

## **BOROUGH OF TELFORD & WREKIN**

### **Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 26 November, 2009 at 6.30 p.m. at the Civic Offices, Telford.**

#### **PRESENT:**

Councillors I.T.W. Fletcher (Speaker), G. Ashcroft, R.K. Austin, R. Aveley, S. Bentley, K.T. Blundell (Mayor), S.P. Burrell, E.J. Carter, R.G. Chaplin, E.A. Clare, 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, Y.C. Hicks, P.A.E. Homer, T.J. Hope, 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, C.P.R. Mollett, R.A. Overton, K.S. Sahota, 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, H.J. Williams and D.G. Wright

#### **52. PRAYERS**

Prayers were said by the Reverend Keith Osmund-Smith, Vicar of Madeley Baptist Church who led Members in prayer in memory of former Councillor Pauline Picken who had sadly passed away recently. A prayer was also dedicated to Councillor Ute Sambrook who was currently on leave of absence from Council duties.

Group Leaders and Members then paid warm tribute to the outstanding personal qualities and abilities of Councillor Picken.

#### **53. MINUTES OF THE COUNCIL**

**RESOLVED** – that the minutes of the meeting of the Borough Council held on 30 September, 2009 and the Extraordinary Council meeting of 29<sup>th</sup> October 2009 be confirmed and signed by the Speaker.

#### **54. APOLOGIES FOR ABSENCE**

Councillors D.G. Allen, D.W.D. Ashley, J.C. Minor, F.R. Picken, H. Rhodes, M.J. Smith, K.L. Tomlinson, R.M. Tyler and U.E. Sambrook.

#### **55. DECLARATIONS OF INTEREST**

Councillor L. Lomax declared a personal and prejudicial interest in agenda item 17 – the motion on Telford & Wrekin Primary Care Trust.

Councillors M.B. Hosken, I.T.W. Fletcher, V.A. Fletcher, R.E. Groom, J.A. Dixon, H.J. Williams, A.G.P. Williams, K.S. Sahota and N.A. Dugmore declared a personal and prejudicial interest in agenda item 10, the Recommendation from Cabinet (2009/10 Financial Monitoring report).

Councillor S. Bentley declared a personal and prejudicial interest in agenda item 11, the Review of Gambling Act 2005 - Statement of Licensing Principles.

## **56. ANNOUNCEMENTS**

### **(a) Mayoral Engagements**

The Mayor briefly updated Members on her recent attendance at the Telford & Wrekin Council Garden & Allotment Presentations, the Telford Ice Rink 25<sup>th</sup> anniversary celebrations and the Donnington Bonfire and Fireworks display. Members noted the engagements undertaken by the Mayor or the Deputy Mayor between 23<sup>rd</sup> September, 2009 and 14<sup>th</sup> November, 2009.

### **(b) Awards**

The Mayor presented the West Midlands Member Development Charter (Primary Level) to the Speaker who accepted the award together with Emma Price, Senior Member Services Officer. The Charter set out a standard for a comprehensive approach to Member development. The Speaker paid tribute to the work of the Member Development Steering Committee and the Member Services Officer who had worked extremely hard to prepare for the assessment process which had successfully taken place in October.

## **57. SUSPENSION OF COUNCIL PROCEDURE RULES**

A motion without notice from Councillor M.B. Hosken had been tabled for debate further down the agenda. The Speaker referred Members to the motion and notified them that Council Procedure Rules 11.1 and 11.3 would need to be suspended in order to allow discussion of this item. A motion was proposed, seconded and agreed unanimously that Council Procedure Rules be suspended, for this item only, in order to allow debate of the motion after completion of the agenda.

**RESOLVED – that Council Procedure Rules 11.1 and 11.3 be suspended for debate of the motion without notice (as tabled) from Councillor Hosken which would be debated after completion of the agenda.**

## **58. COUNCILLOR UTE SAMBROOK – FURTHER SIX MONTH LEAVE OF ABSENCE**

Councillor R.K. Austin moved that a further leave of absence for Councillor U.T. Sambrook who was receiving treatment for a serious illness. He told Members that Councillor Sambrook was in good spirits and sent her regards to fellow Members. The motion was seconded and Members voted unanimously in favour of the recommendation.

**RESOLVED –that in accordance with section 85 (1) of the Local Government Act 1972, Councillor U.E. Sambrook be granted leave of**

**absence from her Council duties for a period of six months effective from 26 November 2009.**

**59. REPORT OF LEADER**

The Leader reported the success of the campaign to prevent the immediate downgrading of hospital services at the Princess Royal Hospital. He asked Members to remain vigilant as this was a victory in a longer battle to protect hospital services in the Borough. He told Members that he intended to set up a Health Services Committee in order to co-ordinate the Council's response to any consultation exercises. In response to a question the Leader confirmed that the Committee would be politically balanced. The Committee would call upon expertise from within and from outside of the Council. Clinicians, surgeons and Community Health professionals would help the Committee complement and not duplicate the work of the Joint Health Scrutiny Committee. A report outlining the Committee's terms of reference would be going to Council Constitution Committee in December and would come back to Full Council in January for approval. The Leader had submitted an amendment to Councillor A.G.P. Williams' motion on the Telford & Wrekin Primary Care Trust which, if approved, would allow work to begin on the establishment of the committee.

**60. CABINET DECISIONS MADE SINCE THE LAST MEETING OF THE COUNCIL**

Members received the report on the Cabinet decisions made since the last meeting of the Council on 30 September, 2009.

**61. ELECTION OF SPEAKER**

The Speaker, having declared an interest in the following item, told Members that he would vacate the Chair until the item had been concluded. The Deputy Speaker had previously provided his apologies for the meeting; Councillor E. J. Carter was proposed and duly elected as Speaker for the agenda item on Recommendations from Cabinet.

**61. RECOMMENDATIONS FROM CABINET**

(i) 27 October, 2009 – 2009/10 Financial Monitoring

Councillor A. Lawrence presented the report, Marked Appendix D, of the Head of Finance & Audit. Councillor Lawrence told Members that the report, received by Cabinet in October, showed overall revenue spending projected within approved budgets, the report also provided an update on capital programme spending. In addition, the report highlighted a number of virements, new capital allocations and slippage which required formal approval by Council

**RESOLVED - that approval be given for the new capital allocations and slippage and the revenue and capital virements detailed in paragraph 5.1 of the attached report.**

**62. REVIEW OF STATEMENT OF LICENSING POLICY – LICENSING ACT 2003**

Councillor V.A. Fletcher, Chairman of Licensing Committee, presented the report (Appendix E) of the Business Manager – Public Protection, Adult & Community Well Being. The report presented, for information, a revised Statement of Licensing Policy for the Borough of Telford & Wrekin under the Licensing Act 2003.

**RESOLVED – that the Revised Statement of Licensing Policy for the Borough of Telford & Wrekin, under the Licensing Act 2003 be approved.**

**63. REVIEW OF GAMBLING ACT 2005 – STATEMENT OF LICENSING PRINCIPLES**

Councillor V.A. Fletcher, Chairman of Licensing Committee, presented the report (Appendix F) of the Business Manager – Public Protection, Adult & Community Well Being. The report presented for approval a Revised Statement of Principles for the Borough of Telford & Wrekin under the Gambling Act 2005.

**RESOLVED – that the Revised Statement of Licensing Principles under the Gambling Act 2005 for the Borough of Telford & Wrekin, effective from 31<sup>st</sup> January 2010, be approved.**

**64. ADDING HOUSEHOLD BATTERIES AND LOW ENERGY LIGHT BULBS TO THE EXISTING KERBSIDE RECYCLING SERVICE**

Councillor S. Bentley, Cabinet Member: Regeneration, presented the report of the Head of Planning & Transport. The report requested Members to approve the addition of household batteries and low energy light bulbs to the existing kerbside recycling service. Councillor C.F. Smith told Members that he had hoped the service would have been available for the Christmas period as the recycling of batteries tended to increase at that time of year.

**RESOLVED – that household batteries and low energy light bulbs be added to the existing kerbside recycling service with effect from March 2010.**

**65. NOMINATION TO VACANCY ON AUDIT COMMITTEE**

TAWPA had declined to take up the nomination for its seat on the Audit Committee and nominations were sought to fill the vacant position. Councillors R.E. Groom, J.A. Dixon and E.J. Clare were nominated and seconded. An initial vote took place with Councillor Groom receiving the least votes. A second vote took place and Councillor J.A. Dixon was subsequently appointed to the Audit Committee.

**RESOLVED** – that Councillor J.A. Dixon take up the vacant seat on Audit Committee.

**66. MINUTES OF BOARDS AND COMMITTEES**

Council noted the resolved minutes of the Plans Board for 23 September and 15 October, 2009, of the Licensing Committee of 29 September, 12, 14 and 21 October, 2009, of the Scrutiny Leadership Board for 16 and 24 September, 2009, and the Audit Committee of 23 September, 2009.

**67. QUESTIONS**

The following Questions were asked in accordance with Council Procedure Rule 10:

a) Councillor R.A. Overton had submitted the following question:

“Can the Cabinet Member with responsibility for Housing tell me how much Telford & Wrekin Council have received from the Labour government in relation to Kick Start Funding?”

Councillor E.J. Carter, Cabinet Member: Regeneration, responded:

'Kickstart' is a national housing delivery 'stimulus' programme delivered via HCA. Bids are made by developers. The Local Authority cannot bid and has not therefore received funds directly. We are however consulted by HCA on bids put forward and have actively encouraged developers whose schemes we feel fit the funding criteria to make bids.

The funding is intended to pump prime delivery of housing schemes that are in or close to delivery (i.e. with planning permission and/or start on site) and round one requires delivery of outputs (houses) by March 2011.

Locally one scheme was approved under Kickstart 1. Taylor Wimpey has been awarded £4,286,178 for the Ironstone scheme (subject to final contracts).”

b) Councillor A.D. McClements had submitted the following question:

“How many employees have left the council’s employment since April 2009 and what is the total cost to this council of all redundancy payments, compensation, early retirement packages, money in lieu of notice, cost of working notice and additional pension payments as part of any package and what budget is this money coming from?”

Councillor A.J. Eade, Leader of the Council, responded:

“Since 1 April 2009 a total of 276 employees have left the Council. This total excludes school based staff where employment issues are a matter for individual school governing bodies.

The figure represents 7.6% of the non schools Council workforce and is typically well within the anticipated range for employee turnover.

Of the 276 employees additional costs of the nature described in the question have been made in respect of 21 employees. To date in 2009 these one off costs amount to £1.65 million and include relevant payments to the pension fund where employees meet the age thresholds for early release of pension. The one off costs have been met from a combination of the savings on the revenue budgets that would otherwise have been used to fund the salaries of the individuals concerned, underspends in closing 2008/09 accounts and balances set aside to meet such costs of a one-off nature.

No additional pension payments have been made to any individual officer in line with The Council’s policy which does not provide for the enhancement or augmentation of pension payments.

Within the 21 additional payments are 12 redundancy payments made as a result of management restructuring during 2009. The numbers of senior and middle managers have been reduced to ensure that the Council continues to prioritise investment in front line services. In particular 6 posts at senior management level (Head of Service or above) have now been deleted from the 28 such posts which existed at the end of 2008.

Restructuring in 2009 has to date generated on going annual savings of £1.38 million which over a three year period will realise £4.1 million worth of savings. This level of savings plays a key role in the Council’s aim to provide Value for Money and protect front line services to the community.”

c) Councillor R.K. Austin had submitted the following question:

“At the last Council Meeting the Leader reported that contracts had been exchanged with ASDA for the sale of the Civic Offices site.

Can the Leader give Council more information about the sale?

Councillor A.J. Eade, Leader of the Council, confirmed that contracts had been exchanged for a conditional sale subject to planning permission and vacant possession.

d) Councillor K.S. Sahota had submitted the following question:

“As a ward councillor for the Telford Town Centre area and having met with Hark Apollo, could the leader please confirm that Hark Apollo did offer this council a free piece of land in the Telford Town Centre to build its Civic offices and this plan had the support of Advantage West Midlands, The Homes & Communities Agency and the Southwater Event Group, and if this is true, why did we not take up this offer, which is worth millions of pounds?”

Councillor A.J. Eade, Leader of the Council, told Members that that ‘land swaps’ had been offered. No ‘free’ land had been offered. All of the groups mentioned in the question were in agreement over development plans With the exception of the Hark Apollo. He hoped that they would become involved in the plans to develop Southwater.

Councillor K.S. Sahota, in accordance with Rule 10.3 (e) of the Council Procedure Rules asked for clarification that no free land had been offered.

Councillor A.J. Eade confirmed that no free land had been offered.

e) Councillor C.F. Smith had submitted the following question:

“What Contingencies are in place for the winter gritting and salting of the roads within the Borough. In particular, bus Routes and roads to schools?”

Councillor S. Bentley, Cabinet Member: Regeneration responded:

“Members may recall that a report was taken to Cabinet in July 2009 concerning Winter Maintenance; the purpose of which was to review the operation of the Winter Service with regard to the difficulties encountered during the 2008/9 winter season due to the national shortage of road salt.

The main findings highlighted in the report were:

Whilst the delays and withdrawal of salt deliveries was outside the control of the Council the prolonged cold spell highlighted the need to have a reserve stock of salt. The following contingency arrangements were considered and are now in place:

Informal mutual aid with neighbouring authorities such as Shropshire Council  
Informal mutual aid – Highway Agency  
Extended salt stock provision at Granville House

The additional salt storage of approximately 300 tonnes is now provided at Granville House and allows for extended gritting operations for a further 7 turnouts for frost (approx 3.5 days) and 4 for snow (approx 1.5 days).

The Council's policy also has flexibility to react should we ever face a national salt shortage again in the future. That is, similar to **many** other highway authorities we now operate a two stage process for implementing gritting operations with a defined set of Primary routes and a set of Secondary Routes.

In **normal** operating conditions the **full** gritting routes would operate. However in the event of **acutely** low salt availability we would salt Primary routes only.

We experienced these exceptional circumstances earlier this year and members are reminded that the Emergency Plan is activated under these conditions and coordination falls to Silver Control. Should we ever have to reduce the gritting routes again, it is always done after full consultation and cooperation of all the Emergency Services.

In relation to financial contingencies, the revenue budget for 2009/10 includes an allocation of £102,000 to meet the costs of the winter maintenance season. Under normal seasonal conditions this is sufficient. However, should abnormally severe or prolonged winter conditions be experienced, the additional service pressures will be identified through the financial monitoring reporting process and to be funded from the Corporate contingency or from under spends identified in other service areas.

Finally, although I can never guarantee the national supply of salt, only under very exceptional circumstances would we have to consider a reduced gritting route.

I can arrange for electronic copies of the Winter Maintenance Policy to be forwarded to Members should you so wish. In it you will see that the Policy contains provision for the gritting of main access roads to schools as well as regular bus routes."

Councillor C.F. Smith, in accordance with Rule 10.3 (e) of the Council Procedure Rules asked:

"Does that mean that school and bus routes that are hilly will not be gritted?"

Councillor S. Bentley agreed to provide a written answer.

**68. NOTICES OF MOTION**

- (a) Councillor A.G.P. Williams, in accordance with Council Procedure Rule 11, moved the following Motion:

‘This Council, being aware that it is the role of the Telford & Wrekin Primary Care Trust to decide which health services are required in Telford & Wrekin and then to provide them, considers that the Primary Care Trust’s handling of the Hospital Trust’s original recommendations to move the vascular surgery to Shrewsbury was not in the interests of the residents of Telford & Wrekin. Therefore, Council wishes to express its disappointment at the manner in which the Telford & Wrekin PCT has dealt with this issue, given that it is supposed to represent the interests of the patients and communities of Telford & Wrekin.’

The Motion was seconded by Councillor H.J. Williams.

Councillor A.J. Eade proposed and tabled an amendment to the motion adding the following words:

‘Furthermore, this Council agrees to set up a Health Committee in order to enable the Council to continue to gather information and consider significant issues that are relevant to the local health review and their implications for people in Telford & Wrekin.’

The amendment was seconded by Councillor J.M. Seymour.

Councillor R.K. Austin, supporting the amendment, felt that this would help to strengthen the Council’s case for protecting local hospital services. Councillor D.R.W. White told Members that, as Chairman of Joint Health Scrutiny, he did not feel it appropriate to take part in the debate. A recorded vote was called for on the amendment and the votes were as follows:

For: 37

Councillors G. Ashcroft, R. K. Austin, R. Aveley, S. Bentley, K.T. Blundell, S.P. Burrell, E.J. Carter, R.G. Chaplin, E.A. Clare, N. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, J.A. Francis, G.M. Green, J. Greenaway, R.E. Groom, Y.C. Hicks, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, R.T. Kiernan, A. Lawrence, C.N. Mason, A.A. Meredith, C.R.P. Mollett, R.A. Overton, K.S. Sahota, J.M. Seymour, C.F. Smith, A.J. Stanton, E.M. Swift, W.L. Tomlinson, V. Tonks, A.G.P. Williams, H.J. Williams and D.G. Wright.

Against: 0

Abstentions: 2

Councillors V.A. Fletcher and A.D. McClements.

Absent: 5

Councillors E.A. Clare, P.A.E. Homer, L. Lomax, A.A. Mackenzie, D.R.W. White.

The amended Motion thus read:

‘This Council, being aware that it is the role of the Telford & Wrekin Primary Care Trust to decide which health services are required in Telford & Wrekin and then to provide them, considers that the Primary Care Trust’s handling of the Hospital Trust’s original recommendations to move the vascular surgery to Shrewsbury was not in the interests of the residents of Telford & Wrekin. Therefore, Council wishes to express its disappointment at the manner in which the Telford & Wrekin PCT has dealt with this issue, given that it is supposed to represent the interests of the patients and communities of Telford & Wrekin. Furthermore, this Council agrees to set up a Health Committee in order to enable the Council to continue to gather information and consider significant issues that are relevant to the local health review and their implications for people in Telford & Wrekin.’

A debate then ensued on the substantive motion. A vote was taken and the motion was carried.

**RESOLVED – that the Motion be approved.**

- (b) Members had previously approved a motion to suspend Council Procedure Rules 11.1 and 11.3 in order to debate the following motion without notice which had been proposed by Councillor M.B. Hosken.

‘Following the recent devastating floods in Cumbria this Council wishes to express its utmost sympathy to all those people who have lost their homes and businesses and it welcomes and applauds the hard work and relief initiatives being put in place by the relevant agencies.’

The motion was seconded by Councillor S.M. Kelly.

Councillor C.F. Smith proposed the following amendment to the motion:

That the words “*and loved ones*” be inserted after the word “businesses” and the word “and” be deleted.

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

A vote was taken and the amendment approved. The amended motion thus read:

‘Following the recent devastating floods in Cumbria this Council wishes to express its utmost sympathy to all those people who have lost their homes, businesses and loved ones and it welcomes and applauds the hard work and relief initiatives being put in place by the relevant agencies.’

Councillor S.M. Kelly pointed out that flooding had regularly affected parts of this Borough and that people understood some of the heartache caused by flood damage.

Councillor M.B. Hosken, summing up, told Members that it was important that people came together when problems like this arose. He thanked Members for their support.

**RESOLVED – that the Motion be approved.**

The meeting ended at 8.08 p.m.

**Speaker:** .....

**Date:** .....