



Committee and Date

Council

17th May 2018

COUNCIL

**Minutes of the meeting held on 22 February 2018 in the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND
10.00 am - 1.25 pm**

Responsible Officer: Karen Nixon
Email: jane.palmer@shropshire.gov.uk Tel: 01743 257712

Present

Councillors Ann Hartley and Peter Nutting (Leader)
Councillors Vince Hunt (Speaker), Steve Charmley (Deputy Leader), Peter Adams, Roy Aldcroft, Clare Aspinall, Nicholas Bardsley, Joyce Barrow, Thomas Biggins, Andy Boddington, Gwilym Butler, Karen Calder, Dean Carroll, Lee Chapman, Ted Clarke, Gerald Dakin, Steve Davenport, 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, Nic Laurens, Christian Lea, Elliott Lynch, Robert Macey, Chris Mellings, Paul Milner, David Minnery, Dan Morris, 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, Harry Taylor, Robert Tindall, David Turner, David Vasmer, Stuart West, Claire Wild, Brian Williams, Michael Wood and Tina Woodward

85 APOLOGIES FOR ABSENCE

The Chief Executive reported that apologies for absence had been received from Cllrs Dean, Keeley, Lee, Mackenzie, Moseley, Tremellen, Turley, Winwood and Wynn.

86 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.

87 MINUTES

Subject to including Cllr Dakin at Minute 63 (Apologies) and deleting him from the list of those present at the meeting on 14 December 2017, it was

RESOLVED: That the Minutes of the meeting held on 14 December 2017, as circulated with the agenda papers, be approved and signed as a correct record.

88 ANNOUNCEMENTS

88.1 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 14 December 2017, which had been circulated at the meeting.

88.2 New Year's Honours 2018

The Chairman reported that the following Shropshire residents had been awarded honours in the Queen's New Year's Honours List 2018 and advised that she had written to each of the recipients to congratulate them on their achievement:

Member of the Order of the British Empire (MBE)

Mrs Frances Margaret Veal

For services to the Community (Bridgnorth)

Mrs Janet Sarah Woodroffe

For voluntary and charitable services (Wistanstow)

Medallist of the Order of the British Empire (BEM)

Colin Russell Case

For voluntary and charitable services to the community (Ruyton XI Towns)

Mrs Judith Haycocks

Healthcare Assistant, Whitchurch Community Hospital, Shropshire Community Health NHS Trust, for services to the care of older people (Whitchurch)

Colin Brendan Holloway

Field force collector debt management, HM Revenue and Customs. For voluntary services to young people (Shrewsbury)

Mrs Elizabeth June Lawrence

For services to the Community in Morton (Oswestry)

David John Williams

First Aid volunteer and trainer at the Shrewsbury branch of the British Red Cross. Awarded for voluntary service to First Aid (Shrewsbury)

88.3 Staff Departures

The Chairman wished to place on record her sincere thanks to two members of staff who were about to leave Shropshire Council and wished them both every success for the future:

George Candler, Director of Place and Enterprise was leaving after 12 years to take up a new position as Chief Executive with Northampton Borough Council, and

Karen Nixon, Committee Officer was leaving the authority after 33 years in Legal & Democratic Services and was taking voluntary redundancy.

89 PUBLIC QUESTIONS

The Speaker advised that three public questions had been received as follows (in accordance with revised Procedure Rules) and reminded that supplementary questions were no longer permitted. Each of the questioners were invited to read out their question:

Question 1- from Professor John Whitelegg, Church Stretton resident:

“What steps is Shropshire Council taking to protect itself from legal liability issues following a fatality or injury in a road traffic accident occurring on a residential street that the Council had refused to include in its 20mph programme and when that refusal was directly contrary to:

- a. The public law duty in Section 39 (2) of the Road Traffic Act 1988;
- b. The expert scientific advice from the World Health Organisation, Public Health England, the National Institute for Health and Care Excellence and the Association of Directors of Public Health on the need for 20mph on all streets where there is a likelihood that vehicles, pedestrians and bicycles will mix, and
- c. The recommendations of the House of Commons Select Committee on road safety in 2010 (para 60, Ending the scandal of complacency. Road safety beyond 2010) that 20mph should be adopted “much more widely?”

In response, the Portfolio Holder for Highways and Transport, Cllr Davenport stated that this issue had been looked at many times and in some respects there was agreement. The benefits of 20 mph were not disputed; an annual programme of road safety and education was supported, but currently there was no specific programme for the implementation of 20 mph schemes in Shropshire. Rather accident sites and community concerns were prioritised with appropriate interventions which might include 20 mph speed restrictions.

Question 2 – from Mr Harold Bound, Shrewsbury resident and representing the Bus Users Group:

“In considering planning applications for housing estates which have direct access on to bus routes, can provision be made, within the highway design layout for the

development, for safe stopping places for buses within reasonable walking distance?”

In response, the Portfolio Holder for Highways and Transport, Cllr Davenport confirmed that as part of the consideration of new housing developments, Officers considered the requirements of integrating existing bus services and safe bus stops within the development road layouts. The aim was also to provide bus stop locations that were within reasonable walking distance of new properties in order to promote sustainable travel.

Question 3 – from Mr Stephen Mulloy, Shrewsbury resident

“In light of recent revelations in the media regarding a Market Town Revitalisation Programme (MTRP) legacy loan that was granted to a local company and not repaid, will he use some of the audit contingency days to have all of the MTRP grants/loans that were made within the Oswestry area reviewed, ensuring that all the agreements were complied with fully, including ensuring that Project Closure Reports and proof of spend, including match funding, was provided, and

Provide all the information on the Council's website to allow members of the public to examine the awards of MTRP funding for themselves?”

In response, the Chairman of the Audit Committee, Cllr Adams confirmed that he had asked the Chief Executive to appropriately refer to audit to ensure that robust systems were in place.

90 REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Leader, Cllr Nutting proposed an amendment, which was duly seconded by Cllr Hartley, as follows;

This Council would like to thank the Independent Remuneration Panel for their work and the report.

It is proposed that the current arrangements for Elected Members' Allowances continue to be applied.

A further detailed review should be undertaken to include a mechanism for annual increases in the basic allowance either by linking the scheme to local government pay increases or annual inflation figures.

A recorded vote was requested and duly agreed. After some debate and on being put to the vote, the amendment was agreed as follows:

FOR (39)

Cllrs Adams, Aldcroft, Aspinall, Bardsley, Barrow, Biggins, Butler, Carroll, Chapman, Charmley, Dakin, Davenport, D Evans, Gittins, Harris, Hartley, Hignett, Hughes, Hunt, M Jones, S Jones, Laurens, Lea, Macey, Milner, Minnery, Morris, Mullock, Nutting, Parr, Pate, Phillips, Picton, Price, Potter, Roberts, Wild, Williams and Wood.

AGAINST (20)

Cllrs Clarke, Dee, R Evans, Fraser, Green, Hartin, R Huffer, I Jones, Kidd, Mellings, A Mosley, Pardy, Parry, Parsons, Shingleton, Taylor, Tindall, Turner, Vasmer and West.

ABSTAIN (6)

Cllrs Boddington, Calder, T Huffer, Lynch, Motley and Woodward.

91 PORTFOLIO HOLDER ANNUAL REPORT FOR COMMUNITIES

It was proposed by Cllr Barrow, the Portfolio Holder for Communities, and seconded by Cllr Picton that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received.

Cllr Barrow presented and amplified her report and responded to the questions, concerns and comments from Members, including Cllrs Tindall, Shingleton, Laurens and Moseley.

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

92 COUNCIL TAX RESOLUTION 2018/19

It was proposed by the Leader, Cllr Nutting, and seconded by Cllr Minnery, that the report of the Head of Finance, Governance and Assurance on Council Tax Resolution 2018/19, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

On being put to a recorded vote the proposition was carried with 50 Members voting in favour, 4 against and 11 abstentions as follows:

FOR (50)

Cllrs Adams, Aldcroft, Aspinall, Bardsley, Barrow, Biggins, Butler, Calder, Carroll, Chapman, Charmley, Clarke, Dakin, Davenport, Dee, D Evans, Gittins, Harris, Hartley, Hignett, Hughes, Hunt, I Jones, M Jones, S Jones, Laurens, Lea, Lynch, Macey, Milner, Minnery, Morris, A Mosley, Motley, Mullock, Nutting, Pardy, Parr, Parsons, Phillips, Picton, Price, Potter, Roberts, Shingleton, Taylor, Vasmer, Wild, Williams and Woodward.

AGAINST (4)

Cllrs Tindall, Turner, West and Wood.

ABSTENTIONS (11)

Cllrs Boddington, R Evans, Fraser, Green, Hartin, R Huffer, T Huffer, Kidd, Mellings, Parry and Pate,

RESOLVED:

- a) That a 5.99% Council Tax rise be approved, resulting in a basic amount of council tax for a Band D property of £1,334.96 in the billing authority's area,

calculated in accordance with the provisions of the Local Government Finance Act 1992 (section 44) and the Local Government (Structural Changes) (Further Financial Provisions and Amendment) Regulations 2008.

- b) That in accordance with the provisions of Section 40 (2) of the 1992 Act, approve the amount of Council Tax calculated for each category of dwelling in the billing authority's area to be as follows:

Property Band	2018/19 Charge £
A	889.98
B	1,038.30
C	1,186.63
D	1,334.96
E	1,631.62
F	1,928.27
G	2,224.94
H	2,669.92

- c) That a total precept of £145,638,262 be levied.
- d) That the formal council tax resolution as set out in Appendix 1 to determine the levels of Council Tax for Shropshire Council for 2018/19 be approved.

93 FINANCIAL STRATEGY 2018/19 - 2022/23

Cllr Evans proposed an amendment in two parts as follows, which was seconded by Cllr Boddington;

- Street lighting; that Cabinet be asked by Council to look at the invest to save policy of lantern replacement, that figures in his proposals be further considered and that a full business case produced for examination before implementation, and,
- Environmental Maintenance Grant: The Liberal Democrats proposed that £110,000 be allocated as additional environmental maintenance grant for 2018/19 only.

On being put to the vote this amendment was lost, with the majority voting against it.

It was then proposed by the Leader, Cllr Nutting, and seconded by Cllr Minnery, that the report of the Head of Finance, Governance and Assurance on the Financial Strategy 2018/19 to 2022/23, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

On being put to a recorded vote the proposition was carried with 42 Members voting for, 19 against and 3 abstentions as follows:

FOR (42)

Cllrs Adams, Aldcroft, Aspinall, Bardsley, Barrow, Biggins, Butler, Calder, Carroll, Chapman, Charmley, Dakin, Davenport, Dee, D Evans, Gittins, Harris, Hartley, Hignett, Hughes, Hunt, M Jones, Laurens, Lea, Lynch, Macey, Milner, Minnery, Morris, Motley, Mullock, Nutting, Parr, Phillips, Picton, Price, Potter, Roberts, Shingleton, West, Wild and Williams.

AGAINST (19)

Cllrs Boddington, Clarke, R Evans, Fraser, Green, Hartin, R Huffer, T Huffer, I Jones, Kidd, Mellings, A Mosley, Pardy, Parry, Parsons, Taylor, Tindall, Turner and Vasmer.

ABSTENTIONS (3)

Cllr S Jones, Pate and Woodward.

It was therefore duly **RESOLVED:**

- a. That the 2018/19 budget of £582.151m outlined in the Budget Book at Appendix 7, including the savings proposals outlined in Appendix 4 be approved.
- b. That the changes required to the 2018/19 budget as a result of the Final Local Government Settlement and revised business rates and collection fund estimates be noted.
- c. That the changes required to future years budgets as a result of the Local Government Settlement be noted.
- d. That the revised funding gap for the years 2019/20 to 2022/23 be noted.
- e. That the revised Capital Programme as set out in the report and detailed at section 8 and Appendix 8 be approved.
- f. That the continued use of the Policy for Flexibility around the use of Capital Receipts be noted.
- g. That the Statement of Chief Financial Officer on the Robustness of the Estimates and Adequacy of Reserves 2017-23 as set out in Appendix 9, noting the Council's general fund balance over this period be approved.
- h. That the Pay and Rewards Policy for all Council staff for 2018/19 as set out in Appendix 10 be approved.

94 **TREASURY STRATEGY 2018/19**

It was proposed by the Leader, Cllr Nutting and seconded by Cllr Minnery that the report of the Head of Finance, Governance and Assurance, a copy of which is

attached to the signed minutes, and the recommendations contained therein be received and agreed.

At page 174, paragraph 8.11 of the report, more detail was specifically requested showing debt maturation going forward; because this helped Members identify pinch points.

RESOLVED: subject to the foregoing;

- a. That the Treasury Strategy for 2018/19 be approved and that in future more information on debt maturation be supplied.
- b. That the Prudential Indicators, set out in Appendix 1, in accordance with the Local Government Act 2003 be approved.
- c. That the Investment Strategy, set out in Appendix 2 in accordance with the CLG Guidance on Local Government Investments be approved.
- d. That the Minimum Revenue Provision (MRP) Policy Statement, set out in Appendix 3 be approved.
- e. That the Section 151 Officer be authorised to exercise the borrowing powers contained in Section 3 of the Local Government Act 2003 and to manage the Council's debt portfolio in accordance with the Treasury Strategy.
- f. That the Section 151 Officer be authorised to use other Foreign Banks which meet Link's creditworthiness policy as required.
- g. That changes to the CIPFA Treasury Management Code of Practice and Prudential Code and outstanding consultation exercises be noted by Members.

95 FEES AND CHARGES 2018/19

It was proposed by the Leader, Cllr Nutting and seconded by Cllr Minnery that the report of the Head of Finance, Governance and Assurance, a copy of which is attached to the signed minutes, and the recommendations contained therein be received and agreed.

RESOLVED:

- a) That the breakdown of the total income for 2017/18 and 2018/19 be noted, and in particular that the proposed 2018/19 charges for discretionary services represent only £34.159m of the £72.337m of income derived from Fees and Charges.
- b) That the charges for 2018/19 as detailed in Appendix 3 to be implemented 1 April 2018, be approved, recognising that managers have proposed varying policies for 2018/19.

- c) That as previously agreed, it was noted that any changes to fees and charges proposed by Shropshire Community Leisure Trust Ltd. in relation to the outsourced leisure facilities will only be referred to Cabinet and Council for approval if the proposed increases exceed Consumer Price Index (CPI) for the preceding November.
- d) That subject to restrictions or exemptions identified in the Welfare Reform and Work Bill Council agreed that
- i. Social Housing rents for 2018/19 be reduced by 1% from 1st April 2018.
 - ii. Affordable rents for 2018/19 be reduced by 1% from 1st April 2018.
 - iii. Shared Ownership rents continue to be set at 2.75% of the outstanding capital value of the home at the time of sale and thereafter increased each April by the greater of the preceding September Consumer Price Index plus 1% or 1%.
 - iv. Service charges continue to be set on the basis of actual cost.

96 APPOINTMENTS TO COMMITTEES

It was proposed by the Speaker, seconded by Cllr Hartley and duly

RESOLVED: That the following appointments to committees be confirmed:

South Planning Committee

Cllr Michael Wood to replace Cllr William Parr as a Full member of South Planning Committee, and,

Cllr William Parr to become a Substitute member of South Planning Committee.

Strategic Licensing Committee

Cllr Rob Gittins to replace Cllr Mark Jones as a Full member on Strategic Licensing Committee.

Place Overview Committee

Cllr Claire Wilde will replace Cllr Dean Carroll as Substitute member on Place Overview Committee.

North Planning Committee

Cllr Joyce Barrow to replace Cllr Clare Aspinall as a Full member on the North Planning Committee.

97 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 detailed questions and their formal responses is attached to the signed minutes).

- (i) Received from Cllr Aldcroft and answered by Cllr Davenport, the Portfolio Holder for Highways and Transport in relation to supporting HS2 benefits to the

county and urging them to reconsider alternatives proposed by Woore Parish and the Action Group.

There was no supplementary question.

(ii) Received from Cllr Dean and answered by Cllr Davenport, the Portfolio Holder for Highways and Transport in relation to Winter Maintenance following recent bad snow conditions.

There was no supplementary question.

(iii) Received from Cllr Turner and answered by Cllr Chapman, the Portfolio Holder for Health and Adult Social Care in relation to recent male suicides in the south of the county.

There was no supplementary question.

(iv) Received from Cllr P Moseley and answered by Cllr Chapman, the Portfolio Holder for Health and Adult Social Care in relation to investment in preventative services in Shropshire.

There was no supplementary question.

(v) Received from Cllr A Mosley and answered by the Leader, Cllr Nutting in relation to the recent purchase of three shopping centres in Shrewsbury.

There was no supplementary question.

(vi) Received from Cllr Boddington and answered by Cllr Macey, Portfolio Holder for Planning and Regulatory Services in relation to the impact of the China ban on recyclables would have on Shropshire's rates.

By way of a supplementary question Cllr Boddington asked what progress was being made in reducing plastics in the Shirehall. The Portfolio Holder confirmed he would look into this matter further.

98 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 item.

99 **EXEMPT MINUTES**

RESOLVED:

That the confidential Minutes of the Council meeting held on 14 December 2017 be approved and signed as a correct record.

Signed (Chairman)

Date: