



Committee and Date

Economy and Environment
Overview and Scrutiny Committee

6th September 2024

ECONOMY AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on 11 July 2024

**In the Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury,
Shropshire, SY2 6ND**

2.00 pm - 3.35 pm

Responsible Officer: Sarah Townsend Committee Officer

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Present

Councillors Joyce Barrow (Chairman), Steve Davenport (Vice Chairman), Garry Burchett, Rachel Connolly, Julian Dean, Roger Evans, Nick Hignett, Alan Mosley, Ed Potter, Rob Wilson and Roy Aldcroft (Substitute) (substitute for Paul Wynn)

4 Apologies for Absence

Apologies for absence were received from Councillor Paul Wynn. Councillor Roy Aldcroft was in attendance as his substitute.

Apologies for absence were also received from Councillor Dan Morris (Portfolio Holder for Highways) and Mark Barrow (Executive Director Place).

5 Disclosable Interests

There were no interests declared.

6 Minutes of Previous Meetings

RESOLVED:

- That the minutes of the Economy and Environment Overview and Scrutiny Committee meeting held on 23rd April 2024 be approved as a correct record.
- That the minutes of the Economy and Environment Overview and Scrutiny Committee meeting held on 9th May 2024 be approved as a correct record.

Regarding the 23rd April 2024 minutes, a member expressed disappointment in that there were a number of points which needed to be followed up arising from the meeting. These had been detailed in the minutes and replies were expected, but to date, had not been received. In responding, the Chairman acknowledged the concern and agreed that members should expect answers to outstanding action points. She requested that the member email her the outstanding points to be addressed in order that replies could be sought and emailed to committee members. It was also requested that bullet point briefing notes be circulated to committee members prior to future meetings, detailing the responses to outstanding queries that had been raised at the previous meeting.

7 Public Question Time

None were received.

8 Member Question Time

None were received.

9 Developer Contributions Task and Finish Group

The committee received the report of the Developer Contributions Task and Finish Group which was set up at the request of the committee to consider the application and impact of the Community Infrastructure Levy (CIL) and Section 106 payments in relation to new developments and the effect of these upon Health, Care and Education provision. The Chairman explained that the report and recommendations being presented were based upon findings from a number of focused meetings with expert witnesses and evidence from these and that as a result, seven emerging recommendations had been identified and are grouped under the following six headings:

- Reviewing developer contributions required by the Council.
- Raising understanding and awareness.
- Specifying the use of allocated funding.
- Maximising the impact and benefit of the Strategic Infrastructure Network.
- Ensuring developer contributions match development related need.
- Rurality.

The Assistant Director Economy and Place, the Planned Policy and Strategy Manager, the Portfolio Holder for Planning and Regulatory Services and the Portfolio Holder for Adult Social Care and Public Health were in attendance to answer questions.

In responding to questions, committee discussion and comments covered:

- Although Shropshire was an early adopter of the CIL in 2012, in terms of the charging schedule on development, this has not stayed at a static amount as the indexation has meant that the level has increased each year.
- Regarding the Council undertaking a comprehensive review of the CIL following the adoption of the Local Plan in 2025, a member commented that the review should happen now. In responding, the Assistant Director Economy and Place explained that the review was not being delayed and that it was right for it to happen once the Local Plan had been adopted, as it was important to make sure that all the sites allocated are captured. The Planned Policy and Strategy Manager commented that whilst a review of the charging schedule was probably overdue, based on the recent work that had been undertaken as part of the Local Plan process, he did not believe that the Council was currently undercharging development.

- It was commented that unlike other local authorities, the Council was missing out on an income stream by not charging CIL on commercial development. In responding, the Planned Policy and Strategy Manager explained that the purpose of developer contributions was to mitigate the impact of development and as part of commercial development, Section 106 contributions could be applied where necessary and reasonable, rather than the CIL.
- The review of the charging schedule would include consideration of the kinds of development and the type of development. There was also a need to ensure that commercial development is viable with a CIL charge on it.
- It was explained that whilst VAS signs can improve highway safety, they can also cause issues as they are not always taken notice of particularly, after several months have passed and there was also a need for them to be maintained. Whilst the team that provided these signs was small, priority was being given to those Town and Parish Councils that needed them.
- Examples were provided of parish councils who wanted to use the CIL on highway improvements but having approached the Council, their requests were refused despite residents wanting the improvements to happen and there being around £30m of CIL Local and CIL Strategic that was as yet unallocated to specific infrastructure. It was commented that the Shropshire Council was preventing Town and Parish Councils from spending their money and the amount of unallocated CIL money for specific projects was very concerning.
- The Portfolio Holder for Adult Social Care and Public Health expressed the frustration that she had encountered in the bureaucracy of trying to release the funding in CIL from the Council for small but necessary infrastructure projects within her rural division. She commented that a comprehensive review of the CIL following the adoption of the Local Plan was most welcome, as it was a scheme that should have helped everybody, as even the small parishes have infrastructure needs and discussions would be needed about how the Council can start again with CIL and whether the criteria for it could be changed.
- The urgent need for infrastructure improvements to happen as soon as developments had been completed was discussed. In responding, the Assistant Director Economy and Place commented that the review of the CIL would need to consider various options around how the money is spent. With regard to Section 106 contributions, there is an opportunity for the developers to do the actual works, rather than a contribution being required.
- Regarding infrastructure providers and specifically sewage, it was confirmed that it was for the Council to decide how it wanted to use and prioritise its CIL money through the Annual Infrastructure Funding Statement. Although sewage could be covered by CIL, it would more likely come under the coordination of capital investment programmes.
- It was noted that although Shropshire Council does have the ability to reclaim CIL if it is not spent in a certain time frame, the Council had never utilised the regulation and had no intention of doing so as it was recognised that sometimes CIL can take time to spend, whether it be sat with Shropshire Council or sat with the Parish Council. The regulation was in place as it had been made at the national level and not, by Shropshire Council.

- It was confirmed that when the review of the CIL takes place, there would be member involvement.
- In considering the recommendations of the Task and Finish Group, it was proposed that a slight amendment be made to Recommendation One with the word 'urgent' being added into both paragraphs to emphasise the need for the review of the CIL to be undertaken following the adoption of the Local Plan.

RESOLVED:

That the report of the Task and Finish Group and its recommendations, including the proposed slight amendment to Recommendation One, as detailed below, be adopted:

Reviewing developer contributions required by the Council:

Recommendation 1: In recognition that the current CIL Charging Schedule was adopted in 2012, the Council should undertake a urgent comprehensive review of the CIL following the adoption of the Local Plan in 2025.

This urgent review should address both the charging schedule (what kinds of development are subject to CIL, and how much will be charged) and further clarify the types of infrastructure where CIL funds are best utilised within the locality in which they were derived, to ensure the highest priority infrastructure is funded.

Recommendation 2: That the review of developer contributions should include looking at the relationship between CIL and Section 106 to help identify the best approach to address the needs and challenges arising from a development.

This should include a review of the phasing arrangements to shape how and when money is needed to be made available by developers to implement different interventions e.g. developing classroom capacity or a new school to meet forecasted increases in pupil numbers.

Raising understanding and awareness:

Recommendation 3: That the difference between CIL and S106, including their application, should be more clearly defined, and communicated to increase awareness and understanding, and help to manage expectations whilst improving public understanding.

That opportunities are identified through closer working between Planning Policy and Development Management as we progress towards the adoption of the Local Plan to raise the focus on and visibility of developer contributions.

Increased coverage on the Shropshire Council website should include publication of contributions, promotion of the work that has been undertaken as a result of the use of CIL and raise awareness of any work that is underway, including the planned benefits that have been realised or are expected, highlighting the value of developer contributions.

Specifying the use of allocated funding:

Recommendation 4: That the allocation of CIL or S106 funding for local health provision should clearly specify that funds should be focussed on primary care provision as this has the most direct impact from new development.

Maximising the impact and benefit of the Strategic Infrastructure Network:

Recommendation 5: That there should be greater awareness of the role and purpose of the Strategic Infrastructure Network and the constituent groups by Council officers and Members, as well as externally with partners.

Ensuring developer contributions match development related need:

Recommendation 6: That Members are encouraged to give positive consideration to proposed new guidance which will be taken to Cabinet in 2024 regarding using developer contributions for school-based infrastructure (including new school places). This will contain detail around what Shropshire Council requests in terms of developer contributions for primary and secondary school places to include SEND, active travel, and school transport.

Rurality:

Recommendation 7: That the Rurality Toolkit should be used to guide the design, planning, and delivery of services in rural areas to explore various alternatives such as collaborating with Community Trusts using digital technology, or making use of and sharing physical assets, and identifying opportunities to leverage developer contributions to facilitate this process.

10 Progress and Impact with Flags, Banners and Temporary Signs Task and Finish Group Recommendations

The committee received the report of the Network Co-ordination and Compliance Manager which provided an update on progress and next steps on implementing recommendations relating to Banners, Bunting and Illuminations, and Temporary Directional Signage. The report also included an action plan for the remaining necessary work.

The Network Co-ordination and Compliance Manager presented the report and in responding to questions, committee discussion and comments covered:

- Whilst the actions on the temporary signage recommendations had been completed, it was noted that the actions related to banners had not yet been implemented and there were several outstanding action timescales recorded for July 2024. It was also commented that the committee had considered this agenda item on several occasions since 2020 and the recommendations arising from those previous meetings were the same as the outstanding actions listed in the report. In responding, the Network Co-ordination and Compliance Manager apologised for the delay and explained that this was

partly due to officer illness and Covid. Also, priority had been given to the work on temporary signage, as it was felt that quicker progress could be made on this when compared to the work required on banners and committee members had previously indicated that this was the more urgent issue to be progressed.

- As Shrewsbury Town Council were the primary applicant for banners, discussions had taken place with them regarding how to resolve some of the issues whilst also ensuring that Shropshire Council, as designated Highway Authority, retain the powers permitting banners to be installed over and along the highway. The model set by Shrewsbury Town Council would be used as an example with regard to the possible devolvement of the banners administrative function / booking process to Town and Parish Councils.
- A member commented that their Parish Councils would welcome the opportunity for them to act as the sole licence applicant and holder for banners, bunting and illuminations and it would also mean that the decision making process would be quicker, as applications would not need to be passed onto Shropshire Council and a response awaited.
- A question was asked regarding the progress that had been made on A boards and pavement enterprise following on from a Task and Finish Group that had been held several years ago to consider this. It was requested that an update be provided on this particularly, regarding enforcement and the Chairman suggested that this be considered under the work programme agenda item.

RESOLVED:

- (a) That committee considers the progress in delivering the recommendations regarding “Banners, Bunting and Illuminations” and provides feedback on the submitted action plan.
- (b) That committee considers delivery of the recommendations relating to “temporary signage” and provides feedback on remaining actions to review and remove legacy and un-licenced / redundant signage.

11 Economy and Environment Overview and Scrutiny Committee Work Programme

The Scrutiny Manager presented the work programme and explained the different colour coding used to indicate the status of different items. Committee discussion and comments covered:

- The need for a possible additional committee meeting in early / mid September to consider the draft Waste Minimisation Strategy prior to it going to the Full Council meeting at the end of September. Members confirmed that they were happy for this additional meeting to be arranged.
- The need for the flooding and river water quality agenda item being considered at the 14th November 2024 meeting to look upstream to where rivers flow from and not, just look at Shropshire, was highlighted and the

Scrutiny Manager confirmed that this issue had been identified by the River Water Quality Task and Finish Group.

- Concern was expressed over the decision that Task and Finish Groups would not be operating in the Council this year, with the Standing Climate Change and Environment Task and Finish Group specifically mentioned and how the committee could address this in order that they could consider issues such as carbon emissions.
- The committee agreed that a climate change briefing should be held with a specific focus on the opportunities of renewable energy in the county, due to changes in government regulation and possible new funding streams. The Scrutiny Manager commented that it may be possible to have this briefing following the additional meeting on the draft Waste Minimisation Strategy.
- Disappointment was expressed that the decision of the Scrutiny Chairs to cease all Task and Finish Groups had not been communicated to the various Overview and Scrutiny Committees asking for their views and endorsement.
- Concern was expressed that reports were being considered at Cabinet meetings without Overview and Scrutiny Committees having had the opportunity to consider them in advance.
- It was commented that telegraph poles being erected for wi-fi was causing an issue as they were littering the countryside and it was questioned whether this could be put onto the work programme.
- The Scrutiny Manager agreed to re-circulate the work programme with the full name of the responsible officer against each item, rather than it just showing their initials.
- It was suggested that the work taking place both in Shrewsbury and around the gyratory system could be considered by the committee in terms of its impact on Shrewsbury's economy.
- It was confirmed that if there were issues that came out of the briefings and it was felt that a topic needed to be taken to a committee meeting to be considered in more detail, then this would be possible.
- Regarding the length of the meeting, it was noted that the flooding and river water quality item had originally been due to be considered at the meeting, but had been moved to the 14th November 2024 meeting.
- The committee agreed that, if possible, the 3rd April 2025 meeting be moved to a date in March 2025 in order to avoid the pre-election period.

12 Date/Time of Next Meeting of the Committee

It was noted that a September meeting of the Economy and Environment Overview and Scrutiny Committee would be arranged to consider the draft Waste Minimisation Strategy. Following this, the next meeting of the Economy and Environment Overview and Scrutiny Committee was scheduled to be held on Thursday, 14th November 2024 commencing at 2.00 p.m.

Signed:

(Chairman)

Date: