

**MEMBERS' QUESTIONS**

**AGENDA ITEM 20**

**QUESTION 1**

**MR DAVID ROBERTS** will ask the following question:

We seem to have adopted a grossly unfair appeal system in the licensing department. It appears that if an applicant appeals against a decision he/she cannot attend the appeal hearing but the council officer concerned can. This to me seems to be inherently unfair. Does the Portfolio Holder agree with me that this practice needs to change to allow the appellant to put their case?

**MR MALCOLM PRICE**, the Portfolio Holder for Planning, Housing, Regulatory Services and Environment will reply:

Shropshire Council has not adopted an 'appeal system'; the licensing appeals processes that exist are based in law and operated through the Courts. Any applicant who is aggrieved by a licensing related decision of the Council can appeal to the relevant Court and can put their case forward either directly by themselves or through a legal representative. This takes place in front of Magistrates and, if necessary, a Crown Court Judge.

However the question posed appears to refer to the way in which the Council operates its Licensing Panel. This Panel is not an appeal system; it is an internal mechanism set up by the Council to assist and support the officers who have delegated authority to make licensing decisions. The Council's Hackney Carriage & Private Hire Licensing Policy (page 9) <http://new.shropshire.gov.uk/media1/2319/finalpluswithplusamendmentsplusv2plushcphpluslicensingpluspolicyplus2015plus-plus2019.pdf> sets out the role of the Licensing Panel.

The manager responsible for licensing will make a decision in consultation with a legal adviser and other officers considered appropriate. Currently, the Panel consists of a licensing officer and representatives from adult and children's safeguarding and is attended by a Council solicitor in their capacity as an independent legal adviser. The Panel assists and supports officers to deal with new applications, renewals and reviews of licences that are referred directly by a licensing officer. Matters, where the officer with delegated authority is unable to reach a decision, or for any other reason so agreed by that officer, will be referred to the Licensing and Safety Sub-Committee for determination. Applicants are not invited to attend Panel but they are given the opportunity to provide written representations for it to consider.

In conclusion, an applicant can make written representations at the Licensing Panel stage and, if aggrieved by a decision that is subsequently made by an officer who has delegated authority to make licensing decisions, the applicant may then formally appeal that decision in the Courts. At this stage the applicant has the opportunity to put their case forward. On this basis, the current practices undertaken by the Council are fair and reasonable and there are no plans to change them.

## **QUESTION 2**

**MR DUNCAN KERR** will ask the following question:

In order to provide the cash to fund IT projects and redundancies the Cabinet has agreed to sell many small-holdings in the county. These tenants have been given just a few months to finance the purchase of their land or risk it being sold to an unknown entity. Some of these tenants have worked their land for years, even decades. Can the Leader tell us exactly how many tenancies have or will receive notice, how much notice they have been given, and whether he will commit to review these timescales for long-standing tenants.

**MR ROBERT TINDALL**, Deputy Cabinet Member for Estates and Built Assets will reply:

Thank you for the question in relation to the Smallholding estate. Cabinet have been exploring the possibility of disposing of the smallholding estate for some time, although a decision to dispose of the whole estate has not been made, it will be considered by Cabinet on the 14<sup>th</sup> September. Dialogue with tenants has been ongoing since July of 2014, in the intervening period a number of tenants have acquired their smallholdings. Any decision to dispose would be on the basis of existing tenancy rights and would not require notice being served on tenants to leave their holdings.

Can I take this opportunity to remind members, as has been made clear at previous council meetings, this kind of question seeking factual information readily available and accessible to members themselves with a minimum of research can be asked routinely of officers or cabinet members and does not need to wait to come to full Council.

## **QUESTION 3**

**MR DUNCAN KERR** will ask the following question:

With 'White Ribbon Day' approaching soon, I would like to pay tribute to the work on domestic abuse undertaken by the Council's Community Safety Team. Given their commitment, it seems unfortunate that the Council is not on the White Ribbon website as having met the standard. Could you explain what is holding us back?

**MRS KAREN CALDER**, Portfolio Holder for Health will reply:

Since 2011 the Shropshire Community Safety Partnership has supported White Ribbon and has promoted it widely across the County as a way of raising awareness about the impact of domestic abuse and violence and the effect it has on people's lives, but more importantly to encourage men to make a stand against DV and to take a lead in tackling it.

The Partnership has, over the years worked closely with Shrewsbury Town Football Club who have both promoted, and supported, White Ribbon events on match days. It has had stalls, both in Shirehall and other venues, in order to promote White Ribbon. The Partnership has also looked to agencies and organisations such as the Police, Probation and Health to raise awareness amongst their work force and to wear the white ribbon and talk about what it means. Shropshire Councillors have given their support to the campaign, and a number of people have volunteered to be White Ribbon Ambassadors. This has included the Chief Executive of Shropshire Council and the Chair of the Shropshire Community Safety Partnership.

Shropshire Council is currently on the White Ribbon website <http://www.whiteribboncampaign.co.uk/shropshire> and encourages people to pledge their support for White Ribbon, and the Community Safety Partnership will be promoting the page again this year as part of the 2016 campaign. In respect of the Council being listed on the White Ribbon website as having achieved a standard in respect of White Ribbon, this is currently under review in order to see what is required. The Partnership welcomes the support of elected members in respect of what is being done to tackle domestic abuse in Shropshire and hope that we can work with Councillors in raising awareness of the event during November.

#### **QUESTION 4**

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

- a) In his Autumn 2015 Statement, the Chancellor announced there would be a £580m Sustainable Travel Fund giving the Council plenty of time to prepare for bids following publication of bid details. On July 5<sup>th</sup> the Government asked for invitations to apply for funding from a share of the £60m Sustainable Travel Access Fund. Local Authorities were expected to contribute 10% of the allocated grant. The fund was for innovative walking and cycling revenue projects which could, for example help people get to work. The closing date for applications was September 9<sup>th</sup> 2016. Shropshire Council did not apply for the funding thereby denying travel opportunities for a number of people, funding which would have kept people in work or provided work, helped to achieve Shropshire Council objectives of reducing inactivity and obesity, reduce Shropshire's Carbon footprint, improving air quality and reducing the costs of road maintenance by having less vehicles on the road. Why was no bid made?

- b) Why have many of the road gullies been left with weeds growing in them this year?

**MR SIMON JONES**, the Portfolio Holder for Highways and Transportation will reply:

- a) Shropshire Council has made the difficult decision not to submit a further bid for the Sustainable Transport access fund.

It is considered that we have lost considerable legacy momentum, following our unsuccessful bids first to extend our LSTF project into 2015/16 and more recently for the Sustainable Transport Transition Year. We applied considerable resource to both these bid submissions including ring fencing of local contributions that have since been reassigned and are no longer available. Given the current financial climate and limited time scale for any further submission, it is considered that we are unable to justify use of our current limited funding resource for a third bid to the scale required for a bid to cover a 3 year period (including pre requirement to identify sufficient match funding for any project) that may also not be successful.

We have also given consideration as to how we could embed and align any access fund proposals within our Local Enterprise Partnership Growth Deal programme, but there are the following constraints; no option to work retrospectively on existing and contracted Growth Deal 2 round schemes now in delivery, and also a shift in the nature of our recent Growth Deal 3 submissions away from major transport and infrastructure programmes. As such, any dovetailing is not considered practically achievable.

This decision was not made lightly, we have reviewed a number of other successful authority bids and undertaken comparison assessments with our own bids. We consider that although there is evidence of positive continued legacy with a number of LSTF projects our overall sustainable transport strategy needs to be better streamlined, with more focused overall objectives.

In order to achieve objectives, to support the local economy by supporting access to new and existing employment, education and training; and actively promote increased levels of physical activity through walking and cycling, we are proposing to redevelop our strategy which hopefully in turn will result from our commitment and be a primary output from the development of Shropshire's LTP 4.

- b) We have a maintenance regime for emptying and cleansing gullies/grids. They are on either a twice yearly, annual or every two year frequency. Most urban estate grids are cleaned every two years, those on A and B class roads are mostly on an annual cycle and those where there is a higher flood risk, due to leaves, silt wash off or any other reason that means they might become blocked are on a "hot spot" list and done twice a year, or on a frequency needed to keep them clear.

With Urban grids there is a possibility that grass or weeds could settle and germinate in the frame or in the gully and grow up out of the grid. We do not

weed spray these gullies as most connect to watercourses and we do not want to release herbicides into those. They will be cleaned out when the tanker visits to remove the sediment trapped at the bottom of the gully pot. This has also been a very good season for grass and weed growth, which could compound the problem.

There will be occasions when a grid will be missed, due to a parked car, for example, or there may also be an occasional one that is not on our asset register and are not being done, as we will not have told our contractor. Officers have checked the gully register for Cllr Kenny's ward and it looks as though most if not all are on it.

If there are any specific gullies which are causing Members concern please contact the divisional highways office and they will be able to check that they are on the register and be able to advise when they are next due to be emptied.

## **QUESTION 5**

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

£1/2m of Council Taxpayers money was spent on refurbishing the West Wing of the Shirehall now largely empty. What do you intend doing with the offices?

**MR MALCOLM PATE**, the Leader of the Council will reply:

Thank you for the question. The West Wing of the Shirehall is at capacity. It houses the Customer Service Centre, the Premises Services Team, the Public Protection and Communications team.

In addition to the West Wing being full, moving staff around has increased the utilisation of Shirehall and has brought senior managers, elected members and staff teams in closer proximity to each other to improve accessibility. In addition staff of the customer service team have been repatriated from a previously rented building, saving the council £237,000 per year and reconnecting these staff to our operations and by doing improved moral is being reported.

Repatriating staff will reduce back office costs and enable us to make services more sustainable by focusing resources at front line activity. Linked to our digital strategy, this will enable us to build a modern workforce equipped with state of the art tools to do their work, thereby increasing productivity, improving services and reducing cost.