

**Public Questions**  
**Council 12 December 2024**

**Question from Huw Edwards**

I submit this question on behalf of a resident as an elected parish council official despite the fact that an officer of Shropshire Council states that “ whilst the interventions of local members and Town Councillors may be well intentioned, they are I’d suggest unhelpful and indeed counterproductive.” This attitude is unprofessional at best. Speaking truth to power may be uncomfortable but it is absolutely necessary.

Shropshire Council have statutory rights to enforce Section 143 notices under the Highways Act 1980. As this allows Shropshire Council to be the prosecution, judge and jury please explain the steps followed to ensure that these are only ever properly and legally applied especially as there is no right of appeal. Without strict adherence to formal process and legal standards these notices are a breach of human rights, democracy and natural justice. If such a notice was issued to a resident who is deemed to obstruct a highway citing evidences which cannot define a boundary, please explain how this can be justified under the terms of your own policy on Better Regulation and Enforcement, particularly in terms of accountability, transparency, proportionality and consistency. The resident has provided copies of the correct legal documents and qualified professional opinion which confirm the resident’s boundary is correct yet Shropshire Council refuse to accept their validity and require further legal advice on a fundamental aspect of property law which should have been reviewed prior to serving the S143 notice.

What will Shropshire Council do to resolve this issue?

**Response from Councillor Dan Morris, Portfolio Holder for Highways**

Shropshire Council has served Notice under the provisions of the Highways Act 1980 to preserve the rights of highway users to unobstructed access to the highway, as is its duty . This is a legitimate and acceptable action enshrined in statute.

So far the adjacent owners have been unable to provide original and pertinent evidence to counter the Council’s records and its opinion that the boundary fence obstructs the highway.

The Council has made numerous offers to meet on site and examine any documentation, that might exist and as it relates to actual site conditions, but to date the residents have not yet accepted this offer.

The Council’s offer to meet remains open and is one encouraged to help resolve the outstanding issues in this matter

### **Question from Julia Jones**

Hunting with dogs was banned in England and Wales nearly 20 years ago. Despite this, it is still commonplace across Shropshire and the country as a whole under the guise of 'trail' hunting. Trail hunting is now widely recognised as a cover for illegal hunting, with organisations such as Natural Resources Wales, the National Trust and Malvern Hills Trust banning it in recent years. It has been banned in Scotland and the UK Government has recognised in its manifesto the need to end it in England and Wales too. Senior police officers, such as Temporary Acting Deputy Chief Constable Matt Longman, the National Police Chiefs Council lead on fox hunting crime have also recognised the widespread misuse of trail hunting. Longman has described illegal hunting as "prolific", and trail hunting a "smokescreen". Senior police officers have also extensively discussed the weaknesses of the current law and the difficulties that presents to proper enforcement of the law. While we wait for action from the Government to strengthen the legislation, landowners, especially public landowners, hold a responsibility to ensure that their land is not being misused for illegal fox, stag and hare hunting. What is Shropshire Council doing to prevent the use of its land for illegal hunting, including trail hunting which is illegal hunting by deception?

### **Response from Councillor Dean Carroll, Portfolio Holder for Housing and Assets**

In terms of any land holdings the Council directly owns and manages, any such illegal use is already prohibited. There are no specific provisions around the prohibition of trail hunting in the tenancies for the Council's remaining small holding estate where its likely any activity like this would take place. It is not possible to unilaterally incorporate new provisions into leases unless required by law.

### **Question from Paul Cawthorne**

Many of my questions to the Council in the past about the viability of the proposed Shrewsbury North West Road proposal seem to have been treated rather dismissively without full consideration of their underlying prudence, as have the protests of hundreds of locals sceptical of the wisdom of continued spending on the controversial and insecure NWR proposal.

Now the Council's External Auditor has confirmed that the current cost of building the road is £178m, more than double the original, and that funding has not been secured. But our greatest present concern is that there seems to be no plan to deal with the road's cancellation, which seems scandalous given the lack of funding and the £ many millions that have already been spent. What has been called "the gross mismanagement" of the North West Road project could bankrupt the Council, according to an experienced local politician. Members of the public, whether they supported or opposed the Relief Road, will now be demanding some accountability,

given cutbacks to support services for vulnerable local people that have happened while spending on this road project has continued.

Therefore will the Portfolio Holder for Highways, Cllr Dan Morris, and the Chairman of the Audit Committee, Cllr Brian Williams, resign?

### **Response from Councillor Dan Morris, Portfolio Holder for Highways**

Thank you for the question, in our opinion, we do not believe that your previous questions around this project have been treated dismissively, and we do not recognise your allegations. I can confirm that neither myself nor the *Chairman of the Audit Committee* have any intention of resigning.

### **Question from Susan Wedlock**

On Boxing Day, the Ludlow Hunt is planning to meet publicly in the Town Square, Ludlow. The event is advertised locally & nationally. During the meet, the hunt will block the public-highway and public access routes. Shropshire Council has asked them to apply for a road closure. However, they have not applied, and now they may compromise public safety due to missing deadlines for closures. The Hunt occupies the Square (again without permission), and the only place the spectators can stand is in the road, as the pavements are too narrow. If the spectators block the road without a road closure, the event will be unsafe for everyone. Not everyone in the vicinity will be aware of the event or potential risks. There will be no traffic management plan, no access for emergency vehicles and no scrutiny of health and safety measures. Please confirm that Shropshire Council will apply the same standards to the Boxing Day event as they do to every other organisation who stage public events on Highway. Additionally, there is a Dog Control Order for Shropshire, with no exemption for hounds. Please also confirm that hounds will not be allowed to roam without a lead, and that any faeces left by a dog owned by the hunt, and not cleared up, will be subject to a fine, like everybody else. Can you confirm you will not permit them to meet in the town without a road closure & adequate control measures.

### **Response from Councillor Dan Morris, Portfolio Holder for Highways**

We recognise that in order to manage this event appropriately from a highway perspective, a road closure will be required. We have been liaising with the event organisers and the temporary restrictions for the Ludlow Hunt gathering on Boxing Day have been included on the "Town Police Clauses Act 1847" temporary regulation order for this year's December events. This is visible on the "One Network" mapping showing the extent and locations of restrictions.

In terms of dog control, the PSOP was introduced to provide Shropshire Council with the powers under section 59 Anti-Social Behaviour, Crime and Policing Act 2014 (The Act). The Activities to which this order relate are,

- Dog fouling and subsequent removal of dog faeces; and
- The walking of dogs in specified areas of Shropshire

This is an organised event with the use of working dogs and the organisers have advised that they will clean up after themselves, as has been the case in previous years.

### **Question from Mike Streetly**

Could the portfolio holder for transport please explain why WSP have used a different methodology for assessing the carbon impacts of the NWRR when reporting this to the LPA (for the purposes of complying with planning condition 41) compared to what the Dept for Transport has specified in its latest guidance (Feb 2024)? The method used for the reports to the LPA yields user emissions of the proposed new road that are around 80% lower than the new DfT guidance. Does this signify that the NWRR team feel that the LPA doesn't need to be told that the latest (and presumably most accurate) methodology yields much higher emissions?

### **Response from Councillor Dan Morris, Portfolio Holder for Highways**

I can clarify that on the matter of carbon reporting, the NWRR has revised its carbon assessment in line with the latest DfT guidance, and this has already been submitted to the LPA and subsequently published. The project at all times looks to use the latest and most credible methodology when assessing its impacts, and also its benefits. It is understood that this amendment to the carbon assessment will now be considered by Northern Planning Committee as part of their oversight and consideration in issuing Full Planning Permission, and the revised carbon impact assessment will be fully addressed by the project under the provisions of Condition 41.

### **Question from Jamie Russell**

In a recent interview with BBC Shropshire Cllr Dan Morris claimed that the council plans to use £136m of Local Transport Funding to pay for the funding shortfall of the North West Relief Road. When Shropshire's share of the LTF was announced in February, Cllr Ian Nellins said: 'We're awaiting details of how the funding can be spent, but first indications are that it will offer the opportunity to improve the county's roads, bus and rail services, and transport infrastructure, which is great news for the county.' At the same time, then roads minister Guy Opperman visited the village of Leebotwood in South Shropshire with Cllr Morris. The minister explained to the Shropshire Star that it would be up to the local council working alongside MPs to decide how to spend the money. He explained it could be on anything from pothole

fixing to pedestrian crossings and said it was 'not for any other part of the local authority budgeting' before explicitly adding that it couldn't be diverted into the North West Relief Road. Could Cllr Morris please explain: 1. What has changed since February that makes him think the LTF can now be used for the NWRR? 2. What the impact on the revenue budget will be if the NWRR is built using LTF money, given that the LTF award is only £20m/pa from 2025 to 2032 meaning the council would need to borrow to fund the road.

### **Response from Councillor Dan Morris, Portfolio Holder for Highways**

In response to the first part of the question:

The new Local Transport Fund (LTF) was announced by Government on 4 October 2023.

Authorities were told that the following:

"This funding is additional to the Integrated Transport Block (ITB) allocation that LTAs currently receive. The additional LTF funding has been allocated by formula, based on the population and levelling-up need of each LTA.

LTF will fund a wide range of local transport measures. Local transport authorities will be able to choose from a range of projects such as building new roads, improving road junctions and pavements, improving bus stations, installing or expanding tram lines, or improving train stations."

The Government announced the breakdown of LTF funding by local authority on 26 February 2024 and Shropshire Council's allocation was £136.443m.

The LTF funding award letter was sent to Shropshire Council dated 1 March 2024, stating in writing:

"This is a historic level of funding for these councils. The new funds can pay for the infrastructure that communities really want: from new roads to new mass transit systems, more EV charge-points or refurbished bus and train stations, to filling potholes."

In response to the second part of the question:

There is no direct impact on the Council's revenue budget. If the NWRR spending created a cashflow implication, this would be managed as part of the Council's Treasury Management processes in line with the Treasury Strategy, Capital Strategy and Medium Term Financial Strategy, all approved by Council annually.