

BOROUGH OF TELFORD & WREKIN

Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 11 December 2008 at 6.30 pm, at the Civic Offices, Telford.

PRESENT:

Councillors I.T.W. Fletcher (Speaker), D.G. Allen, G. Ashcroft, D.W.D. Ashley (Deputy Speaker – in the Chair for Item 1), R.K. Austin, R. Aveley, S. Bentley, S.P. Burrell, E.J. Carter, R.G. Chaplin, G.J.L. Davies, J.A. Dixon, N.A. Dugmore, A.J. Eade (Leader), V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, R.E. Groom (Mayor), P.A.E. Homer, M.B. Hosken, G.P. Hossell, S.M. Kelly, R.T. Kiernan, A. Lawrence, L. Lomax, A.A. Mackenzie, C.N. Mason, A.D. McClements, A.A. Meredith, J.C. Minor, C.P.R. Mollett, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, U.E. Sambrook, J.M. Seymour, C.F. Smith, A.J. Stanton, E.M. Swift, W.L. Tomlinson, V. Tonks, D.R.W. White, A.G.P. Williams and H.J. Williams

46. ELECTION OF SPEAKER

The Deputy Speaker called for nominations for the position of Speaker. Three Councillors were proposed and seconded:

Councillor D.G. Allen
Councillor H. Rhodes
Councillor I.T.W. Fletcher

In accordance with the Council Procedure Rules set out in the Constitution, voting was by show of hands. Councillor D.G. Allen was eliminated on the first vote and, following a second vote Councillor I.T.W. Fletcher was elected as Speaker for the remainder of the municipal year 2008-09.

RESOLVED – that Councillor I.T.W. Fletcher be elected as Speaker for the remainder of the municipal year 2008-09.

47. PRAYERS

The Reverend Marilyn Peters, Team Rector for Central Telford, said prayers.

48. MINUTES OF THE COUNCIL

RESOLVED – that the minutes of the meeting of the Borough Council held on 25 September, 2008 be confirmed and signed by the Speaker.

49. APOLOGIES FOR ABSENCE

Councillors K.T. Blundell, E.A. Clare, Y.C. Hicks, T.J. Hope, M.J. Smith, K.L. Tomlinson, R.M. Tyler and D.G. Wright

50. DECLARATIONS OF INTEREST

Councillor L. Lomax declared a personal interest in agenda item 15 b

51. ANNOUNCEMENTS

(a) Mayoral Engagements

The Mayor, Councillor R.E. Groom, presented the Mayoral Engagements report. He highlighted his visit to Newport Rotary Club's 50th Charter Dinner and informed Members that the organisation had raised over £500,000 since its inception. He also made reference to the Helping Hand organisation which, unfortunately, due to a lack of volunteers and funding, would be disbanded in March 2009. Members noted the engagements undertaken by the Mayor or the Deputy Mayor between 22 September and 2 December, 2008.

(b) Awards/Achievements

The Mayor paid tribute to Telford Olympians Ricky Balshaw and Mickey Bushell and presented certificates honouring their achievements, which Members acknowledging by standing in tribute.

The Mayor presented Bob Hesketh, Senior Architectural Designer and Mark Young, Quantity Surveyor with the 'highly commended' award in the Civic Building of the Year Award from the Society of Chief Architects for Local Authorities for their work on the Shortwood School in Wellington.

52. NOTICE OF MOTION

Councillor C.F. Smith proposed, seconded by Councillor R.K. Austin, that agenda item 12(b), the Motion relating to the Health Review, be moved up the agenda. In accordance with paragraph 2.2(ii) of the Council Procedure Rules, the Speaker gave his approval.

Councillor A.J. Eade, in accordance with Council Procedure Rule 12, moved the following Motion:

"Telford & Wrekin Council notes the recent Health Review and is committed to working with its partners and the public to ensure that the provision of hospital and other health services in Telford & Wrekin meet the current and future needs of the communities of the Borough and east Shropshire, as well as being of the highest clinical quality."

The motion was seconded by Councillor R.K. Austin.

Councillor J.M. Seymour said it was vital that the Review was for the longer term, as there was no guarantee that an interim solution would not become a long term solution. Recent economic uncertainty meant that nothing could be taken for granted. The Review needed to look to the future and reflect the clinical and community needs of Telford & Wrekin, east Shropshire and some northern parts of the county.

Councillor S.P. Burrell said that the population gap was set to grow as the Borough's population was both younger and growing faster than that of Shropshire. He pointed to the higher rates of deprivation of children in the Borough when compared with that of Shropshire and said in-patient paediatric services and neo-natal services should be located in the area of most deprivation.

Councillor G.M. Green pointed out that there was a larger catchment population within a twenty minute drive of the Princess Royal Hospital site than elsewhere in the area. 62% of Shropshire residents lived within a forty minute drive of the Princess Royal Hospital, compared with 44% living within a forty minute drive of the Royal Shrewsbury Hospital. She expressed her concerns that moving services away from the Princess Royal Hospital would both threaten its long term viability, and have a detrimental impact on people from the most deprived Wards in the Borough who, without cars would face a long and complicated journey to the Royal Shrewsbury Hospital by public transport. The alternative was an expensive taxi journey.

Councillor W.L. Tomlinson said that the Review should be careful not to undermine the future viability of acute services. He felt that reducing services or putting them on the wrong site would undermine the Shrewsbury & Telford Hospitals NHS Trust and pointed out that the relocation of services away from Telford would have an adverse effect on income, which could potentially undermine the viability of both hospitals.

Councillor D.R.W. White undertook that when the proposals were subject to public consultation a rigorous scrutiny process would be undertaken by the Joint Health Scrutiny Committee.

Councillor R.K. Austin warned that decisions made in the coming months needed to be the right ones. He informed Members that the Borough's population was projected to reach 200,000 by 2026, a level of growth which amounted to 17% compared with 7% growth in Shropshire. In addition, 26,500 new homes were planned for the Borough by 2026 which was proportionately more than that for Shropshire.

Councillor A.J. Eade said that it was vital that key services remained accessible for people within the Borough but also for the many communities around Albrighton, Bridgnorth, Broseley, Shifnal and Market Drayton. He stressed that the Council was fully supportive of the Princess Royal Hospital and would seek to ensure that the Review maintained its levels of service. The goal was to obtain enhanced health care provision for the Borough and the Council would not allow key services to be taken away. Based on the information currently available, Councillor Eade said that the Council's preference was for Option 2. He emphasised that this was not a fight between Telford & Wrekin and Shropshire but about ensuring that services met the needs of these different communities.

RESOLVED - that the motion be agreed

53. CHANGES TO CABINET MEMBERSHIP

The Leader presented the report of the Head of Audit & Democracy. On the 28th October, 2008 the Leader of the Council had revised the composition of his Cabinet and had replaced Councillor Denis Allen as Cabinet Member for Community Services by Councillor Stephen Bentley, who had previously been the Cabinet Member for Environment. The Leader had appointed Councillor Miles Hosken as interim Cabinet Member for Environment and, in accordance with the Council's Constitution, this interim appointment required ratification by Council.

RESOLVED –

- a) **That Council ratified Councillor M.B. Hosken's interim appointment as the Cabinet Member for Environment**
- b) **That Council noted Councillor S. Bentley's change of Portfolio responsibilities to Cabinet Member for Community Services.**

54. REPORTS OF LEADER AND CABINET

(a) Report of Leader

Councillor A.J. Eade referred to the global economic downturn, pointing out that the Borough would not be immune from its effects. He forecast a tough year ahead and felt that early 2009 would reveal the full scope of the issues facing the Council. The local community would look to the Council and its Members to provide a lead in the difficult times ahead and confirmed that plans to reduce the level of Council Tax increases remained on target and that the policy of using financial balances to sustain Council budgets would be reduced. Both of these policies would be beneficial to the Council Tax payers of the Borough.

The Leader went on to discuss the role of the Council in helping people and businesses in the Borough during the financial downturn and appealed for the broad support of the Council on current projects. He referred to the government's Mortgage Support Scheme and said that the Council was keen to look at all measures that would stimulate the local housing market and, to this end confirmed that he would be meeting with the Homes and Community Agency in the near future. The Leader discussed a number of projects offering assistance with retraining, assisting the homeless and affordable warmth. In summary, he asked that political differences be put aside in order to ensure that the Council was able to deliver on these initiatives and concluded by telling Members that the community expected extraordinary action from this Council.

Report of Cabinet

The report of the Cabinet, setting out the matters determined between 29 September and 24 November, 2008 was received. Individual Cabinet Members reported on some of the key areas of work being undertaken by their Portfolios. These included the Borough Towns Grant Scheme, the post-16 provision for Campus Telford, the Scrutiny Review of Traffic Management in Conservation Areas, and the free swimming initiative.

RESOLVED – that the Cabinet report be noted.

55. WATER LANE PLANNING STATEMENT

Councillor M.B. Hosken, Cabinet Member: Environment presented the report of the Head of Planning & Environment which set out the Council's support for development and regeneration in Water Lane, Newport together with a description of some of the key planning and design policies and principles.

Councillor C.F. Smith expressed concern that the development was both close to a conservation area, which might lead to conflict with the developers, that the development area might be widened. Councillor M.B. Hosken thanked Councillor Smith for making a relevant point and agreed to keep him informed of developments. Councillor E.J. Carter, Cabinet Member for Regeneration, pointed out that the document was a Design Statement and that detailed plans would be submitted later. Councillor A.J. Stanton was supportive of developments that were of value and did not detract from the town of Newport and Councillor A.A. Mackenzie hoped that future plans would include social housing, as that was important for all areas of the Borough.

RESOLVED - That Council approved and adopted the Water Lane Planning Statement, attached as Appendix A of the report, for use in assessing planning applications which came forward in the Water Lane area and to encourage regeneration in Newport.

56. RECOMMENDATIONS FROM BOARDS, COMMITTEES AND COMMISSIONS

- a) Councillor M.B. Hosken presented the minutes of the meeting of the Council Constitution Committee held on 29th September, 2008, which contained a number of recommendations to Council.

Councillor W.L. Tomlinson asked that, in future, Council be notified of the names of Cabinet Assistants and their exact roles and Councillor U.E Sambrook asked that Cabinet Members notified all Members of the names and roles of Cabinet Assistants. The Cabinet Members agreed to provide the names and roles of Cabinet Assistants to all Members.

Councillor C.F. Smith, referring to recommendation (b), asked that any administrative amendments made under the Monitoring Officer's delegated authority be brought to the attention of Council as soon as practicable. He further requested, in reference to recommendation (e),

that a paper copy of the Constitution also be provided to all Members on request.

RESOLVED – that

- (a) the minor administrative amendments made to the Constitution as set out in Appendix A of the report be approved;
- (b) the granting of delegated authority to the Monitoring Officer, following consultation with the Speaker, to make future minor administrative amendments as necessary to update the Constitution be approved;
- (c) the amendments to Article 7 of the Constitution necessary to formalise the position of Cabinet Assistants, as set out in section 5 of the report be approved;
- (d) the addition of paragraph 7.09 to Article 7, as set out in the report, as follows be approved:

‘The number of Cabinet Assistants so appointed shall not exceed the number of Cabinet Members at any one time’;

- (e) the amendments to Article 16 – Suspension, Interpretation and Publication of the Constitution – as set out in section 6 of the report be approved;
 - (f) the amendments to the Access to Information Procedure Rules (Part 4, Section 2 of the Constitution) as set out in section 7 of the report be approved;
 - (g) the amendments to the Council Procedure Rules (Part 4, Section 1 of the Constitution) relating to Assembly Sessions as set out in paragraph 8.1 of the report be approved;
 - (h) the amendments to the Council Procedure Rules (Part 4, Section 1, paragraph 17 of the Constitution) required to allow for the introduction of electronic voting and the deletion of ballots as set out in paragraph 8.2 of the report, be approved.
- b) Councillor M.B. Hosken presented the minutes of the meeting of the Council Constitution Committee held on 10th November, 2008, which contained a number of recommendations to Council.

RESOLVED – that

- (a) the proposed changes to the Overview & Scrutiny Procedure Rules within the Constitution as summarised in the report and detailed in Appendices A and B be adopted;

(b) the proposed changes to the Policy Framework and Budget Procedure Rules within the Constitution, as summarised in the report and detailed in Appendix A be adopted.

c) Councillor A.J. Stanton, Vice-Chairman of the Standards Committee presented the minutes of the meeting held on 9 October, 2008, which contained a recommendation to Council.

RESOLVED – that the updated Corporate Anti-Fraud and Corruption Policy be adopted.

57. APPOINTMENT OF MEMBERS TO SCRUTINY LEADERSHIP BOARD

The Speaker presented the report of the Head of Audit & Democracy which requested that Council appointed the members of the Scrutiny Leadership Board as from 1 January 2009. A list of nominations for the six seats was tabled at the meeting and approval was sought for the following five Members to be appointed until 9 May 2011:

Councillor R. Aveley
Councillor J.A. Francis
Councillor A.A. Meredith
Councillor D.R.W. White
Councillor A.A. Mackenzie

The sixth seat was (in accordance with current political balance) subject to rotation between TAWPA and the Liberal Democrat and Independent Groups.

The Speaker explained that the Leaders of the following three Groups had agreed these arrangements for rotating the seat between 1 January 2009 and 9 May 2011.

Helen Williams (TAWPA)	1 January 2009 to 13 October 2009
Gill Green (Independent)	14 October 2009 to 26 July 2010
Karen Tomlinson (Liberal Democrat)	27 July 2010 to 9 May 2011 (i.e. 4 days after election day)

The Speaker informed Members that the new Overview & Scrutiny Procedure Rules stated that members of the Leadership Board would be appointed for a two year period. However, as the Board was being established part way through the municipal year, it was proposed that the appointments would run until 9 May 2011. From May 2011 appointments would then revert to a two year period. In the event of the political balance of the Council being changed, the allocation of seats would be re-calculated. The Chairman of the Scrutiny Leadership Board would be an Opposition Group member and would be appointed for two years. This initial appointment would run until 9 May 2011.

RESOLVED – that

- (a) **the Members, as set out in the report, be appointed to the Scrutiny Leadership Board for the period 1 January, 2009 to 9 May, 2011;**
- (b) **That the term of membership for TAWPA, the Liberal Democrat Group and the Independent Group be as set out in paragraph 3.5 of the report;**
- (c) **it be noted that the Scrutiny Management Board and the four Scrutiny Commissions would cease to exist after 31 December 2008.**

58. MINUTES OF BOARDS, COMMITTEES AND COMMISSIONS

The Council received for noting the minutes of Scrutiny Commission 1 on 3 November 2008, Scrutiny Commission 2 on 4 November 2008, Scrutiny Commission 3 on 7 October and 5 November 2008, Scrutiny Commission 4 on 7 October and 6 November 2008, Scrutiny Management Board on 2 and 21 October 2008, Audit Committee on 16 September and 30 October 2008, Standards Committee on 9 October 2008, Plans Board on 3 and 24 September and 8 and 29 October 2008 and Licensing Committee on 22 September and 21 October 2008.

59. QUESTIONS

The following Questions were asked in accordance with Council Procedure Rule 11:

- (a) **Councillor C.F. Smith asked:**

“Following the recent television news announcement that this Council is to install speed cameras will the Cabinet Member for Roads make a statement to Council as to which road is to have the cameras and where they will be sited?”

Councillor M.B. Hosken, Cabinet Member: Environment, gave the following response:

“The question is in fact incorrect as no such decision has been made and no such policy has been announced. I am, however, concerned about the number of injury accidents on the A442 as a whole making it a priority location for us to seek further solutions and improvements.

Average speed cameras may be one such option for us to assess so that we can identify what measures offer the best solution in terms of their potential to reduce accidents and provide good value for money.

It is unfortunate that the media coverage by the BBC chose to focus on the possible introduction of average speed cameras, as they came to the borough to talk to us about our wider work in road safety following recent statistics published by the Department for Transport which demonstrates that we are one of the top performing authorities for reducing fatal and serious injuries across the borough's road network.

For information, the number of fatal and serious injury accidents has reduced from an average of 8 per year before the safety measures on the A442 were introduced, over the last two years the average number of fatal and serious injuries has been 4 per year – over the same time the number of slight injuries has reduced from 119 to 57. It is however only right that we should investigate what options we have available to us to further reduce injury accidents on the A442.

However, I would stress that no firm decision has been taken about average speed cameras. “

- (b) **Councillor C.F. Smith asked:** “Can the Cabinet Member for the Environment inform Council what facilities exist for the collection and recycling of small dry batteries of the sort that are used in clocks, radios and children's toys?”

Councillor M.B. Hosken, Cabinet Member: Environment, gave the following response:

“We currently collect household (dry) batteries at all of the Community Recycling Centres. The batteries collected are taken for recycling and the chemical components, as well as the metal containment elements, are recovered. Where possible we would encourage residents to collect such batteries until they are taking a load of other waste to the Community Recycling Centre rather than make a special trip with just a few batteries.

We are aware that batteries do enter the residual waste stream. However, their effect is diluted throughout the waste mass currently being landfilled. The chemicals leaking out of the batteries in landfill are a component of the leachate produced but this is collected for treatment and is, therefore, not released to the local environment.

The Council has reviewed the potential to collect household batteries as part of the kerbside collection service. However, the nature of batteries means they would have to be treated as hazardous waste with significant implications for the collection vehicles, the reception points and the management of the service. The Council will continue to review its recycling services to ensure they remain efficient and effective.”

In accordance with Council Procedure Rule 11.3(e) Councillor C.F. Smith responded as follows:

“Are there any plans to increase the number of collection points and do these plans include provision for dealing with energy efficient light bulbs?”

Councillor M.B. Hosken agreed to provide a written response to this question.

(c) **Councillor A.D. McClements asked:**

“As part of this Council’s commitment to the regeneration of the Borough Centres, could the Cabinet Member for Regeneration give an assurance that Telford & Wrekin Council, together with continued funding from Wellington Town Council, provide the full financial support for the replacement of a Town Manager for Wellington?”

This role and support is now ever more urgent due to the recent news that Wellington has suffered three more shop closures in the past week.”

Councillor E.J. Carter, Cabinet Member: Regeneration, gave the following response:

“The Wellington Regeneration Support post was originally funded mainly by Advantage West Midlands monies through their Market Towns Initiative, which are due to expire in April 2009.

Wellington Partnership decided that they needed this role to continue and also to develop to handle all the promotional activities in Wellington and to put together a funding package in consultation with Wellington Town Council. As part of this initiative the Wellington Partnership approached the Borough Council to ascertain if the Borough Towns Grant Scheme could be used to part-fund this post. This was carefully examined by the Council and the Partnership was advised that using Borough Towns Grant Scheme for revenue purposes was not allowed under our Financial Regulations.

However, the Regeneration Partnership has subsequently developed a revised proposal that enables the funding of the post to be found from other sources with the Borough Towns Grant Scheme to support supplementary capital projects in Wellington. This proposal is currently being considered in principle with the aim of enabling both the appointment of a Town Manager and the regeneration projects to proceed.”

In accordance with Council Procedure Rule 11.3(e) Councillor McClements responded by asking when the project would start and Councillor Carter responded that discussions were currently taking place and that he expected the project to begin in the near future.

(d) **Councillor U.E. Sambrook asked:**

“Can the Cabinet Member for Community Services please clarify the position regarding the commitment made to STROWP in November 2007 to fund £47,460 over 5 years to facilitate a total potential investment coming in to the Borough of £474,600?”

Councillor S Bentley, Cabinet Member: Community Services gave the following response:

“I would like to meet with S.T.R.O.W.P. to discuss the matter and would like to help if this can be achieved within the budgetary process.”

In accordance with Council Procedure Rule 11.3(e) Councillor Sambrook responded that the bid for funding might fail if funding was not available. Councillor Bentley replied that he could not, as an individual Cabinet Member, approve funding as this would need to be considered as part of the budgetary process.

60. NOTICE OF MOTION

Councillor D.J. Allen moved, in accordance with Council Procedure Rule 12, the following Motion:

“Gurkhas have played an active front line part in the British Army’s activities in times of war and peace for nearly 200 years, serving and fighting alongside citizens of this Borough in the service of Britain. In this period approximately 300,000 Gurkhas have fought alongside British soldiers, with 45,000 of them being either killed or wounded.

The Government announced in September 2004 a change in immigration rules that allowed Gurkhas who had served in the British Army to settle in Britain with their families.

This Council notes with concern, however, that this offer has only been extended to cover those Gurkhas who had served at least four years and been discharged after 1st July 1997.

Given the exceptional service that they have given to Britain, this Council is asked to support Gurkhas and their families being given fast track eligibility for either the right to remain or citizenship.

This Council, therefore:

- (i) Urges Telford & Wrekin Members of Parliament to support Early Day Motions that seek to extend Gurkhas rights;
- (ii) Agrees to write to the Prime Minister demanding that all retired Gurkhas who fought in the British Army get the right to citizenship as well as a fair deal on pensions.

The Motion was seconded by Councillor V.A. Fletcher who spoke of her dismay at the treatment of the Gurkhas. She felt that the Government should provide all UK service personnel and their families with proper care. Councillor R.K. Austin pointed out that the Member of Parliament for Telford had signed an Early Day Motion in the House of Commons supporting the legal right of all Gurkhas to stay in the UK.

RESOLVED – that the motion be agreed

The meeting ended at 9.03 p.m.

Speaker: _____

Date: _____