

**CABINET 6 September 2023
PUBLIC QUESTIONS**

Question from:	Jamie Russell	
Subject:	NWRR	
Portfolio Holder:	Dan Morris	
<p>Shropshire Council's financial strategy indicates that it currently plans to sell £19.8M of assets to fund the proposed NWRR. Could you please explain what these assets are, and what additional assets are being investigated to cover the much anticipated substantial increase in price for the project?</p> <p>The Council has a number of assets identified for disposal in its Shrewsbury Sustainable Urban Extension West, this includes a mix of proposed residential and commercial land. Whilst the proposed proceeds of sale will support the North West Relief Road the project sits within a wider capital programme which in part is funded by an overall disposal programme. The disposals programme is under constant review to maximise the potential to support the Council's approved capital projects. The disposal of assets in addition to those already identified in the Shrewsbury Sustainable Urban Extension West are not currently being actively considered to fund any potential funding gap.</p> <p>We should note however that the long term economic benefits of the NWRR are worth many times the anticipated cost of the project build cost to the economy of Shropshire.</p>		

Question from:	Emma Bullard	
Subject:	NWRR	
Portfolio Holder:	Dan Morris	Approved
<p>In a meeting between Shropshire Council, the Environment Agency and Daniel Kawczynski MP on 28 Aug 2022, Shropshire Council stated that they were confident that 'additional costs would be met by way of CiL moneys, capital return on land disposal, borrowing (that already has full council approval) and potential DfT additional funding'. Could you please say what total budget for the North West Relief Road this was based on and how much of the overspend was planned to be met by each of Cil money, land disposal, borrowing and DfT additional funding?</p> <p>Shropshire Council is making allowances in its medium term capital budget preparation for the required match funding allocation towards the North West Relief Road. The total value of this contribution and the funding mechanism and allocations supporting this will be, in line with previous statements, published as part of the Full Business Case due at the end of the 2023/4 financial year and which will then be considered by Full Council for approval.</p>		

Question from:	Fleur Macindoe	
Subject:	Right to Grown	
Portfolio Holder:	Dean Carroll	

In September 2022 Shropshire Council unanimously voted for a motion to support the Right to Grow on suitable plots of public land. This was an exciting moment for many community gardening projects such as the one my husband and I run in Shrewsbury: The Street Allotment Project. However, almost a year on, we have no news on our community-supported expression of interest to establish such a site on Rocke Street/Old Potts Way. We submitted the design with detailed information of the plan, as required, through Shrewsbury Town Council. Our local councillor has explained that our application, along with another in Oswestry, was intended to trial the system but there appears to be no progress. Disappointingly, we have completely missed this summer's growing season. We hope not to miss the opportunity of planting fruit trees this autumn. Please can you provide an update on both the Rocke Street, Shrewsbury application and the Oswestry application? How does the council propose to ensure this system is easy for members of the public to use?

Shropshire Council have indeed initiated the process to support the community growing initiative and has set up the processes which consider insurance, health and safety, and public protection together with consultation with parish and town council representatives. Site selection needs to be determined with reference to other opportunities such as biodiversity net gain and community woodlands, to ensure that from a wider corporate and county perspective the most suitable use of the asset is achieved.

The process has been developed whereby the appropriate town or parish Council will consider the requests in the first instance. In terms of the Rocke Street application Shrewsbury Town Council have been very diligent in their initial investigations. Shropshire Council received formal notification from Shrewsbury Town Council mid-August 2023 of a request for land at Rocke Street Youth Centre to be used for community growing. The Town Council has undertaken soil testing that indicates that there are high levels of petrol, diesel, lead and arsenic present on the site and suggested that any propagation should be restricted to raised beds and (uncontaminated) soil brought in from off-site. Shropshire Council has now considered this information received very recently and will respond to the group accordingly with potential options. Unfortunately this site is not straight forward but Shropshire Council will continue to support with a potential solution obviously mindful of safeguarding the safety of the public.

In terms of the application in Oswestry, there is no specific reference to the particular site in question but the one request again that has passed through Oswestry Town Council concerns a piece of land that is about to change ownership and therefore this has paused and will be picked up promptly post transfer.

Shropshire Council remains very committed in support of community growing and is looking forward to receiving more requests in the future.

Question from:	Charles Green	
Subject:	Ironbridge Gorge World Heritage Site	
Portfolio Holder:	Chris Schofield	

At the last Cabinet meeting on 19 July, Shropshire Council adopted a new Supplementary Planning Document for the Ironbridge Gorge World Heritage Site, which is now to form a material consideration in the planning application process. This means that there are now six SPDs. One of those, which was adopted over twelve years ago at the Cabinet meeting on 13 July 2011, is the Supplementary Planning Document on Sustainable Design (with its integral Sustainability Checklist), which was approved on that date, also for application as part of the development management process. The use of this SPD is enshrined within Core Strategy Policy CS6 : Sustainable Design and Development Principles, which says at paragraph 4.78 that "To mitigate climate change through sustainable construction, all proposals, including changes to the existing building stock, will be required to complete a sustainability checklist to accompany planning applications". This follows on from this Sustainable Design SPD, which states at paragraph 5.1 that "As outlined in Policy CS6, all development proposals must complete the Sustainability Checklist as a validation requirement and be in accordance with at least the minimum standards set out within it". Having declared a climate emergency in May 2019, the matter of sustainability should be to the fore in Shropshire Council's approach to development. Why then, does Shropshire Council not require all planning applications to comply with this paragraph 4.78 of policy CS6 and complete the Sustainability Checklist as a validation requirement?

The Sustainable Design SPD, which is guidance, was adopted in 2011. The checklist which was part of the document and was to be part of the submission of a planning application was quite an onerous list and does not reflect the changes in policies over the last 12 years. Whilst the document suggests it becomes part of a validation checklist, the requirements for sustainable development has now moved on. We are therefore, in the process of review the list of Supplementary Planning document which will be refreshed when the local plan is in place and this will be one of those being considered.

Question from:	Nicola Squire	
Subject:	Footbridge Farm Intensive Poultry Application	
Portfolio Holder:	Chris Schofield	

The public could not rely on officers to robustly defend the Planning Committee's refusal of the Footbridge Farm intensive poultry application on appeal (22/03021/REF). The key harms found by the Planning Inspector relating to odour and ammonia were entirely due to the expert evidence introduced by the public and pursued at the appeal hearing with legal counsel emphasising these points and noting the untested assumptions in the applicant's evidence, particularly those in AS Modelling & Data's (ASM&D) assessments. ASM&D's assessments were incorrectly given 'significant weight in the planning balance' because, according to Cabinet, officers' chosen experts (ADAS and the Council's Environmental Protection team) advised the assessments were 'fit for purpose' when, according to the Inspector, they never were. Cabinet further stated 'specialist consultees' carefully assess technical assessments within poultry applications as part of the planning

process, and will continue to look at the suitability of methodologies used in the assessments, and will take into account the Footbridge Farm appeal decision — all of which is actually no more than what officers and consultees involved should routinely be doing anyway. Therefore, what reasons have the officers involved identified as to why they repeatedly failed over 6 years to correctly assess the Footbridge Farm application; and, what improvements have they identified and/or implemented to reduce the risk of incorrectly assessing such applications again; and, what action plan do they have for retrospectively reviewing other applications where ASM&D's assessments had been given 'significant weight in the planning balance'?

In the appeal decision the inspector considered that there were deficiencies in the applicant's odour assessment and that, in his judgement, the conclusions reached in the assessment could not be relied upon. He also acknowledged that odour dispersal modelling is not an exact science and is based upon a number of variables. Notwithstanding the decision of the inspector on the appeal, it was the correct approach for the Council to give significant weight to the advice of statutory and technical consultees when considering the application.

Nevertheless the inspector's comments in the appeal decision, including those in relation to the methodology used, will be helpful in assessing any future proposals. We would reiterate that the appeal decision will be taken fully into account when future applications are being considered. Decisions on planning applications are made having regard to a multitude of competing considerations which impact on the planning balance, and there is no plan to revisit previous decisions.