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Committee and Date

Council

21 September 2017

COUNCIL

Minutes of the meeting held on 20 July 2017

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

10.00 - 11.40 am

Responsible Officer: Karen Nixon

Email: karen.nixon@shropshire.gov.uk Tel: 01743 257720

Present

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

30 APOLOGIES FOR ABSENCE

The Chief Executive reported that apologies for absence had been received from Mrs C Aspinall, Mrs P Dee, Mr D Evans, Mr R Hughes, Mrs H Kidd, Mrs J Mackenzie, Mrs P Mullock, Mr W Parr, Mrs V Parry, Mr R Tindall and Mr D Tremellen.

31 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.

32 MINUTES

RESOLVED: That the Minutes of the two meetings held on 22 June 2017 starting at 10.00am and 12.00 noon respectively and as circulated with the agenda papers, be approved and signed as correct records.

33 ANNOUNCEMENTS

Chairman's Engagements

The Chairman referred Members to the list of official engagements that she had carried out since the last meeting of the Council on 22 June 2017, which had been circulated at the meeting.

It was noted that the Speaker and Vice-Chairman had not attended any events during this period.

34 PUBLIC QUESTIONS

Public Questions

The Speaker advised that two public questions had been received in accordance with Procedure rule 15 (a copy of the report containing each question and the formal response was circulated at the meeting and a copy is attached to the signed minutes).

- i) Received from Mr S Mulloy in respect of loans for Affordable Housing in Shropshire.
The supplementary question asked by Mr Mulloy did not specifically relate to the original question asked and was therefore not allowed.
- ii) Received from Mr W Davies in respect of requesting more Government funding for Shropshire.

By way of a supplementary question Mr Davies asked the Leader if he thought it was fair for Shropshire residents to have to suffer further cuts, whilst extra funding from Central government went to other communities.

In response, the Leader stated that clearly Shropshire suffered from unfair funding allocation. He assured Mr Davies that he would continue to make representations at the highest level and would continue to strive to improve finances for Shropshire.

35 FINANCIAL RULES UPDATE

It was proposed by the Leader, Mr P Nutting, and seconded by Mr D Minnery that the report, a copy of which is attached to the signed minutes and the recommendation contained therein, be received and agreed.

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

36 **FINANCIAL OUTTURN 2016/17 (REVISED)**

It was proposed by the Leader, Mr P Nutting, and seconded by Mr D Turner that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

RESOLVED UNANIMOUSLY:

- a) That the Outturn for the Revenue Budget for 2016/17 with an under spend of £0.894m be noted; this represented 0.16% of the original gross budget of £568.8m.
- b) That it be noted the level of general balance stood at £14.698m, which was above the anticipated level.
- c) That it be noted the Outturn for the Housing Revenue Account for 2016/17 was an under spend of £1.417m and the level of the Housing Revenue Account reserve stood at £9.031m (2015/16 £5.824m).
- d) That the increase in the level of Earmarked Reserves and Provisions (excluding delegated school balances) of £2.508m in 2016/17 be noted.
- e) That the level of school balances be noted as £6.280m (2015/16 £7.173m).
- f) That the net budget variations of £0.481m to the 2016/17 capital programme, detailed in Appendix 5/Table 6 and the re-profiled 2016/17 capital budget of £54.432m be approved.
- g) That the re-profiled capital budgets of £80.529m for 2017/18, including slippage of £9.288m from 2016/17, £26.081m for 2018/19 and £2.320m for 2019/20 as detailed in Appendix 5 /Table 9, be approved.
- h) That the outturn expenditure set out in Appendix 5 of £44.986m, representing 83% of the revised capital budget for 2016/17 be accepted.
- i) That retaining a balance of capital receipts set aside of £18.370m as at 31st March 2017 to generate a one-off Minimum Revenue Provision saving of £0.418m in 2017/18 be approved.

37 **ANNUAL ASSURANCE REPORT OF AUDIT COMMITTEE 2016/17**

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

RESOLVED: That the Annual Assurance Report for 2016/17 be approved.

38 **REPORT FROM THE POLITICAL STRUCTURES MONITORING GROUP - OVERVIEW AND SCRUTINY RESTRUCTURE 2017**

It was proposed by the Leader, Mr P Nutting, and seconded by Mr D Carroll, that the report of the Political Structures Monitoring Group, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Mr A Mosley then moved that this item be referred back to the Political Structures Monitoring Group for re-consideration on the basis that this was re-instating a structure that was not fit for purpose. This was duly seconded by Mr R Evans and Councillors Mrs H Fraser, Mr K Pardy, Mr A Boddington and H Taylor spoke in support. On being put to the vote, the amendment was lost with the majority of members voting against it.

The original recommendations were then put to the vote and were duly approved by the majority.

RESOLVED:

- a. That the vision of Overview and Scrutiny at Shropshire Council be agreed.
- b. That the proposed structure for Overview and Scrutiny be agreed.
- c. That the refreshed Task and Finish Protocol be agreed.
- d. That a review of Overview and Scrutiny be undertaken after 12 months of operation, to ensure the expected impact and added value was being achieved.

39 APPOINTMENTS TO COMMITTEES

It was proposed by the Speaker, seconded by the Chairman and duly

RESOLVED: That the following appointments to committees be confirmed:

Audit Committee

Mr C Lea to replace Mr D Carroll as substitute member.

Pensions Committee

The appointment of Mr A Phillips, Mr S Harris and Mr R Aldcroft as substitute members.

Strategic Licencing Committee

The appointment of Mr S Harris to replace Mr S West as full Member.

The appointment of Mrs C Aspinall, Mr E Lynch, Mr W Parr and Mr P Wynn as substitute members.

The removal of Mr R Tindall as a substitute member.

North Planning Committee

The appointment of Mr M Jones to replace Mr S Jones as full member.

The appointment of Mr S Jones, Mr M Lee, Mr B Williams, Mr D Minnery, Mrs K Calder, Mr N Bardsley, Mr J Price and Mr S Davenport as substitute members.

Central Planning Committee

The appointment of Mrs C Wild, Mrs L Picton and Mr D Morris as substitute members.

South Planning Committee

The appointment of Mr E Lynch, Mr L Winwood and Mr C Lea as substitute members.

Performance Management Scrutiny Committee

The appointment of Mr L Winwood to replace Mr S West as full member.
The appointment of Mr S Harris, Mr E Potter, Mr M Jones, Mr V Hunt and Mr W Parr as substitute members.

Enterprise and Growth Scrutiny Committee/Place Overview Committee

The appointment of Mr P Milner to replace Mr E Lynch as a full member.
The appointment of Mrs C Aspinall to replace Mr P Milner as substitute member.
The appointment of Mr S Jones, Mr M Lee, Mrs T Woodward, Mr G Dakin and Mr M Jones as substitute members.

Environment and Services Scrutiny Committee/Communities Overview Committee

The appointment of Mr C Lea, Mr E Lynch, Mr D Evans, Mr M Lee and Mr B Williams as substitute members.

Health and Adult Social Care Scrutiny Committee/Health Overview and Scrutiny Committee

The appointment of Mr J Price, Mr N Hignett, Mrs C Aspinall and Mr R Hughes as substitute members.

Children and Young People's Scrutiny Committee/People Overview Committee

The appointment of Mrs C Motley to replace Mrs C Aspinall as full member.
The appointment of Mrs C Wild, Mr R Aldcroft, Mr P Wynn and Mr R Hughes as substitute members.

West Mercia Police & Crime Panel

The appointment of Mr G Butler to replace Mr K Roberts as substitute member.
The appointment of Mr W Parr as substitute member.

40 MOTIONS

The following motion was proposed by Mr N Hartin and duly seconded by Mr R Evans:

“This Council resolves to hold a special Council meeting before the 11th September to consider its response to the proposal from the West Mercia Police & Crime Commissioner to take over the running of Shropshire & Wrekin & Hereford & Worcestershire Fire Authorities.

At that meeting it will consider the case put forward by the PCC and Shropshire & Wrekin CFA consultants response to the PCC proposal as well as recommendations from the relevant Council Scrutiny committee, which will itself hold a special meeting to consider the issue in August, in order to feed its recommendations into the special Council meeting.’

In addition to this, a background report was provided by the Chief Executive (copy attached to the signed minutes) containing three recommendations, which were duly noted.

An amended motion was then proposed by Mr Hartin and seconded by Mr R Evans to read as follows;

- a. This Council notes that since the Council report, Consultation on The Proposal of The West Mercia Police and Crime Commissioner (PCC) To Change the Governance of Fire Authorities, was prepared, the draft letter referred to has been sent to the Police and Crime Commissioner. Other Councils have also made it clear that their position on this matter is not confirmed and has been referred to their respective Scrutiny Committee before further decisions are taken.
- b. This Council resolves that The Leader of Shropshire Council, in consultation with the Leaders of the Opposition Parties within the Council, is delegated the responsibility to respond to the Police and Crime Commissioner's consultation.
- c. Council further resolves that The Leader of the Council should refer this matter to the appropriate Overview and Scrutiny Committee, so that the Committee may make recommendations for the Leader to consider in any response to be made to the Police and Crime Commissioner's Consultation.

A Conservative amendment was then proposed, to be added after the final paragraph c., as follows;

"Finally, the Council resolves that the Leader of Shropshire Council will petition Shropshire's MPs to support Shropshire Council's position in relation to the re-organisation of the Fire Authority."

This amendment was accepted by Mr Hartin and it was UNANIMOUSLY agreed that this would be the way forward for Shropshire Council.

41 **REPORT OF THE SHROPSHIRE AND WREKIN FIRE AND RESCUE AUTHORITY**

It was proposed by Mr K Roberts and seconded by Mr D Minnery 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.

In presenting the report, Mr K Roberts highlighted the special thanks that were bestowed on Mr S West who had left the Fire Authority in May.

RESOLVED: That subject to the foregoing the report of the Shropshire and Wrekin Fire and Rescue Authority be noted.

42 MEMBER QUESTIONS

The Speaker advised that the following question had been received in accordance with Procedure Rule 15 (a copy of the report containing the question and the formal response is attached to the signed minutes).

Received from Mr R Evans and answered by Mr N Bardsley, Portfolio Holder for Children and Young People on the recent consultation to implement new travel card charges for post 16 students in the 2017/18 academic year.

By way of a supplementary question Mr Evans asked what the exact current number of users was and how the decisions made on the existing system could be challenged.

The Portfolio Holder apologised for not including the number of existing users in his response. He did not know the exact number, but confirmed that there had been a dramatic reduction in users from about 1,200 five years ago to around 300 in 2016. The Portfolio Holder acknowledged the cost was a fairly large amount, whilst he explained that the figure charged reflected the cost of averaging it out across the county and subsidy for lower income families. This course of action had been taken by the previous Portfolio Holder and he confirmed he was happy to review the process, whilst he invited input from all members if they so wished.

43 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 Rules, the public and press be excluded during consideration of the following item.

44 EXEMPT MINUTES

RESOLVED:

That the confidential Minutes of the Council meeting held at 10.00 am on 22 June 2017 be approved as a correct record and signed by the Speaker.

Signed (Chairman)

Date:

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