



Committee and Date

Council

20 September 2018

COUNCIL

**Minutes of the meeting held on 26 July 2018 in the Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND
10.00 am - 1.10 pm**

Responsible Officer: Jane Palmer
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, Joyce Barrow, Thomas Biggins, Andy Boddington, Karen Calder, Dean Carroll, Ted Clarke, Gerald Dakin, Steve Davenport, Julian Dean, David Evans, Roger Evans, Hannah Fraser, Rob Gittins, Nat Green, Simon Harris, Nigel Hartin, Nick Hignett, Richard Huffer, Roger Hughes, Ioan Jones, Simon Jones, Jonny Keeley, Heather Kidd, Nic Laurens, Christian Lea, Elliott Lynch, Jane MacKenzie, Chris Mellings, Paul Milner, David Minnery, Dan Morris, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Kevin Pardy, William Parr, Vivienne Parry, Tony Parsons, Alexander Phillips, Lezley Picton, Ed Potter, John Price, Madge Shingleton, Harry Taylor, Dave Tremellen, Kevin Turley, David Turner, David Vasmer, Claire Wild and Brian Williams

The Late Stuart West

Following Council prayers, the Chairman, Councillor A Hartley introduced the Deputy Chief Fire Officer, Mr Andy Johnston, to the meeting who was present to pay tribute to the late Stuart West and his exemplary work and service to the West Mercia Fire and Rescue Authority. He stated that he had been a gentleman, a champion and a true friend. These sentiments were echoed by Councillor M Wood who paid similar tribute to an outstanding member of the Council. Council held a one-minute silence in memory of and in tribute to the late Stuart West.

16 Apologies for Absence

Apologies for absence were received from Councillors N Bardsley, G Butler, L Chapman, P Dee, T Huffer, M Jones, M Lee, R Macey, M Pate, K Roberts, R Tindall and L Winwood.

17 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.

18 Minutes

RESOLVED:

That the Minutes of the Council meeting held on 17 May 2018 be approved and signed as a correct record.

19 Announcements

Chairman's Engagements

The Chairman referred Members to the list of official engagements that she had carried out during the period 17 May to 25 July 2018 which had been circulated at the meeting.

One Minute Silence

Council stood for one minute in silence in recognition of the Srebrenica Memorial Day to mark the genocide that occurred in July 1995 when over 8372 men and boys were killed in the worst atrocity since World War 2.

Vote of Thanks

The Chairman proposed a vote of thanks to the retiring Chief Executive of the Severn Hospice, Mr Paul Cronin, after 15 years' service to the organisation. Mr Cronin, present at the meeting, stated that he was moved and humbled by the Council's recognition and stressed that the staff and volunteers at the hospice must also be recognised for their ongoing exemplary work.

MJ Award

The Chairman drew attention to the recent success of the Council's Housing team who had beaten off competition from four other authorities to win the MJ Award for the innovation in finance category for the Council's buy to let scheme. Council was pleased to recognise this achievement.

20 Public Questions

Mr S Mulloy was present at the meeting and asked three questions, a response was supplied. A copy of the questions and answers, tabled at the meeting, is included with the formal record of the meeting.

21 Returning Officer's Report

It was proposed by the Chairman, Councillor A Hartley, and seconded by the Speaker, Councillor V Hunt that the report be received and noted.

RESOLVED:

That the contents of the Returning Officer's report be noted and approved.

22 Financial Outturn 2017/2018 Revised

It was proposed by the Leader, Councillor Nutting, and seconded by Councillor Minnery, that the report of the Head of Finance, Governance and Assurance on the revised Financial Out-turn 2017/2018, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Responding to concerns raised by some Members on a number of budgetary underspends, the Portfolio Holder for Finance, Councillor D Minnery, commented on the level of Member confusion regarding the Council's use of capital. The Leader, Councillor P Nutting, added that the report illustrated the Council's sensible money management in accordance with the advice of its Auditors and concluded that the Council was again on target to achieve a balanced budget.

RESOLVED:

- i) That it be noted that the Outturn for the Revenue Budget for 2017/18 is an underspend of £0.529m, this represents 0.09% of the original gross budget of £563.3m.
- ii) That it be noted that the level of general balance after adjusting for the underspend and insurance position stands at £15.311m, which is above the anticipated level assessed in February 2017.
- iii) That it be noted that the Outturn for the Housing Revenue Account for 2017/18 is an underspend of £0.007m and the level of the Housing Revenue Account reserve stands at £8.225m (2016/17 £9.031m).
- iv) That the increase in the level of Earmarked Reserves and Provisions (excluding delegated school balances) of £8.026m in 2017/18 and the reasons for this be noted.
- v) That the level of school balances stand at £5.381m (2016/17 £6.280m) be noted.
- vi) That net budget variations of £1.472m to the 2017/18 capital programme, detailed in Appendix 5/Table 11 and the re-profiled 2017/18 capital budget of £59.748m be approved.
- vii) That the re-profiled capital budgets of £61.795m for 2018/19, including slippage of £10.140m from 2017/18, £25.986m for 2019/20 and £15.568m for 2020/21 as detailed in Appendix 5 /Table 15 be approved.
- viii) That the outturn expenditure set out in Appendix 5 of £49.608m, representing 83% of the revised capital budget for 2017/18 be accepted.

- ix) That retaining a balance of capital receipts set aside of £20.857m as at 31st March 2018 to generate a one-off Minimum Revenue Provision saving of £0.485m in 2018/19 be approved.

23 Final Statement of Accounts 2017/2018

It was proposed by Councillor P Adams and seconded by Councillor B Williams that both the report and the addendum report of the Head of Finance, Governance and Assurance, copies of which are attached to the signed minutes, and the recommendations contained therein be received and agreed.

Responding to a question from Councillor Evans, Councillor B Williams stated that he would provide information re cost implications of staffing compulsory redundancies. Referring to the question raised by Councillor K Pardy on Looked After Children, Councillor Williams confirmed that each child would get the best and most appropriate care for their individual circumstances.

Above all, Council noted that the Auditors, Grant Thornton had issued an unqualified report on the Council's Statement of Accounts 2017/18.

RESOLVED:

- i) That the 2017/18 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 Head of Finance, Governance and Assurance be authorised to make any minor adjustments to the Statement of Accounts prior to the 31st July 2018.
- iii) That the Head 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.
- iv) That the changes to the 2017/2018 Statement of Accounts, as detailed in the Addendum Report, be noted.

24 Annual Assurance Report of the Audit Committee 2017/2018

It was proposed by Councillor P Adams and seconded by Councillor B Williams 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.

Council was pleased to note the unqualified report that illustrated that the Council had in place reliable, adequate and effective risk management and internal control

systems that contributed to the Council's high corporate governance standards. Thanks were conveyed to all staff involved and the value of extensive Member training that had refined Member questioning skills and the process as a whole was recognised.

RESOLVED:

That the contents of the Annual Assurance Report 2017/18 be considered and accepted.

25 Shropshire Council Corporate Peer Challenge

It was proposed by the Leader, Councillor P Nutting and seconded by the Deputy Leader, Councillor S Charmley that the report of the Chief Executive, a copy of which is attached to the signed minutes, and the recommendations contained therein be received and agreed.

The Leader commented on the benefits of the recent Corporate Peer Challenge whilst recognising the challenges that would be taken forward as a result of the process. Council noted that the process was not an inspection but was a process focussed on improvement and to complement and add value to the Council's own performance and improvement processes.

Council recognised the positive points highlighted in the feedback together with the areas where the Council could make improvements. Members found the report to be of interest and noted in particular the eleven recommendations from the Peer Team that were detailed in the report.

Areas highlighted by Members included the importance of communicating its Vision and Strategy, improving communication and dialogue between Cabinet and lead Officers, succession planning, greater investment in Broadband, the level of risk to meet savings targets, the need for a whole Council approach, clear priorities for capital investment, review of the Local Plan with an accompanying green infrastructure, and Scrutiny Committee leadership.

The honesty and courage in bringing the report to the attention of the Council in a public arena was applauded as a positive step; the significant challenges within the report were duly recognised. The Deputy Leader, Councillor S Charmley, stressed that the report was largely positive, risks and opportunities had to be continually measured, 'challenge' was part of the process and a positive outlook for the future was being fostered. In bringing the debate to a close, the Leader, Councillor P Nutting, noted the points that had been raised and concluded that the culture of the Council was changing.

RESOLVED:

- i) That the Corporate Peer Challenge report be endorsed.

- ii) That the recommendations made by the Corporate Peer Challenge Team be agreed.
- iii) That Members take part in a workshop session following the Council meeting on 26 July 2018 to consider the recommendations and specific areas for action and prioritise them.
- iv) That progress in delivering agreed and prioritised recommendations be incorporated into the quarterly corporate performance management reports.

26 **Gambling Act 2005 - Policy Statement 2019 to 2022**

It was proposed by Councillor J Barrow and seconded by Councillor S Jones that the report of the Director of Public Health, a copy of which is attached to the signed minutes, and the recommendations contained therein be received and agreed.

RESOLVED:

- i) That the proposed Gambling Act 2005 Policy Statement 2019 to 2022, as set out in Appendix 1, be agreed.
- ii) That authority be delegated to the Trading Standards and Licensing Operations Manager to publish the policy statement and to advertise it in accordance with the provisions of the Gambling Act 2005.
- iii) That the Gambling Act 2005 Policy Statement 2019 to 2022 be adopted with effect from 31 January 2019.

27 **Portfolio Holder Annual Report for Culture and Leisure**

It was proposed by Councillor L Picton, the Portfolio Holder for Culture and Leisure, and seconded by Councillor C Motley that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received.

Councillor Picton presented and amplified her report and responded to the questions, concerns and comments from Members, including Councillors Motley, Laurens, Parry, Kidd, Fraser and Phillips.

RESOLVED:

That the contents of the report be noted and approved.

28 **Portfolio Holder Annual Report for Transport and Highways**

It was proposed by Councillor S Davenport, the Portfolio Holder for Transport and Highways, and seconded by Councillor S Harris that the report, a copy of which is

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

Councillor Davenport presented and amplified his report and responded to the questions, concerns and comments from Members, including Councillors Boddington, Parry, Evans, Keeley, Kidd, McKenzie, Fraser, Morris and Mosley.

RESOLVED:

That the contents of the report be noted and approved.

29 Annual Report 2017/2018 - Communities Overview Committee

It was proposed by Councillor C Motley, and seconded by Councillor N Hignett that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received.

Councillor C Motley amplified some points within the report and drew particular attention to the valuable work undertaken by Task and Finish Groups throughout the year. Accepting comments raised regarding community transport she stated that a future Task and Finish Group to work on this issue would be considered as part of a future Work Programme.

RESOLVED:

That the contents of the report be noted and approved.

30 Appointments to Committees

It was proposed by the Speaker, Councillor V Hunt and seconded by the Chairman, Councillor A Hartley that the changes to Committee memberships be considered and agreed.

RESOLVED:

That the following changes to Committee memberships be confirmed:

Health and Adult Social Care Overview and Scrutiny Committee

Councillor S Jones replaced Councillor P Wynn as a member of the committee

Strategic Licensing Committee

Councillor E Lynch replaced Councillor D Evans as a member of the committee

Councillor D Evans replaced Councillor E Lynch as a substitute member of the committee

31 **Motions**

The following Motion was proposed by Councillor D Morris and supported by Councillors L Picton, D Turner, S Jones and N Laurens:

'That Council agrees to ban the use of sky lanterns from any Council owned or managed premises and property and urges Parliament to use its powers to ban their use throughout England.

The reason for the decision is that the Council recognises the fire hazard associated with the use of sky lanterns (known as Chinese lanterns) which can potentially lead to the loss of life, damage to property, risk to wildlife and farm animals and increase the pressure on the police, fire service and medical emergency services'.

On being put to the vote this Motion was supported by the majority.

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

It was proposed by Councillor P Wynn and seconded by Councillor P Milner 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 of the Annual Meeting held on 20 June 2018, be noted.

33 **Member Questions**

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 Councillor T Huffer [and in her absence the question was asked by Councillor R Huffer] and answered by Councillor J Barrow, the Portfolio Holder for Communities, Waste and Regulatory Services in relation to Shropshire Council's Community Enablement Team.

By way of a supplementary question, Councillor R Huffer asked that if there was a reduction in the number of Community Enablement Officers, that existing staff should be concentrated in the south of the county. The Portfolio Holder stated that she would answer the question as soon as possible following a pending workshop to consider the issues.

- (ii) Received from Councillor A Boddington and answered by Councillor S Davenport, the Portfolio Holder for Transport and Highways in relation to the Council's current plans and policies relating to EV charging points.

By way of a supplementary question, Councillor Boddington requested that an EV Strategy be considered at a future meeting of a committee of the Council. The Portfolio Holder agreed with this course of action.

- (iii) Received from Councillor A Boddington and answered by Councillor S Davenport, the Portfolio Holder for Transport and Highways in relation to the Council's policies for verge cutting and biodiversity.

By way of a supplementary question, Councillor Boddington requested that a review of these policies be considered at a future meeting of one of the Council's Scrutiny Committees. The Portfolio Holder agreed that scrutiny should be requested to give this consideration.

- (iv) Received from Councillor V Parry and answered by Councillor S Davenport, the Portfolio Holder for Transport and Highways in relation to the maintenance of Ludlow Eco Park.

By way of a supplementary question, Councillor Parry asked for information on the timelines for improvements and drew attention to other issues on this site. The Portfolio Holder stated that he had received an invitation from the Mayor of Ludlow to view the site; Councillor Parry was also welcome to attend.

- (v) Received from Councillor P Moseley and answered by Councillor L Chapman, the Portfolio Holder for Adult Services, Health and Social Housing in relation to the impact of cuts to areas of public health services.

The Portfolio Holder agreed to supply a written response to a written supplementary question to be submitted by Councillor Moseley.

- (vi) Received from Councillor R Evans and answered by Councillor S Davenport, the Portfolio Holder for Transport and Highways in relation to the Environmental Maintenance Grant Programme.

By way of a supplementary question, Councillor Evans requested further information relating to backdated applications to this programme. The Portfolio Holder stated that he would provide a written response.

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 from the meeting during consideration of the following item/s.

35 Paul's Moss Development, Whitchurch

It was proposed by the Deputy Leader, Councillor S Charmley and seconded by Councillor G Dakin, that the exempt report, a copy of which is attached to the exempt signed Minutes, be received and approved.

RESOLVED:

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

36 The Tannery Development - Tenant Works

It was proposed by the Deputy Leader, Councillor S Charmley and seconded by Councillor D Carroll, that the exempt report, a copy of which is attached to the exempt signed Minutes, be received and approved.

RESOLVED:

That the exempt recommendation be approved as detailed in the exempt report.

Signed (Speaker/Chairman)

Date: