



## Committee and Date

Council

18 December 2014

## COUNCIL

### **Minutes of the meeting held on 25 September 2014**

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

**10.00 am - 2.00 pm**

**Responsible Officer:** Karen Nixon

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## PRESENT

Councillor Malcolm Pate(Chairman) and Keith Barrow (Leader).  
Councillors David Lloyd (Speaker), Ann Hartley (Deputy Leader), Peter Adams, Nicholas Bardsley, Tim Barker, Charlotte Barnes, Joyce Barrow, Tudor Bebb, Martin Bennett, Thomas Biggins, Andy Boddington, Vernon Bushell, Gwilym Butler, John Cadwallader, Karen Calder, Dean Carroll, Lee Chapman, Steve Charmley, Anne Chebsey, Peter Cherrington, Ted Clarke, Gerald Dakin, Steve Davenport, Andrew Davies, Pauline Dee, David Evans, Roger Evans, John Everall, Hannah Fraser, Nigel Hartin, Richard Huffer, Tracey Huffer, Vince Hunt, John Hurst-Knight, Jean Jones, Simon Jones, Miles Kenny, Heather Kidd, Christian Lea, Robert Macey, Jane MacKenzie, Chris Mellings, David Minnery, Pamela Moseley, Alan Mosley, Cecilia Motley, Peggy Mullock, Mike Owen, Kevin Parry, William Parr, Vivienne Parry, Malcolm Price, David Roberts, Keith Roberts, Madge Shingleton, Jon Tandy, Robert Tindall, Dave Tremellen, Kevin Turley, David Turner, Arthur Walpole, Stuart West, Claire Wild, Brian Williams, Mansel Williams, Leslie Winwood, Tina Woodward and Paul Wynn.

## 44 APOLOGIES FOR ABSENCE

The Chief Executive reported that apologies for absence had been received from the following; Mr A Bannerman, Mr R Hughes, Mr P Nutting and Mr M Wood.

## 45 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.

## 46 MINUTES

**RESOLVED:** That the Minutes of the meeting held on 17 July 2014, as circulated with the agenda papers, be approved and signed as a correct record.

## 47 ANNOUNCEMENTS

### Chairman's Engagements

The Chairman referred Members to the list of official engagements carried out by himself and the Speaker since the last meeting of the Council on 17 July 2014, which had been circulated at the meeting.

## 48 PUBLIC QUESTIONS

### 48.1 Petitions

The Speaker advised that there were no petitions.

### 48.2 Public Questions

The Speaker announced that one public question had been received from Mr M Mulloy in accordance with Procedure Rule 15 (a copy of the report containing the detail of the question and formal response is attached to the signed minutes).

Mr Mulloy did not attend the meeting and therefore there was no supplementary question.

## 49 QUESTIONS FROM MEMBERS

The Speaker advised that eleven questions from Members had been received in accordance with Procedure Rule 15 (copies of the report containing the detailed questions and their formal responses are attached to the signed minutes, including the late response to Question 9).

- (i) Received from Mr M Kenny and answered by Mr G Butler, Portfolio Holder for Leisure, Libraries and Culture, about the sale of Fairtrade products at the Theatre Severn café/restaurant – copy attached to the signed minutes.

By way of a supplementary question Mr Kenny asked if the sale of Fairtrade products at the café could be insisted upon as well as showcasing the café for local producers.

In response the Portfolio Holder confirmed that market testing was currently being undertaken and that he would include Mr Kenny's suggestions in future negotiations.

- (ii) Received from Mr M Kenny and answered by Mr M Price, Portfolio Holder for Planning, Housing and Commissioning (Central), about fracking policy and making Shropshire 'Frack Free' as in Cheshire East – copy attached to the signed minutes.

By way of a supplementary question Mr Kenny asked if he could have an answer to the element of his question about a 'frack free Shropshire', which had not been included.

In response the Portfolio Holder said that further to attending a seminar in Preston on Fracking, which he found most informative, he was now arranging for speakers to come to Shrewsbury and provide a similar information session to which all Members would be invited.

- (iii) Received from Mr K Pardy and answered by Mr S West, Chairman of the Shropshire and Telford Fire and Rescue Authority about officers' expenses claims in the light of efficiency cuts - copy attached to the signed minutes.

Mr Pardy thanked Mr West for his informative answer and confirmed that he did not wish to ask a supplementary question.

- (iv) Received from Mr A Boddington and answered by Mr K Barrow, Leader of the Council, about the collapse of Ludlow's town walls and their repair – copy attached to the signed minutes.

By way of a supplementary question Mr Boddington asked if it would be possible to unlock negotiations by way of obtaining some grant 'in kind' and thereby access Heritage Lottery funding.

In response the Leader confirmed that negotiations were already taking place for repairs to be made to the town walls in Ludlow. He asked Mr Boddington to meet with him after the meeting to discuss the matter further.

- (v) Received from Mrs P Moseley and answered by Mr K Barrow, Leader of the Council, about the closure of Hartley's Day Centre, Shrewsbury – copy attached to the signed minutes.

By way of a supplementary question Mrs Moseley asked with hindsight, would the better course of action have been to have halted proposals to close Hartley's Day Centre when the legal challenge was first initiated, and to conduct an appropriate consultation as required by law and would Councillor Barrow acknowledge that the judgement from The Court of Appeal had harmed the reputation of the Council and its standing with the residents of Shropshire and partner organisations, and that, even at this late stage, an apology should be offered to those who have been adversely affected.

In response the Leader confirmed that it was important to focus on the future, not the past. He believed that the service was now run better and more cost effectively with better outcomes for the people of Shropshire.

- (vi) Received from Mr R Evans answered by Mr S Charmley, Portfolio Holder for Business Growth, ip&e and Commissioning (North) - detailed questions about ip&e - copy attached to the signed minutes.

By way of a supplementary question Mr Evans asked if ip&e were responsible for a two year contract for Consultants at a cost of £95,000 per annum, agreed at a meeting on 28 October 2013. Furthermore he asked for confirmation that the £500,000 loan to ip&e over 30 months (agreed at Cabinet in June 2013) had been repaid within the 30 months as stipulated.

In response the Portfolio Holder indicated that he would let Mr Evans have a written reply.

- (vii) Received from Mr R Evans and answered by Mr S Charmley, Portfolio Holder for Business Growth, ip&e and Commissioning (North) - further detailed questions about ip&e – copy attached to the signed minutes.

By way of a supplementary question Mr Evans asked if the Directors of ip&e were appointed by Cabinet and why Members could not see ip&e's accounts without going to Companies House.

In response the Portfolio Holder confirmed ip&e was the future for Shropshire Council and the people of Shropshire. It was not outsourcing, it was transferring services. Many reports had been made to Cabinet and Council about ip&e. In conclusion he asked Mr Evans to meet with him after Council to discuss the matter further.

- (viii) Received from Mr M Williams and answered by Mr S Charmley, Portfolio Holder for Business Growth, ip&e and Commissioning (North) about the redevelopment of the Riverside Centre, Shrewsbury - copy attached to the signed minutes.

By way of a supplementary question Mr Williams asked if the Portfolio Holder agreed that the Shrewsbury Bus Station was sub-standard and would he agree to it being included in any redevelopments of the Riverside shopping centre.

In response the Portfolio Holder asked Mr Williams to meet with him after the meeting to discuss the matter further.

- (ix) Received from Mrs C Barnes and answered by Mr M Price, Portfolio Holder for Planning, Housing and Commissioning (Central), about ip&e's AGM - copy attached to the signed minutes.

By way of a supplementary question Mrs Barnes requested that a special Enterprise and Growth Scrutiny Committee be held to scrutinise ip&e's first two years of operation and their trading activities, and that this meeting be held before the revised Business Plan was agreed on 15 October 2014.

In response the Portfolio Holder confirmed that he would discuss this request with the Chairman of Scrutiny and get back to Mrs Barnes.

- (x) Received from Mrs C Barnes and answered by Mr S Charmley, Portfolio Holder for Business Growth, ip&e and Commissioning (North) about land searches - copy attached to the signed minutes.

By way of a supplementary question Mrs Barnes asked if the extra resource put in place to deal with the recent backlog of land searches would remain in place to keep turnaround down to 15 days and also from where the extra staff would be pulled in to undertake this work and if there had been any knock-on effect due to this.

In response the Portfolio Holder confirmed that turnaround was now down to 10 days and asked that she speak to the officers directly if there were any future problems in this regard.

- (xi) Received from Mr A Boddington and answered by Mr M Price, Portfolio Holder for Planning, Housing and Commissioning (Central) about planning performance in the county – copy attached to the signed minutes.

By way of a supplementary question Mr Boddington asked if the Portfolio Holder was proud that there were only 14 other authorities performing slower than Shropshire Council.

In response the Portfolio Holder commented that despite going through VER and re-design recently, plus having to deal with the extra work created by SAMDEV and the 5 year land supply, which had escalated planning applications, he was pleased to confirm that major planning applications with a target of 40% were actually achieving a 95% target.

This was an area of 'work in progress' but he was confident that things would improve and asked everyone to support the Council.

## 50 REPORT OF THE PORTFOLIO HOLDER FOR HEALTH

It was proposed by Mrs K Calder, Portfolio Holder for Health, and seconded by Mr T Barker that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mrs Calder presented her report and responded to questions, queries and concerns raised by Members, including Mr M Kenny, Mrs H Fraser, Mrs C Barnes, Mrs V Parry, Mr A Mosley, Mrs C Motley, Mr R Evans and Mr D Roberts.

Mrs Calder also expressed her thanks to the Director of Public Health and the Health Team for their excellent work.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Health be received.

## 51 REPORT OF THE PORTFOLIO HOLDER FOR ADULT SERVICES

It was proposed by Mr L Chapman, Portfolio Holder for Adult Services, and seconded by Mrs M Shingleton that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Chapman presented his report and responded to questions, queries and concerns raised by Members, including Mrs M Shingleton and Mrs V Parry.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Adult Services be received.

## 52 ANNUAL REPORT OF THE HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE 2013/14

It was proposed by Mr G Dakin, and seconded by Mr S Jones that the annual report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Dakin, Chairman of the Health and Adult Social Care Scrutiny Committee introduced and amplified his report and responded to questions, queries and concerns raised by Members, including Mr M Kenny, Mrs C Barnes, Mrs P Moseley, Mr R Evans, Mr J Tandy, Mrs H Kidd, Mr J Overall and Mrs P Dee.

**RESOLVED:** That the contents of the report of the Health and Adult Social Care Scrutiny Committee be received.

## 53 REPORT OF THE PORTFOLIO HOLDER FOR CHILDREN'S SERVICE

It was proposed by Mrs A Hartley, Portfolio Holder for Children's Service, and seconded by Mr N Bardsley that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mrs Hartley presented and amplified her report and responded to the questions queries and concerns raised by members including Mrs V Parry, Mrs H Fraser, Mrs H Kidd and Mr D Roberts.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Children's Service be received and agreed.

## 54 ANNUAL REPORT 2013/14 OF THE YOUNG PEOPLE'S SCRUTINY COMMITTEE

It was proposed by Mrs J Barrow, and seconded by Mrs P Mullock that the annual report, a copy of which is attached to the signed minutes, be received and agreed.

Mrs Barrow presented her report, a copy of which is attached to the signed minutes, and responded to questions, queries and concerns raised by Members, including Mrs V Parry and Mrs H Kidd.

**RESOLVED:** That the contents of the Annual Report of the Young People's Scrutiny Committee be received.

**55 REPORT OF THE PORTFOLIO HOLDER FOR FINANCE, RESOURCES AND SUPPORT**

It was proposed by Mr M Owen, Portfolio Holder for Finance, Resources and Support, and seconded by Mr B Williams that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Owen presented and amplified his report and responded to the questions, queries and concerns raised by Members including Mrs V Parry, Mr R Evans and Dr J Jones.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Finance, Resources and Support be received.

**56 REPORT OF THE PORTFOLIO HOLDER FOR LEISURE, LIBRARIES AND CULTURE**

It was proposed by Mr G Butler, Portfolio Holder for Leisure, Libraries and Culture, and seconded by Mr L Winwood that the report, a copy of which is attached to the signed minutes, be received and agreed.

Mr Butler presented and amplified his report and responded to the questions, queries and concerns raised by Members including Mr M Kenny, Mrs V Parry, Mr K Turley, Mrs C Barnes, Mr A Mosley, Mrs T Woodward Mrs H Kidd, Dr J Jones, Mr N Hartin, Mr D Roberts, Mrs H Fraser, Mr R Evans, Mrs A Chebsey and Mrs T Huffer.

**RESOLVED:** That the contents of the report of the Portfolio Holder for Leisure, Libraries and Culture be received.

**57 FINANCIAL STRATEGY 2015/16 TO 2017/18**

It was proposed by Mr K Barrow, Leader, and seconded by Mr B Williams, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

**RESOLVED:**

- a) That it be noted that the financial implications for the Council associated with the planned University would be identified as part of a procurement exercise and

would be brought back to Council for approval before any commitment was made.

- b) That it be noted that the ip&e Business Plan would be considered by Cabinet on 15 October 2014.
- c) That the budget virement required to allow the Director of Public Health in consultation with the Portfolio Holder for Public Health and the Leader of the Council to agree a commissioning contract with ip&e Limited, following the transfer of Help2Change as agreed by Cabinet on 3 September 2014 of £2.605m be agreed.
- d) That the capital budget increases for new external funding of £2.24m in additional Highways Maintenance funding from the Department of Transport for expenditure in 2014/15, an additional £1.5m grant from BDUK for the current Broadband Project and £1.47m from the Development Trust for Supported Living Accommodation in Market Drayton be approved.
- e) That the commencement of further procurement up to the value of £11.38m as part of the national Phase 2 Broadband programme based on a grant offer from BDUK of £11.38m be agreed.

## 58 AUDITED STATEMENT OF ACCOUNTS

It was proposed by Mr B Williams, and seconded by Mr T Barker, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein, be received and agreed.

### **RESOLVED:**

- a) That the 2013/14 Statement of Accounts be approved and duly signed by the Chairman of the Council (in accordance with the requirements of the Accounts and Audit Regulations 2011).
- b) That the Head of Finance, Governance and Assurance be authorised to make any minor adjustments to the Statement of Accounts prior to the 30<sup>th</sup> September 2014.

## 59 ANNUAL TREASURY REPORT 2013/14

It was proposed by Mr K Barrow, and seconded by Mrs A Hartley, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

**RESOLVED:** That the position as set out in the report of the Head of Finance, Governance and Assurance be approved.

**60 ADOPTION OF PART II OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

It was proposed by Mr S Charmley, and seconded by Mr K Roberts, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

**RESOLVED:** That the provisions of Part II (other than section 45) of the Local Government (Miscellaneous Provisions) Act 1976 relating to hackney carriage and private hire vehicles be applied to the Council's administrative area with effect from 27 October 2014, this being a date not before the expiration of the period of one month beginning with the day the resolution is passed.

**61 UNIVERSITY CENTRE SHREWSBURY - DELIVERY OF STUDENT RESEARCH AND TEACHING SPACE**

It was proposed by Mr K Barrow, and seconded by Mrs A Hartley, that the report, a copy of which is attached to the signed minutes and the recommendations contained therein be received and agreed.

**RESOLVED:**

- a) That Council makes available the use of the following buildings namely, Guildhall, 1 A Castle Gates and Rowley's House, for initial occupation by the University of Chester from 1 January 2015, in order to develop University Centre Shrewsbury and delegates the authority to agree terms to the Chief Executive in consultation with the Leader.
- b) That authority be delegated to the Chief Executive in consultation with the Leader of the Council, to procure and deliver alteration and refurbishment of the Tannery and other buildings to accommodate staff.
- c) That authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to go out to procurement as required for student living accommodation in order to enable delivery of an appropriate number of units by September 2015.

**62 REVIEW OF POLLING DISTRICTS, POLLING STATIONS AND POLLING PLACES 2014**

It was proposed by Mr M Owen, Portfolio Holder for Resources, Finance and Support, and seconded by Mr S West 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.

Mr T Clarke indicated that, in respect of the Bayston Hill, Column and Sutton Division, Bayston Hill Methodist Church Hall was shown twice as a polling station

and he believed that one of these polling stations should read Bayston Hill Memorial Hall instead.

Mr P Adams queried the number of stations in the venue for Bowbrook Division which was shown as 2 in the report. He thought this should only read as 1. It was agreed that these queries would be checked following the meeting. Subject to the foregoing it was

**RESOLVED:**

- a) That the following changes which have been agreed with Ward Members, in order for them to be implemented on or by 1 December 2014 be approved by Council.
- b) That delegated powers be given to the Returning Officer to find a suitable alternative, in conjunction with local members, should any polling station not be available for a particular election.

DIVISION	PROPOSED CHANGES
LIF Caynham (Knowbury ward)	It is recommended that Knowbury Village Hall replace Caynham Village Hall as the polling station for LIF Caynham (Knowbury Ward).
LOC Ludlow (Corve and Whitcliffe wards)	It is recommended that delegated powers be given to the Returning Officer to agree any polling stations for LOC Ludlow (Corve and Whitcliffe Wards) in conjunction with local members.
NQC Wem Rural (Wem Ward), NQD Wem (part of the East Ward), and NQE (part of East Ward)	It is recommended that polling stations be created for : (a) NQC Wem Rural (Wem Ward) for a single polling station  (b) That NQD Wem (part of East Ward) and NQE (part of East Ward) form a single polling station
SAA Abbey and SAB Abbey	It is recommended that properties on Monkmoor Road, be moved from SAA Abbey - Robertsford Scout & Guide Hut polling station to SAB Abbey - Shropshire Wildlife Trust polling station.

SIA Copthorne and SIB Copthorne	It is recommended that a Poll Clerk position be reinstated to assist voters with accessing the parking facility at the polling station.
SMB Meole	It is recommended that a third polling station be created in Radbrook Community Centre to cover properties within SMB division, including Canonvale, Grange Road, Grangefields, Grangefields Road, Longden Road, Priory Drive, Priory Ridge and Roman Road.
SPA Porthill	It is recommended that an additional polling station be created in the Salvation Army Hall, Salters Lane, Belle Vue to cover properties within SPA division, including Londgen Road, Brewery Houses, Old Roman Road, Luciefelde Road, Red Barn Lane, Vane Road, Pengrove, Pengwern Court, and Kingsland Road.
WCP Boscobel and WCQ Donington	<p>(a) It is recommended that no changes are made, and RAF Cosford Hive continue to be used as a polling station for the forthcoming General Parliamentary Election 2015.</p> <p>(b) That RAF Cosford Hive polling station be reviewed following the completion of the identified alternative venue within the Donington area.</p>

### 63 APPOINTMENTS TO COMMITTEE

It was proposed by the Speaker, seconded by the Chairman and

**RESOLVED:** That the following appointments to Committees be confirmed:

Young Peoples Scrutiny Committee

- The appointment of Mr V Hunt as a full Member; and

- The appointment of Mr P Wynn as a substitute Member.

#### South Planning Committee

- The appointment of Mr D Turner as a full Member; and
- The appointment of Mr W Parr as a substitute Member.

## 64 MOTIONS

64.1 The following motion was proposed by Mr M Kenny and seconded by Mrs H Kidd:

“The proposed closure of the Monkmoor Walk in Health Centre is yet another blow to the vulnerable, less well-off and disadvantaged who are bearing the brunt of the austerity measures. The closure is a setback for community leaders, faith groups, local stakeholders, businesses and individuals who have put in so much time to address the social disadvantage in this area and hopes for addressing disadvantage in other areas. The proposed closure is based on economic grounds and not on health grounds. The proposal works against the best interests of Shropshire Council and Shropshire residents and does not help further progress Monkmoor Local Commissioning – Improving Futures.

Therefore Council asks Shropshire CCG:

- To review their plans to close the Walk in Health Centre so that there remains a large element of non-appointment service, extended hours service and a weekend service and
- Consider reviewing all GP provision in Shropshire so that primary care services are more accessible to the disadvantaged and
- To communicate and work more readily with Shropshire Council members, community leaders, other stakeholders and Shropshire residents.”

After debate and on being put to the vote, the motion was lost with a large majority of members voting against.

64.2 The following motion, as amended prior to the meeting, was proposed by Dr J Jones and seconded by Mrs P Moseley:

“While many ordinary people face falling household incomes and rising costs of living, some multinational companies are avoiding billions of pounds of tax from a system that fails to make them pay their fair share. Governments around the world would benefit from a fairer tax system which ensures that multinational companies meet their obligations, thereby enabling the authorities such as Shropshire, to provide quality public services for their people. We call upon the UK government to listen to the strength of public feeling and act to end the injustice of tax dodging by large multinational companies in developing countries and the UK.”

Mr M Bennett proposed an amendment which was seconded by Mr S West, to amend the motion to read as follows:

“While many ordinary Shropshire people face falling household incomes and rising costs of living, due to the complexities of national and international taxation systems, and the efforts Government make to use the tax system to influence both the location for multinational companies and their investment decisions, clarity on tax matters has been lost.

This Council calls upon all political parties to commit to creating a simpler taxation system, which eliminates the complexity of multiple schedules of allowances, and also reduces the rates of tax, to create a comprehensible system using tax rebates which would not be commensurate with complex schemes to reduce liability. Thus the taxation of multinationals would be fair and transparent.

We also call upon Government to reduce and eliminate waste and inefficiency similar to the efforts of local government, so as to maximise funding that would be available for public services, following the disastrous management of the economy by the last labour government.”

On being put to the vote the amendment was carried with a large majority of members voting in favour.

On being put to the vote, the substantive motion was carried with a large majority of Members voting in favour.

64.3 The following motion was proposed by Mr K Barrow and seconded by Mrs H Kidd:

“The poor quality of the EE signal has been a problem across the county for some time and the people of Shropshire deserve a better service.

People from across the whole of the county have been contacting me in support of my letter to Olaf Swantee, chief executive of EE, to express my frustration of hundreds of other Shropshire residents who just want to be able to use their mobile phone.

Mobile phones are now a vital and important part of everyday life for people, especially those in rural areas, who need their phones for business, to contact family and friends, to browse the internet, and more.

It’s therefore hugely important for local people and the local economy that people are able to use their mobiles whenever they want and need to.

I propose that:

- i. The council organises a petition demanding an improved service.
- ii. The council delivers it together with our local MP’s to the Secretary of State for Culture, Media and Sport, Sajid Javid.
- iii. We work with the Shropshire Star to facilitate the online petition.

After debate and on being put to the vote, the motion was carried with a large majority of members voting in favour.

**65 REPORT OF THE SHROPSHIRE AND WREKIN FIRE AND RESCUE AUTHORITY**

It was proposed by Mr S West and seconded by Mr J Hurst-Knight 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.

In presenting the report, Mr West highlighted a typing error at the end of the first paragraph which stated 'Annual Meeting in July 2014' which should have read 'Annual Meeting in July 2015', which was noted.

**RESOLVED:** That subject to the foregoing, the Annual report of the Shropshire and Wrekin Fire and Rescue Authority held on 9 July 2014 be noted.

Signed ..... (Chairman)

Date: .....