



## Committee and Date

Council

15 December 2022

## COUNCIL

### Minutes of the meeting held on 22 September 2022

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

10.00 am - 12.00 pm

**Responsible Officer:** Tim Ward

Email: 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, Thomas Biggins, Ed Bird, Peter Broomhall, Garry Burchett, Gwilym Butler, Dean Carroll, Steve Charmley, Ted Clarke, Gerald Dakin, Rosemary Dartnall, Steve Davenport, Mary Davies, Julian Dean, Geoff Elner, David Evans, Julia Evans, Roger Evans, Paul Gill, Rob Gittins, Nat Green, Kate Halliday, Nigel Hartin, Nick Hignett, Ruth Houghton, Richard Huffer, Kirstie Hurst-Knight, Mike Isherwood, Mark Jones, Simon Jones, Duncan Kerr, Heather Kidd, Christian Lea, Hilary Luff, Elliott Lynch, Robert Macey, David Minnery, Dan Morris, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Ian Nellins, Kevin Pardy, Vivienne Parry, Tony Parsons, John Price, Chris Schofield, Dan Thomas, Edward Towers, Kevin Turley, David Vasmer, Alex Wagner, Claire Wild, Mark Williams, Rob Wilson and Paul Wynn

### 44 Apologies for Absence

Apologies for absence were received from Councillors Andy Boddington, Julia Buckley, Simon Harris, Tracey Huffer, Nigel Lumby, Richard Marshall and Robert Tindall

### 45 Disclosable 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.

There were no declarations of interest made

### 46 Minutes

**RESOLVED:** That the Minutes of the meeting held on 7 July 2022, as circulated with the agenda papers, be approved and signed as a correct record.

Councillor Ruth Houghton commented that with reference to minute 29, she had not received the answer to the questions that she had raised.

## 47 **Announcements**

### **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 7 July 2022, which had been circulated by email.

The 2022 Birthday Honours recipients list had been circulated and the Chairman confirmed that he had written, on behalf of the Council, to all recipients to congratulate them and acknowledge their achievements.

## 48 **Public Questions**

The Chairman advised that public questions had been received from Bob Saunders and Rachel Connolly. 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, 22nd September, 2022, 10.00 am — Shropshire Council](#)

## 49 **Annual Treasury Report 2021/22**

It was proposed by the Portfolio Holder for Finance and Corporate Resources, Councillor Gwilym Butler, and seconded by Councillor Garry Burchett 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.

**RESOLVED:** That Members accept the position as set out in the report..

## 50 **Annual Assurance Report of the Audit Committee to Council 2021/22**

It was proposed by the Councillor Brian Williams, Chair – Audit Committee, and seconded by Councillor Chris Schofield 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 presenting the report Councillor Williams paid tribute to the work carried out by the Head of Audit and Risk, Ceri Pilawski who was retiring from the council at the end of September. This was echoed by all Members present.

**RESOLVED:** That the contents of the report be received and agreed.

## 51 **Alternative Budget Process**

It was proposed by the Portfolio Holder for Finance and Corporate Resources, Councillor Gwilym Butler, and seconded by Councillor Roy Aldcroft 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.

Members generally welcomed the contents of the report.

**RESOLVED:**

That Members

1. Consider the information relating to the current budget processes and approve an approach for future budget consultations (Appendix 2) and an alternative budget process (Appendices 3a and 3b).
2. Authorise the Executive Director of Resources (s151 officer) to amend the Council's existing Financial Rules in accordance with Appendix 9 to this report

**52 Modern Slavery Statement**

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

Members welcomed the report. Councillor Parry asked that a list of officers that Members could contact with their concerns be circulated.

**RESOLVED:**

1. That Shropshire Council's Modern Slavery Statement 2021/22 as set out in Appendix A is approved for publication.
2. That the Statement is signed by The Leader of the Council and the Chief Executive on behalf of the Council and the statement is published as required.

**53 Update on Cornovii Developments Contracting Arrangements**

It was proposed by the Portfolio Holder for Digital, Data and Insight, and Built Housing Councillor Rob Gittins and seconded by the Portfolio Holder for Physical Infrastructure, Councillor Dean Carroll, that the report of the Assistant Director Homes and Communities, 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 R Evans, the Portfolio Holder for Finance and Corporate Support, Councillor Butler stated that there were certain regulations that had to be adhered to when the Council was lending money to third party organisations.

**RESOLVED:**

That members:

1. Agree the position that Cornovii Developments Limited is subject to public procurement obligations, meaning that it must meet the requirements of Public Contract Regulations, when procuring, works, goods and services (noting the arrangements in place between the Council and the Company also gives rise to the potential for a 'Teckal' arrangement in the future).
2. Authorise, as required, the Executive Director of Place, in consultation with the Assistant Director of Legal and Governance; and Portfolio Holder for Digital, Data Insight and Built Housing, to determine and approve any appropriate amendments to the detailed governance or operation of Cornovii Developments Ltd identified as a result of Counsel's advice.

#### 54 **Whitchurch Swimming and Fitness Centre**

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

Members paid tribute to the amount of work the local Members, Councillors Biggins, Dakin and Mullock and past portfolio holders had put into bringing this scheme to fruition.

#### **RESOLVED:**

That Council:

- Agree the business case for the project, as set out in this paper, with a recommendation that the development of the Whitchurch Swimming and Fitness Centre be included in the capital programme with an initial budget of £13.100m and funding source assumed to be prudential borrowing from Public Works Loan Board (PWLB).
- Acknowledge the significant average annual revenue pressure of £0.509mm arising from approval of this scheme, reaching a maximum of £0.530m in 2028-29, and recommend that Council delegate resolution of this pressure to the Executive Director of Place, in consultation with the Portfolio Holder for Communities, Culture, Leisure & Tourism.
- Recommend that Council delegates authority to the Executive Director of Place, in consultation with the Portfolio Holder for Communities, Culture, Leisure & Tourism, to procure, negotiate and agree the terms of any agreements/contracts necessary for the delivery of the project including, but not limited to:
  - Agreeing the procurement strategy
  - Design Team procurement and appointment
  - Site Surveys and Investigations and relevant reports
  - Planning permissions

- Tendering activities
- Main contractor procurement and contract sign-off
- Construction
- Hand over

**55 Establishment of a Climate Change and Carbon Reduction Stakeholder Board**

It was proposed by the Portfolio Holder for Climate Change, Natural Assets & Green Economy, Councillor Ian Nellins, and seconded by Councillor Hilary Luff, 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.

Members welcomed the report and asked that as many external organisations as possible be invited to take part in the discussions.

**RESOLVED:**

That Members approve the establishment and Terms of Reference of a Climate Change and Carbon Reduction Advisory Board

**56 West Mercia Youth Justice Plan 2022 - 2023**

It was proposed by the Portfolio Holder for Children and Education, Councillor Kirstie Hurst-Knight, and seconded by Councillor Peggy Mullock, that the report of the Executive Director of People, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

Members welcomed the report and recognised the work of all the organisations involved in the plan.

**RESOLVED:**

That the Youth Justice Plan as attached at Appendix A be approved

**57 Interim Review of Polling Districts, Polling Places and Polling Stations 2022**

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 members of Council approve the following arrangements, in order for them to be implemented on or by 1 December 2022

<b>DIVISION</b>	<b>PROPOSED ARRANGEMENTS</b>

Polling District Reference: NKA Baschurch (Baschurch Ward)	Baschurch Village Hall replace Millington Close Community Rooms as the polling place for NKA Baschurch (Baschurch Ward).
Polling District Reference: SBB Shrewsbury (Bagley Ward) (part of)	Emmanuel Church replace Riversway Elim Church as the polling place for SBB Shrewsbury (Bagley Ward) (part of).
Polling District Reference: SJA Shrewsbury (Harlescott Ward) (part of)	Riversway Elim Church replace Emmanuel Church as the polling place for SJA Shrewsbury (Harlescott Ward) (part of).
Polling District Reference: SIA Shrewsbury (Cophorne Ward) (part of)	Army Reserve Centre replace Woodfield Infants School as the polling place for SIA Shrewsbury (Cophorne Ward) (part of).
Polling District Reference: SPB Shrewsbury (Porthill Ward) (part of)	Army Reserve Centre replace Woodfield Infants School as the polling place for SPB Shrewsbury (Porthill Ward) (part of).
Polling District Reference LHA Church Stretton (All Stretton Ward)	All Stretton Village Hall replace Silvester Horne Institute as the polling place for LHA Church Stretton (All Stretton Ward).

## 58 Appointment of Statutory Scrutiny Officer

The Chairman Councillor Vince Hunt advised the meeting that the council was required, under the Local Government Act 2000, to designate one of its officers to discharge the functions of statutory scrutiny officer and that officer may not be the head of the authority's paid service, the authority's monitoring officer or the authority's chief finance officer. He proposed that Tom Dodds, the Council's Scrutiny Manager, is appointed as the Statutory Scrutiny Officer with immediate effect. This was seconded by the Vice-Chairman, Councillor Brian Williams.

### **RESOLVED:**

That Tom Dodds, the Council's Scrutiny Manager, is appointed as the Statutory Scrutiny Officer with immediate effect.

## 59 Appointment to Committees

It was proposed by the Chairman Councillor Vince Hunt, and seconded by the Vice Chairman Councillor Brian Williams that the following amendments to committee membership be agreed

Communities Overview Committee

Councillor Mark Williams to replace Councillor Nigel Hartin as a member of the Communities Overview Committee.

Councillor Roy Aldcroft to be appointed as a substitute member of the Communities Overview Committee

Performance Management Scrutiny Committee

Councillor Chris Schofield to be appointed as a member of the Performance Management Scrutiny Committee

Southern Planning Committee

Councillor Richard Huffer to be appointed as a member of the Southern Planning Committee

Councillor Cecilia Motley to be appointed as a substitute member of the Southern Planning Committee

Councillor Viv Parry to be appointed as a substitute member of the Southern Planning Committee

Councillor Mark Williams to be appointed as a substitute member of the Southern Planning Committee

Councillor Paul Wynn to be appointed as a substitute member of the Southern Planning Committee

**RESOLVED**

That:

Councillor Mark Williams replaces Councillor Nigel Hartin as a member of the Communities Overview Committee.

Councillor Roy Aldcroft be appointed as a substitute member of the Communities Overview Committee

Councillor Chris Schofield be appointed as a member of the Performance Management Scrutiny Committee

Councillor Richard Huffer be appointed as a member of the Southern Planning Committee

Councillor Cecilia Motley be appointed as a substitute member of the Southern Planning Committee

Councillor Viv Parry be appointed as a substitute member of the Southern Planning Committee

Councillor Mark Williams be appointed as a substitute member of the Southern Planning Committee

Councillor Paul Wynn be appointed as a substitute member of the Southern Planning Committee

## 60 **Motions**

The following motion has been received from Councillor Rosemary Dartnall and is supported by Councillor Kate Halliday and members of the Labour Group

### Small Lots of Public Land and the Right to Grow Food

Shropshire communities face a perfect storm of escalating prices for food, for energy just as the evidence for the climate crisis is unfolding before our eyes. This motion requests the council to make available small plots of public land for community food growing.

This initiative seeks to help Shropshire neighbourhoods become more sustainable and increase resilience by making it easier for community groups to grow more food for local people on underused, or unused, public land, on plots as small as 4 – 5 m<sup>2</sup>. Even contaminated land could be used for composting or beekeeping.

Under current rules, it can be complex and costly to access such land – for example, residents can request to take on responsibility for sections of road margin but this includes provision of public liability insurance and includes the obligation for costly tree and hedge management, if any are present.

However, there are great examples of groups that have pushed on with community growing despite the challenges, such as the Street Allotment Project\* in Shrewsbury, Incredible Edible groups in Ludlow and Wem and Bridgnorth Community Garden Project, and this shows what can be achieved. The Shropshire Good Food Partnership is set up to support communities across the county to access the skills and resources they need to get started and sustain community growing activities. However, more small lots are needed to take this excellent initiative forward and get more fresh food to more Shropshire people.

The Right to Grow Food will help communities help themselves in really difficult times. Successful projects have potential for even more benefits than nourishment. Through common purpose, improved mental and physical health, reduced loneliness and isolation and more connected and supportive communities can be achieved and this comes with economic benefits far beyond helping out with shopping bills. This is linked to a national initiative on the Right to Grow Food with a proposed Community Food and Land Bill at Westminster.

This council resolves to facilitate community growing in Shropshire as follows;



- Establish and maintain a list of small lots of public land suitable for cultivation or environmental enhancement by community groups, for the medium or even short term
- Community groups, locals and volunteer groups could apply for a certificate of lawful use to cultivate the land for an agreed period without rental charge or ownership change
- The certificate of use should contain a level of standards which, if found to be breached, would be removed or transferred to another community group
- Councillors would be able to seek out land in their division available for community food gardens
- Promote the initiative via the council's website and signpost residents to access advice and land plots, as well as connecting with The Shropshire Good Food Partnership and existing community growing groups

Councillor Kate Halliday seconded the motion

By way of amendment Councillor Dean Carroll proposed

This council resolves to facilitate community growing in Shropshire as follows;

- This Council will expand the group that considers Community Asset Transfer requests to receive Expressions Of Interest from town and parish councils on behalf of their residents and/or local community groups who have identified small parcels of land suitable for food cultivation.
- If identified land is deemed to be appropriate and is supported by local people within the parish/town council area for the purpose of food production, a license to operate on the land covering insurance, risk, ground investigation surveys, tree impact assessment etc will be negotiated on a case by case basis with the town or parish council.
- Councillors would be able to seek out land in their division available for community food gardens.
- Promote the initiative via the council's website.

Councillor Dartnall indicated that she was willing to accept the amendment.

## **RESOLVED**

This council resolves to facilitate community growing in Shropshire as follows;

- This Council will expand the group that considers Community Asset Transfer requests to receive Expressions Of Interest from town and parish councils on behalf of their residents and/or local community groups who have identified small parcels of land suitable for food cultivation.
- If identified land is deemed to be appropriate and is supported by local people within the parish/town council area for the purpose of food production, a license to operate on the land covering insurance, risk, ground investigation surveys, tree impact assessment etc will be negotiated on a case by case basis with the town or parish council.

- Councillors would be able to seek out land in their division available for community food gardens.
- Promote the initiative via the council's website.

## 61 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 Ruth Houghton and answered by the Portfolio Holder for Digital, Data & Insight and Built Housing in relation to the disposal of housing stock by local housing associations. By way of supplementary question Councillor Houghton commented that a large number of the properties in the southwest of the county had poor heating systems and build type and asked would these properties be disposed of when they became vacant as had already happened. The Portfolio Holder for Digital, Data & Insight and Built Housing commented that this was a problem over the whole of the county and that the Council was currently exploring different solutions to the problem.

Received from Councillor Kevin Pardy and answered by the Portfolio Holder for Communities, Culture, Leisure & Tourism, Transport in relation to the contract between Shropshire Council and SCLG. By way of supplementary question Councillor Pardy commented that the reply infers that a change to a cabinet agreed recommendation can be made at any time and asked does the cabinet does the portfolio holder perceive such changes as democratic? The Portfolio Holder for Communities, Culture, Leisure & Tourism, Transport agreed to respond outside the meeting

Received from Councillor Heather Kidd and answered by the Portfolio Holder for Communities, Culture, Leisure & Tourism, Transport regarding cross border issues with concessionary bus passes. Councillor Kidd thanks the Portfolio Holder for taking this matter up and y way of supplementary question asked for a timeline for reporting back to Councillors on this matter. The Portfolio Holder for Communities, Culture, Leisure & Tourism, Transport commented that it would be difficult to give a timeline due to the amount of work that may be needed

Received from Councillor Dan Morris and answered by the Portfolio Holder for Physical Infrastructure regarding the North West Relief Road. By way of supplementary question Councillor Morris asked could the Portfolio Holder quantify the expected annual benefit of the North West Relief Road? The Portfolio Holder for Physical Infrastructure advised the meeting that the outline business case which was drawn up in 2017 projected an economic benefit to the county of approximately £266 million and that this would be updated when the full business case was drawn up.

Received from Councillor Rosemary Dartnall and answered by the Portfolio Holder for Physical Infrastructure regarding the North West Relief Road. Councillor Dartnall commented that several projects such as the rebuilding of the quarry swimming pool in Shrewsbury were on hold because of inflation in the construction field there were spiralling costs, as well as rising interest rates, both of which will impact on this

project and by way of supplementary question she asked . It is it right that the administration will continue to support this project no matter what, no matter how high the cost become and how small a proportion the 54.4 million contribution from the DfT becomes leaving the people of Shropshire to pick up the escalating bill. The Portfolio Holder commented that until a full review is carried out in line with the full business case the full costs would not be known and that a further request to central government for additional funding could be made if necessary.

**62 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.

**63 Exempt Minutes**

**RESOLVED:** That the Except Minutes of the meeting held on 7 July 2022, as circulated with the agenda papers, be approved and signed as a correct record.

**64 Shropshire Council Smallholding Estate**

It was proposed by the Portfolio Holder for Physical infrastructure, Councillor dean Carroll, and seconded by the Councillor Garry Burchett, that the report of the Executive Director of Place, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

That with one amendment the recommendations contained in the report be approved

Signed ..... (Chairman)

Date: .....