor Vince Hunt, and seconded by the Vice Chairman Councillor Brian Williams that the report of the Returning Officer, a copy of which is attached to the signed minutes and the recommendations contained therein, be received, and agreed.

**RESOLVED:** That the contents of the report be noted and approved.

## 29 Financial Outturn 2021/22

It was proposed by the Portfolio Holder for Finance and Corporate Resources, Councillor Gwilym Butler, and seconded by the Leader Councillor Lezley Picton that the report of the Executive Director of Resources, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed

In response to a question from Councillor Duncan Kerr regarding the level of reserves that the administration considered prudent the Portfolio Holder agreed to provide a response outside of the meeting.

In response to questions from Councillor Ruth Houghton regarding when the temporary accommodation agreed by the council would be delivered and addressing the pressures on home to school transport providers caused by the increase in fuel prices, the Portfolio Holder agreed to provide a response outside of the meeting.

**RESOLVED:**

**That in respect of the revenue budget:**

- A. Members note that the outturn is a overspend of £2.505m.
- B. As a result of the outturn position Members note that the level of the General Fund balance stands at £11.522m, which is below the recommended level.
- C. Members note the decrease in the level of service-related Earmarked Reserves and Provisions of £8.152m.
- D. Members note that the Council has received revenue funding relating to Covid-19 in 2021/22 which covered all Covid-19 costs in the year, and so no additional costs have had to be funded by the Council's base budget.

**Relating to ringfenced funding, Members:**

- E. Note that the outturn for the Housing Revenue Account (HRA) for 2021/22 is an underspend of (£0.251m) and the resulting level of the HRA reserve is £11.592m.
- F. Note that the level of school balances stands at £8.191m (£5.995m in 2020/21).

**In respect of the capital programme, Members:**

- G. Approve net budget variations of £3.598m to the 2021/22 capital programme (in Appendix 11) and the re-profiled 2021/22 capital budget of £83.572m.
- H. Approve the re-profiled capital budgets of £132.724m for 2022/23, including slippage of £1.245m from 2021/22, £82.009m for 2023/24 and £34.077m for 2024/25 as detailed in Appendix 15.
- I. Accept the outturn expenditure set out in Appendices 12 and 13 of £82.327m, representing 98.5% of the revised capital budget for 2021/22.
- J. Approve temporary application of capital receipts of £18.273m to generate a one-off Minimum Revenue Provision saving of £0.398m in 2022/23.

**30 Workforce Strategy**

It was proposed by the Portfolio Holder for Finance and Corporate Resources, Councillor Gwilym Butler, and seconded by the Portfolio Holder for Digital, Data and Insight, and Built Housing Councillor Rob Gittins, that the report of the Executive Director of Resources, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed

Councillor Gittins asked whether it would be possible for Members to be included in any future staff surveys. It was agreed that this would be discussed at the next meeting of the Member Liaison Group

**RESOLVED:**

That Council having considered the contents of the draft Workforce Strategy 2022 to 2025 adopt this as the strategy for the Council going forward.

**31 Report of PMSC re Climate and Ecology Bill Task and Finish Group**

It was proposed by the Chair of the Performance Management Scrutiny Committee, Councillor Claire Wild, and seconded by Councillor Joyce Barrow that the report of the Scrutiny Officer, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

That Shropshire Council writes to the sponsors of the Climate and Ecology Bill, to express its broad support for the Bill, but to not support the requirement to set up a national citizens panel.

**32 Annual Report of the Portfolio Holder for Digital, Data & Insight and Built Housing**

It was proposed by Councillor Rob Gittins, Portfolio Holder for Portfolio Holder for Digital, Data & Insight and Built Housing that the report, a copy of which is attached to the signed minutes, and the recommendations therein be received and agreed.

Councillor Gittins presented and amplified his report and responded to questions, concerns and comments.

**RESOLVED:**

That the contents of the report be noted.

**33 Amendments to the Constitution**

It was proposed by the Chairman, Councillor Vince Hunt, and seconded by the Vice Chairman Councillor Brian Williams that the report of the Assistant Director – Legal and Governance, a copy of which is attached to the signed minutes and the recommendations contained therein, be received, and agreed.

**RESOLVED:**

That Council

- A. Agree to increase the value of the threshold for a 'Major' contract in the Contract Procedure Rules under Part 4 of the Constitution from £140,000 to £170,000;

- B. Delegate authority to the Assistant Director – Legal and Governance in consultation with the Portfolio Holder for Finance and Corporate Resources to devise and implement a process to allow for the use of an electronic version of the Council's seal to be used to execute documents and to make any necessary changes to Part 2 of the Articles of the Constitution to allow for the use of both electronic and physical application of the Council's seal.

#### 34 **Allocation of Committee Seats and Appointments**

It was proposed by the Chairman, Councillor Vince Hunt, and seconded by the Vice Chairman Councillor Brian Williams that the report of the Assistant Director – Legal and Governance, a copy of which is attached to the signed minutes and the recommendations contained therein, be received, and agreed.

Councillor Vasmer commented that he felt that regulatory committees should not be included in the political balance calculation and asked that this be considered at a future meeting of the constitution Working Group.

#### **RESOLVED:**

That the Council confirms the revised allocation of seats to each of the political groups for the 2021/22 municipal year as a consequence of the change in group membership as follows:

- a) That the composition and revised allocation of seats on its committees and other bodies as detailed in the report be approved.
- b) That the Leader of the Liberal Democrat Group provides notification of which of its members will be appointed as a member of the Southern Planning Committee

#### 35 **Councillor Viv Parry**

As Councillor Parry was present this item was withdrawn.

The Chairman expressed his best wishes to Councillor Parry for a continued recovery.

#### 36 **Motions**

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

**From Councillor Rob Gittins and supported by Councillors Roy Aldcroft, Dean Carroll, Paul Gill and Paul Wynn**

#### **A41 Whitchurch to Hinstock**

Following large numbers of accidents, the A41 from Whitchurch to Hinstock is fast becoming one of the most dangerous stretches of road in country and needs urgent action to protect road users and residents from harm.

This council resolves to: -

1. Ask road traffic engineers to commission a report detailing how to make junctions more visible, replace warn signage and introduce appropriate line markings where necessary and look at how this could be done on a limited highways budget.
2. Lobby the police and crime commissioner for active speed enforcement and average speed cameras along the full stretch of the A41.
3. Lobby the DFT for larger capital monies to widen junctions, increase visibility splays and for carriageway surface improvements.
4. Work with the emergency services to obtain real time KSI data so that the council can make more effective decisions on road safety.

The motion was seconded by Councillor Paul Wynn.

By way of amendment Councillor David Vasmer proposed that the following be added to the motion: -

5. Adopt a "Vision Zero" strategy for the whole Shropshire Council area to end traffic-related fatalities and serious injuries by taking a systemic approach to road safety.

The amendment was seconded by Councillor Nigel Hartin.

On taking a vote the amendment was defeated

On taking a vote it was **RESOLVED** that Council:

1. Ask road traffic engineers to commission a report detailing how to make junctions more visible, replace warn signage and introduce appropriate line markings where necessary and look at how this could be done on a limited highways budget.
2. Lobby the police and crime commissioner for active speed enforcement and average speed cameras along the full stretch of the A41.
3. Lobby the DFT for larger capital monies to widen junctions, increase visibility splays and for carriageway surface improvements.
4. Work with the emergency services to obtain real time KSI data so that the council can make more effective decisions on road safety.

### **From Councillor Duncan Kerr and supported by the Green Group**

In Sept 2020 Shropshire Council adopted LTN 1/20 which sets new standards for cycling provision and accessibility.

Five months after adopting this standard the Council sought, and gave itself, planning permission to breach the standard in constructing an access bridge to its proposed new innovation park in Oswestry. As can be seen from the accompanying

3D diagram this bridge would require a cyclist to dismount up to 6 times and is inaccessible to many disabled persons.

On the 14<sup>th</sup> June 2021 the Council received a letter from Rupert Furness Deputy Director at the Department of Transport and inviting the Council to express interest in receiving capital funding for a mini-holland scheme. This letter stated that the guidance in LTN 1/20 should be followed by Local Authorities “regardless of whether they are seeking Government funding”.

On the 9<sup>th</sup> June 2022, the Future Oswestry Group, a partnership established by Shropshire Council with representatives from Oswestry Town Council, Oswestry BID and the local community received this drawing. This was the first time the group had been consulted on the Council’s design for this bridge. This multi-agency group passed a resolution expressing their clear opposition to the building of a structure that is both non-compliant and gives a very poor visual impression at a key gateway into the town.

The risks to the Council in progressing with its current design are very high. If built as designed the bridge will become a highly visible symbol of Shropshire disregard for active transport and will prejudice the ability of the Council to secure the future funding it is seeking both for the innovation park and for active transport.

As the recent peer review on finance reported, quality bids showing genuine and real commitment, are the only way Shropshire will secure additional resources from Government. Now is the time to admit this bridge was a mistake and correct the situation before it is built.

In support of the Future Oswestry Group; and in recognition of the risk to current and future funding applications if the Council persists in building this non-compliant infrastructure; this Council instructs the Cabinet and Portfolio Officer to bring forward a new design for this bridge which improves its aesthetics and ensure and is fully compliant with LTN 1/20. The Council’s LUF 2 application provides the opportunity to seek additional funding for this.

The motion was seconded by Councillor Mike Isherwood

On being put to a vote the motion was defeated

**From Councillor Joyce Barrow and supported by Councillors Roy Aldcroft, Simon Harris, Chris Schofield and Les Winwood**

When a tenant of social or affordable housing sadly passes away bereaved family and friends have very little time, sometimes as little as two weeks, to empty the property of the loved one recently lost before having to hand back the property to the housing association. This is a very difficult time for those who are bereaved and often involves a lot of work to organise funerals and put the affairs of the recently departed in order, adding such little time to empty a property with potentially a lifetime of memories into that period can push people who are already fragile into serious distress. Whilst we appreciate the urgent need to bring social and affordable properties back into use as quickly as possible, we also believe that the current arrangements are unreasonable and lack regard for the recently bereaved.

Therefore this Council resolves to:

1. Ask the Leader and Chief executive to request that STAR Housing review their policy on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone
2. Ask the Leader and Chief Executive to write to Registered Social Landlords operating in Shropshire Council's area to ask them reconsider their policies on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone
3. Ask the Leader and Chief Executive to write to the Secretary of State for Levelling Up, Housing & Communities to ask them to consider legislating or updating guidance to the sector on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone

By way of amendment Councillor Duncan Kerr proposed that point three be amended to read

Ask the Leader and Chief Executive to write to the Secretary of State for Levelling Up, Housing & Communities to ask them to consider legislating or updating guidance to the sector on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone and to review Housing Benefit legislation in order to ensure that benefit is available for a longer period than currently.

Councillor Barrow agreed to accept the amendment

On taking a vote it was **RESOLVED** that Council:

1. Ask the Leader and Chief executive to request that STAR Housing review their policy on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone
2. Ask the Leader and Chief Executive to write to Registered Social Landlords operating in Shropshire Council's area to ask them reconsider their policies on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone
3. Ask the Leader and Chief Executive to write to the Secretary of State for Levelling Up, Housing & Communities to ask them to consider legislating or updating guidance to the sector on this subject to consider a minimum four week period for vacating following the death of a tenant who lives alone and to review Housing Benefit legislation in order to ensure that benefit is available for a longer period than currently.

**From Councillor Roger Evans and supported by the Liberal Democrat Group**



This Council notes

1. There are several National Lotteries, but the money raised by them is distributed nationwide. This Council wishes to help our smaller local organisations and charities to deliver the financial help our residents need.
2. Over 100 Local Authorities are assisting and helping their local communities by holding their own Lotteries operated by an External Lottery Manager (ELM) who manages the Lottery on a Council's behalf. Their management role will include website management, administration of ticket sales and payments, prize management and marketing. It will not include generating profit for a management company.
3. By taking this forward, we would help to keep the Shropshire pound in Shropshire.
4. A community lottery would offer a valuable, additional income stream to our community and voluntary sector in Shropshire, enabling them to tackle specific issues around loneliness.

This Council resolves that

The Community Overview Committee as an urgent item be asked to look at how a Community Lottery could be run and so help our many smaller groups who are helping residents of all ages in Shropshire.

This was seconded by Councillor Andy Boddington

By way of amendment Councillor Ed Potter proposed the following amendment:

That the Community Overview Committee at its next meeting consider whether the subject of how a Community Lottery could be run and so help our many smaller groups who are helping residents of all ages in Shropshire, should be added to its work programme.

Councillor Roger Evans agreed to accept the amendment and on taking a vote it was **RESOLVED**:

That the Community Overview Committee at its next meeting consider whether the subject of how a Community Lottery could be run and so help our many smaller groups who are helping residents of all ages in Shropshire, should be added to its work programme.

**From Councillor David Vasmer and is supported by the Liberal Democrat Group**

**Motion: Shropshire should be included in rural fuel duty relief**

Council notes that:

- Households in rural areas pay £114 a week on transport costs, almost £40 more than those in urban areas.
- Petrol prices have risen to a new record high of 182.3p a litre, meaning the cost of filling a typical 55 litre petrol car has risen to over £100.
- Rural households are paying out almost £2,000 more a year on transport than those in urban areas.
- Fuel duty relief is currently offered to fuel retailers in remote parts of the UK where prices at the pumps are higher to the tune of 5p per litre of petrol or diesel.
- Currently, only 10,500 residents in England live in areas benefitting from the relief.

Council resolves to:

- Write to the Department for Transport in support of;
  - Doubling support provided under the rural fuel duty relief scheme to 10p per litre.
  - Expanding the rural fuel duty relief scheme to include a wider area including rural Shropshire.

The Portfolio Holder for Physical Infrastructure agreed to meet with Councillor Kidd to agree which areas of Shropshire should be included in the request.

On being put to a vote the motion was supported

### 37 Questions from Members

The Chairman advised that the following questions had been received in accordance with Procedure Rule 15. A copy of the report containing the detailed questions and their formal response is attached to the signed minutes.

Received from Councillor Kate Halliday and answered by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll in relation to transport infrastructure for the proposed health and Wellbeing Hub in Shrewsbury. By way of supplementary question Councillor Halliday commented that at a meeting of Shropshire and Telford and Wrekin ICS meeting it had been stated that the programme board were working with Shropshire Council to ensure that there was a specific bus route and that there was section 106 money available to support this and asked the Portfolio Holder whether this was his understanding. The Portfolio Holder advised that he would liaise with colleagues and provide a written answer.

Received from Councillor Julia Evans and answered by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll in relation to a review of the Council's Car Parking Strategy. There was no supplementary question.

Received from Councillor Roger Evans and answered by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll in relation to street lighting. By way of supplementary question Councillor Evans asked why would it take to the winter of 2023/4 to complete the work to change street lighting to LED lights? The Portfolio Holder explained that previously there had been issues with the supply of replacement columns. He added that officers were endeavouring to get changes made as quickly as possible.

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

It was proposed by Councillor Nigel Hartin and seconded by Councillor Paul Wynn 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 be noted.

**39 Exclusion of 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 Rules, the public and press be excluded from the meeting during consideration of the following items

**40 Exempt Minutes**

**RESOLVED:**

That the Exempt Minutes of the meeting held on 12 May 2022, as circulated with the agenda papers, be approved, and signed as a correct record.

**41 Shropshire Community Leisure Trust Contract Extension**

It was proposed by the Portfolio Holder for Communities, Culture, Leisure and Tourism and Transport, Councillor Cecilia Motley, and seconded by the Portfolio Holder for Finance and Corporate Resources Councillor Gwilym Butler that the exempt report of the Director of Place, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

That the recommendations contained in the report be approved

**42 Disposal of Economic Growth Assets**

It was proposed by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll, and seconded by the Portfolio Holder for Finance and Corporate Resources Councillor Gwilym Butler that the exempt report of the Director of Place, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

That the recommendations contained in the report be approved

**43 Shrewsbury Acquisition**

It was proposed by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll, and seconded by the Deputy Leader and Portfolio Holder for Economic Growth, Regeneration and Planning, Councillor Ed Potter that the exempt report of the Director of Place, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

That the recommendations contained in the report be approved

Signed ..... (Chairman)

Date: .....