

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 29th 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 25th anniversary celebrations and the Donnington Bonfire and Fireworks display. Members noted the engagements undertaken by the Mayor or the Deputy Mayor between 23rd September, 2009 and 14th 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 31st 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:

MAYORAL ENGAGEMENTS
19TH NOVEMBER 2009 – 19TH JANUARY 2010

November	19th	M	Held an Ascot Race Night
	21st	M	Attended the Prayer Breakfast at Albrighton Hall Hotel, Shrewsbury
		M	Switched on the Christmas Lights in Dawley
	25th	M	Attended the Citizenship Ceremonies at Civic Offices
	27th	M	Switched on the Christmas Lights in Oakengates
	28th	M	Attended the Randlay Pensioners Luncheon Club 30 Year Celebrations
	29th	M	Attended the Army Benevolent Fund Curry Lunch
December	1st	M	Attended the Royal Visit by HRH Princess Royal at Harper Adams University College
	3rd	M	Visited the Hollinswood Infant and Nursery School Assemy and presented the 5 th Quality Mark Award
		M	Visited the Haughton School Madeley
		M	Attended the Civic Carol Service at The Place, Oakengates
	4th	M	Visited St Lawrence CE Primary School Christmas Market
	5th	M	Attended the Senior Citizens Christmas Party at The Sutherland School, Trench
	6th	M	Attended the Dawley Senior Citizens Christmas Party at The Park Inn, Telford
	8th	M	Attended the Telford FM Tour of Hope at Tesco, Wrekin Retail Park

- 10th** **M** Toured around Civic Offices with a Christmas Raffle
- M** Attended the funeral of the Mayor of Bridgnorth
- M** Attended the Hollinswood & Randlay Parish Council Christmas Concert at Randlay Community Centre
- M** Attended a tour of Highgate Brewery, The Stables Brewery Yard, Walsall
- 11th** **M** Toured around Darby House with a Christmas Raffle
- M** Opened the Christmas Fayre at William Reynolds Infant School, Woodside
- M** Attended the Severn Hospice fund raising Event at the Hospice, Apley
- M** Attended Telford & Wrekin Arthritis Support Group Christmas Party at Grays Hotel, Telford
- 12th** **M** Attended the performance of Snow White at The Place, Oakengates
- M** Attended the Hadley Orpheus Choir Ladies Evening at Castle Farm Community Centre, Hadley
- 13th** **M** Attended a Bag Pack at Tesco, Wrekin Retail Park
- M** Attended the All Saints Community Carol Concert at All Saints Church, Wellington
- 14th** **M** Attended the TWC Retirement Association Christmas Get Together
- 15th** **M** Attended the Ironbridge Gorge Museum Trust Christmas Charity Concert
- 16th** **M** Attended the Rheumatoid Arthritis Support Group Meeting at the Lakeside Centre, Stirchley

- 17th M** Attended the Shropshire Aphasic Society Annual Christmas Dinner and Dance at the Holiday Inn, Telford
- DM** Attended the Adams' Grammar School Family Carol Service at St Nicholas Church, Newport
- 18th DM** Attended at the Tweedale and Oakengates Sorting Offices for a Tour
- M** Attended the Carols around the Christmas Tree at the House of Fraser, Telford
- DM** Attended the Launch of the Eden Night Club, Oakengates
- 21st DM** Attended the Launch of the Drug Awareness Campaign (DAC) at Telford Ice Rink
- 22nd M** Attended the Funeral of Cllr Ute Sambrook
- 24th M** Attended the Annual Carols on the Bridge at Ironbridge, Telford
- January 16th M** Attended the Prize Giving at the Open Art Exhibition at The Palce, Oakengates
- M** Held a Celebration of Music Event at Madeley Academy

TELFORD & WREKIN COUNCIL

COUNCIL – 28 JANUARY, 2010

REPORT OF CABINET – FOR INFORMATION ONLY

MATTERS DETERMINED BY THE CABINET

1.0 INTRODUCTION

This report provides sets out those matters determined by the Cabinet at its meetings on 24th November and 8th December, 2009 and 12th January, 2010.

2.0 CABINET BUSINESS

Matters that have been determined by Cabinet are listed below:

2.1 24th November, 2009

- 2.1.1 Review of the Housing Allocations Policy
- 2.1.2 Adding Household Batteries and Low Energy Light Bulbs to the Existing Kerbside Service
- 2.1.3 Strengthening the Relationship Between Telford & Wrekin Council and Town & Parish Councils
- 2.1.4 Financial Management System Procurement (Exempt)

2.2 8th December, 2009

- 2.2.1 Service & Financial Planning 2010/11 – 2012/13
- 2.2.2 Adult Social Services Performance Rating 2009
- 2.2.3 Planning for School Places: Stirchley Primary and Three Oaks Primary School Trust Status
- 2.2.4 Single Early Years Funding Formula
- 2.2.5 Design & Phase 1 Services to be Provided in the New One Stop Shop at Civic Offices
- 2.2.6 Delegated Powers for Public Protection Staff
- 2.2.7 Borough Towns Initiative Sports & Learning Community – Dawley (Exempt)

2.3 12th January, 2010

- 2.3.1 Financial Monitoring 2009/10
- 2.3.2 Telford Town Park – “Parks for People” Project
- 2.3.3 Extra Care Services Charging Policy (Exempt)
- 2.3.4 Environmental Services Review (Exempt)
- 2.3.5 Telford Town Centre – Civic Offices (Exempt)
- 2.3.6 Telford Town Centre (Exempt)

- 2.3.7 Wellington Rail Station Access Improvement (Exempt)
 2.3.8 Acceptance of Tender for the Infrastructure Work on Woodside Local Centre (Exempt)

4.0 DELEGATION OF POWERS GRANTED BY THE CABINET

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
Financial Management System Procurement	Head of Finance & Audit	To award the contract for the replacement Financial Management System, following the EU tendering process, after consultation with the Cabinet Member for Resources, and subject to ensuring adequate funding was in place.
Planning of School Places: Stirchley Primary and Three Oaks Primary School Foundation Status	Corporate Director: Children & Young People Head of Property & Design, in consultation with the Head of BSF, Resources and Social Regeneration, be authorised Head of Legal Services	To publish a statutory notice in respect of a proposal to merge and co-locate Stirchley Primary and Three Oaks Primary maintained schools into a new Foundation primary school to open in September 2010. To negotiate the terms of the transfer of land and buildings to the new Foundation School. To execute all the necessary agreements and documentation.
Borough Towns Initiative Sports & Learning Community – Dawley	Head of Property & Design, (d) Head of Legal Services	To agree the terms on which the existing Phoenix School site to be disposed of. To agree and execute all necessary documentation.
Telford Town Centre – Civic Offices	Head of Property & Design, in consultation with the Chair of the Project Board	to determine the exact location and eventual size and configuration of the Civic Offices within Southwater, within the parameters set out in the report, and enter into all contracts to facilitate its delivery in accordance with the Contract Procedure Rules.
Telford Town Centre	Head of Property & Design. Head of Property & Design, in consultation with the Chair of the Project Board is granted delegated authority Head of Legal Services	To approve the constitution and terms of reference of the Project Board. To carry out any necessary steps to facilitate the regeneration of the Town Centre as detailed in this report. To execute any documents necessary to facilitate and implement the recommendations

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
	Head of Property & Design, in consultation with the Chair of the Project Board	<p>contained in this report.</p> <p>To let all necessary contracts and sign any agreements necessary to facilitate project delivery within Phase 1 on the scheme as identified in Section 14 of this report.</p>
LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY & DIVERSITY WARD IMPLICATIONS	<p>As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council</p>	

TELFORD & WREKIN COUNCIL

COUNCIL – 28 JANUARY 2010

2009/10 FINANCIAL MONITORING

REPORT OF THE HEAD OF FINANCE

1.0 PURPOSE

1.1 To present information from the report received by Cabinet on the 12 January that requires Council approval.

2.0 RECOMMENDATION

2.1 **Cabinet recommends for Council approval:**

The new capital allocations and slippage and the revenue and capital virements detailed at 5.1.

3.0 SUMMARY

3.1 2009/10 Financial Monitoring

The Financial Monitoring report to Cabinet on 12th January 2010 showed overall revenue spending projected within approved budgets and provided an update on progress on capital programme spending. The report also highlighted a number of virements, new capital allocations and slippage which require formal approval by Council.

4.0 PREVIOUS MINUTES

Council – 5 March 2009 (Minute No. 79)
Cabinet – 21 July 2009 (Minute No. CB-51)
Cabinet – 27 October 2009 (Minute No. CB-87)
Cabinet – 12 January 2010 (Minute No. CB-125)

5.0 INFORMATION

5.1 The changes to the budget framework for which approval is now sought are:

- (i) For 2009/10 only, additional revenue support of £0.400m for Children & Families Service. Together with the £1m previously approved, this provides £1.4m additional funding in 2009/10 which is in line with the investment being proposed for placements in the 2010/11 budget strategy. The following revenue virement is required to action this:

Children & Families	£ +400,000
Treasury Management	-400,000

- (ii) The following new capital allocations, capital virements and re-phasing are put forward for formal approval:

Capital - New Allocations, Slippage & Virements

New Allocations		
<u>Scheme</u>	£	<u>Funding Source</u>
Social Care Grant (09/10)	160,000	Department of Health
Social Care Grant (10/11)	80,000	Department of Health
Mental Health Grant (09/10)	208,000	Department of Health
Mental Health Grant (10/11)	104,000	Department of Health
Lightmoor Primary(2009/10)	2,504,676	Bournville Village Trust Contribution
Lightmoor Primary(2010/11)	258,576	Bournville Village Trust Contribution
Lightmoor Primary(2011/12)	76,886	Bournville Village Trust Contribution
School Kitchens (2009/10)	30,000	DCSF
School Kitchens (2010/11)	70,906	DCSF
RASP - Wheels to Work	11,450	Revenue
BTI - Ironbridge	75,000	English Heritage
Stoney Hill (2010/11)	794,500	Prudential
Slippage		
Adult Social Care Unallocated Funding	-298,000	carried forward to 2010/11
Waste Disposal Facility	-67,400	
Recycling CRC's	-609,373	
Waste Initiatives Grant	-291,201	
Virements		
<u>Vired To:</u>		<u>Vired From:</u>
Disabled Facilities Grant	90,000	General Housing Programme
Increasing Supply of Social Housing	121,000	General Housing Programme
Housing Needs Properties	70,000	General Housing Programme
Apley Wood - Kitchen Facilities	5,500	AMP Modernisation
Hollinswood Jnr - Front Security Fence	4,000	AMP Modernisation

<u>Vired To:</u>		<u>Vired From:</u>
AMP Modernisation	6,000	Phoenix
Short Wood - Playing for Success and Arthog Office	5,500	AMP Modernisation
Contingency for reactive works	19,000	Short Wood Primary - Foundation Area Alterations
Short Wood Primary - Sports Hall Roof Enhancement	1,758	Extended Schools
Ladygrove Primary - Demountable replacement	34,750	Primary Capital Programme
Primary Capital Programme	15,000	Moorfield Primary Entrance / staff scheme
Wrekin View Primary - MUGA	4,695	AMP Modernisation
Wrockwardine Wood - Food Technology	2,800	AMP Modernisation
Contingency for reactive works	4,512	Windmill Primary - Children Centre
Short Wood Primary	55,445	AMP Modernisation
Sutherland School Business Centre & Lift	10,850	Access
Lightmoor ICT	51,500	Lightmoor Construction

6.0 BACKGROUND PAPERS

2009/10 Budget Papers – Council 5th March 2009
Financial Monitoring reports to Cabinet
Constitution

Report Prepared by: Pauline Harris, 01952 383701

TELFORD & WREKIN COUNCIL

COUNCIL – 28 JANUARY 2010

SETTING OF THE COUNCIL TAX BASE FOR 2010/11

REPORT OF THE HEAD OF FINANCE

1 PURPOSE

- 1.1 To determine the Council Tax Base for General and Special Fund purposes for the financial year 2010/11.

2 RESOLUTIONS

- 2.1 **That the calculation of the tax base for 2010/11 as at paragraph 5.6 and Appendix 1 be approved;**
- 2.2 **In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated for Telford and Wrekin Council Tax base for 2010/11 for its special fund area shall be as per the appropriate parish amounts detailed in Appendix 1.**

3 SUMMARY

Council Tax Base

- 3.1 In order to determine the appropriate Council Tax levels for the area, it is necessary for the Council to determine the tax base for its area or part of its area. The budget requirements of the various precepting authorities are divided by this figure to arrive at the Band D equivalent level of Council Tax.
- 3.2 The tax base for 2010/11 must be set by full Council between 1 December 2009 and 31 January 2010 as prescribed by the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as amended. The figures used for tax base allow for the continuation of the resolutions in respect of reducing the discounts for empty properties and second homes agreed previously.

4 PREVIOUS MINUTES

- 4.1 Council meeting 29 January 2009 (Minute No. 69)

5 COUNCIL TAX BASE INFORMATION

5.1 As members will be aware, the Council Tax is a banded capital value based property tax.

5.2 The main features of the tax are:-

- Each domestic property is allocated to one of 8 bands depending on its capital value which has been set by the Valuation Office Agency.
- Section 5 of the Local Government Finance Act 1992 sets out the range of property values within each band. Associated Regulations determine the relationship between the tax rates for each band.
- A 25 % discount from the full charge is available for single adult households. Certain categories of resident are disregarded in deciding the number of adult residents. These include students, student nurses, youth training trainees, the severely mentally impaired etc. Qualifying criteria must be met before discounts or disregards are allowed.
- A reduction equivalent to one council tax band is available where a resident of a dwelling is disabled and certain facilities are required for meeting the needs of that disabled person. For Band A properties the reduction is equivalent to 5/9ths of the Band D Charge.
- Council Tax Benefit of up to 100% of the full charge is available for those on low incomes.
- The grant system is intended to take account of differences in the needs and taxable capacity of each area.

5.3 The Council Tax Bands range from A to H and the details are as follows:-

Band	House Value (as at April 1991 prices)	Band D Proportion	Telford & Wrekin Properties Spread	% Increase/ Decrease for 10/11
	£	%	%	%
A	Under 40,000	66.7	37.76	-0.18
B	40,001 – 52,000	77.8	26.30	+0.07
C	52,001 – 68,000	88.9	14.43	+0.06
D	68,001 – 88,000	100.0	10.88	-0.01
E	88,001 – 120,000	122.2	6.27	+0.03
F	120,001 – 160,000	144.4	2.85	+0.03
G	160,001 – 320,000	166.7	1.44	+0.00
H	Over 320,000	200.0	0.07	+0.00

5.4 Property Base

There are 68,096 properties in the valuation list for the Telford & Wrekin area. This compares with a figure of 67,615 in the list at the same time last year. There has been an increase of 481 properties, which equates to an increase of 0.7%. Overall there has been a decrease in the proportion of Band A and D properties and an increase in Band B, C, E and F properties, with the largest increase in Bands B & C.

5.5 Council Tax Base

To arrive at the Council Tax Base, it is necessary to undertake the following calculation in respect of each tax band:

Total number of chargeable dwellings
(Less) Dwellings subject to discounts
=
Total equivalent number of properties
x
Ratio to Band D
=
Relevant Amount (Band D Equivalent)

The relevant amounts for each tax band are then aggregated to arrive at the total for the area.

Finally, an estimated Collection Rate needs to be applied to the resultant figure. This has to be common to the whole area and has to provide for amendments to the Council Tax Banding List, appeals against banding, additional discounts and losses on collection. It is suggested that a figure of 99% be used as has been the case since 2003/04. Clearly every effort is taken to pursue all council tax due to the authority.

5.6 General Fund Tax Base

This is the estimated council tax base for the whole of the area and will be used by Telford & Wrekin to calculate its General Fund Council Tax levy and also by West Mercia Police Authority and the Shropshire and Wrekin Fire & Rescue Authority to calculate the levy in respect of their precepts.

The tax base for this purpose for 2010/11 is 51,115.4. Using an estimated collection rate of 99%, the tax base becomes **50,604.2**. The detailed build up to this figure by parish is shown in Appendix 1.

5.7 Special Fund Tax Base

This is the estimated council tax base for the Special Fund area, i.e. those areas where Telford & Wrekin Council provides services which, in other areas, are provided by Town & Parish Councils.

For 2010/11 it will be necessary to have two levels of special fund tax. The first tax will be levied on all the parishes in the Special Fund area. The second tax will be levied on those parishes who have opted not to take over responsibility for street lighting in their area.

The Special Fund Council Tax will be set taking into account the services provided by each individual parish and taking account of the tax base for each parish.

6 Equality & Diversity

A tax base reduction of one Band is available for disabled people and benefits are available to tax payers on low incomes.

7 Environmental Impact

7.1 The prevalence of second homes within a community, which are not occupied for much of the time, can have a detrimental effect upon demand for local services such as bus services and rural businesses.

7.2 In respect of long term empty properties the discount after the first 6 months was removed in 2004 and should provide an incentive to owners to ensure properties don't remain empty for a sustained period of time. Some environmental and economic pressures are likely to be alleviated, assisting in the regeneration agenda and the shortage of housing generally in this area.

8 Legal Comment

Section 75(1) of the Local Government Act 2003 enabled the Secretary of State to prescribe by regulations classes of dwellings in England where a billing authority may change the level of council tax discount. The Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003 came into force on 18th December 2003. These regulations allow Billing Authorities to reduce the council tax discount given in respect of second homes to no less than 10% and that in respect of long term empty properties to nil.

9 Links with Corporate Priorities

Regeneration

10. Opportunities & Risks

The opportunities and risks associated with the report have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

11 Financial Implications

The Council Tax Base has a direct impact on the Council Tax that will be levied by the Council for 2010/11 and the level of revenue support grant the Council receives. To assess the full financial implications it is necessary to consider the Council's expenditure for 2010/11 and the grant settlement. These will be addressed in the Service and Financial Planning process for 2010/11.

12 WARD IMPLICATIONS

District Wide Implications

13 BACKGROUND PAPERS

Local Government Act 2003
CLG Calculation of Council Tax Base Return (CTB1) October 2009
The Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003

Report Prepared by

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BYELAWS

DISTRICT OF THE WREKIN COUNCIL

GRANVILLE COUNTRY PARK LOCAL NATURE RESERVE

The District of the Wrekin Council in exercise of the powers conferred upon them by sections 20,21 (4) and 106 of the National Parks and Access to the Countryside Act 1949 in accordance with section 236 of the Local Government Act 1972 hereby make the following byelaws for the protection of the local Nature Reserve at Granville Country Park in the Parish of Lilleshall and Donnington in the County of Shropshire.

1. In these byelaws

a. "The Reserve" shall mean the pieces or parcels of land containing in the whole thirteen hectares or thereabouts and situate in the Parish of Lilleshall and Donnington in the County of Shropshire declared to be managed as a local Nature Reserve by the declaration dated the 22nd day of November 1989 made by the District of the Wrekin Council in pursuance of section 21 of the National Parks and Access to the Countryside Act 1949, and the Reserve is for the purposes of identification shown as nearly as may be on the map annexed to these byelaws and therein coloured pink.

b. "The Council" shall mean the District of the Wrekin Council.

c. "Firearm" shall have the same meaning as in section 57 of the Firearms Act 1968.

2. Within the Reserve the following acts are hereby prohibited except insofar as they may be authorised by a permit issued by the Council in accordance with Byelaw 3 or are necessary to the proper execution of his or her duty by an officer of the Council or by any person, or servant of any person, employed or authorised by the Council.

RESTRICTION OF ACCESS

(i) Entering at any time those parts of the Reserve where notice to keep out has been posted by order of the Council.

DAMAGE TO OR DISTURBANCE OF THINGS IN THE RESERVE

(ii) Spreading or using any net, or setting or using any lamp or other instrument, or any snare or lure, for the taking, injury or destruction of any living creature.

(iii) Taking, molesting or intentionally disturbing, injuring or killing any living creature.

(iv) Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for the shelter or protection of any living creature.

(v) Intentionally removing or displacing any tree, shrub, plant, fungus or part thereof, or any unfashioned mineral thing including water.

(vi) Climbing or ascending any tree or climbing or placing a ladder or steps against any tree.

BRINGING ANIMALS INTO THE RESERVE

(vii) Intentionally bringing, or permitting to be brought, into the Reserve any living creature, or the egg of any living creature, or any plant, or any seed or any other part of any plant, in such circumstances that it is likely that such creature or plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.

(viii) Bringing into, or permitting to remain within, the Reserve any dog unless it is kept on a lead or any other animal unless it is kept under proper control and is prevented from worrying or disturbing any animal or bird.

(ix) Turning out any animal or poultry to feed or graze.

AREAS OF WATER

(x) Committing any act which pollutes or is likely to cause pollution of any water.

(xi) Bathing or wading in any water in contravention of a notice exhibited beside the water by order of the Council.

(xii) Obstructing the flow of any drain or watercourse.

USE OF VEHICLES

(xiii) Driving, riding, propelling or leaving any mechanically propelled vehicle (including hovercraft) elsewhere than on a highway or on a road, or in a place indicated by a notice as being available for the purpose.

(xiv) Landing any aircraft except in case of emergency.

(xv) Launching or landing except in an emergency a hang glider.

(xvi) Operating any hang glider at such a height that persons on the ground or in buildings may be inconvenienced or annoyed.

USE OF CERTAIN EQUIPMENT

(xvii) Using any camera or any apparatus for the transmission, reception, reproduction, or amplification of sound, speech or images by electrical or mechanical means, except apparatus designed and used as an aid to defective hearing and apparatus used in a vehicle so as not to produce sound audible by a person outside the vehicle.

(xviii) Using any device designed or adapted for detecting or locating any metal or mineral in the Reserve.

USE OF FIREARMS ETC.

(xix) Being in possession of a firearm (with ammunition suitable for use in that firearm) otherwise than on a public paved road, or discharging a firearm or lighting a firework.

(xx) Projecting any missile manually or by artificial means.

GENERAL PROHIBITIONS

(xxi) Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping elsewhere than in an area indicated by a notice as being available for camping.

(xxii) Flying any kite or model aircraft.

(xxiii) Erecting any post, rail fence, pole, booth, stand, building or other structure.

(xxiv) Neglecting to shut any gate or to fasten it if any means of doing so are provided.

(xxv) Posting or placing any notice or advertisement.

(xxvi) Selling or offering or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.

(xxvii)(a) Engaging in any activity which is causing or likely to cause a disturbance.

(b) Holding any show, performance, public meeting, exhibition or sports or the playing of any organised games.

(xxviii) Intentionally or recklessly removing or displacing, any notice board, notice exhibited by order of the Council, apparatus, wall, boundary bank, fence, barrier, railing, post or hide.

(xxix) Roller skating, skiing, tobogganing, or skate-boarding.

(xxx) Lighting any fire, stove, heating or other appliance capable of causing a fire, elsewhere than in an area indicated by a notice as being available for camping.

(xxxi) Letting fall or throwing any lighted match or substance in a manner likely to cause fire.

(xxxii) Intentionally leaving items, in a place other than a receptacle provided by the Council for deposit of litter or refuse.

INTERFERENCE WITH DULY AUTHORISED OFFICER

(xxxiii) Intentionally obstructing any officer of the Council or any person, or the servant of any person, employed or authorised by the Council in the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Reserve.

3. (1) The Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these byelaws.

(2) Any such permit shall be issued subject to the following conditions :

(a) That it must be carried whenever a visit is made to the Reserve, and produced for inspection when required by a person duly authorised by the Council in that behalf ; and

(b) that it may be revoked by the Council at any time.

4. These byelaws shall not operate so as to interfere with the exercise -

(a) by a person of -

- (i) a right vested in him or her as owner, lessee or occupier of land in the Reserve,
- (ii) any easement or profit a prendre to which he or she is entitled,

(iii) any public right of way.

(b) Of any functions of a local authority, statutory undertaker or drainage authority.

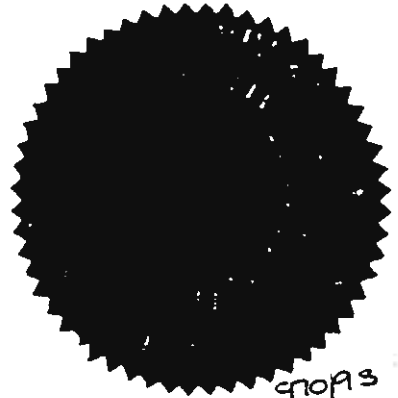
(c) By a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his or her duty.

5. Any person who offends against any of these byelaws shall be liable on summary conviction to a fine on level 2 as laid down in the Criminal Justice Act and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

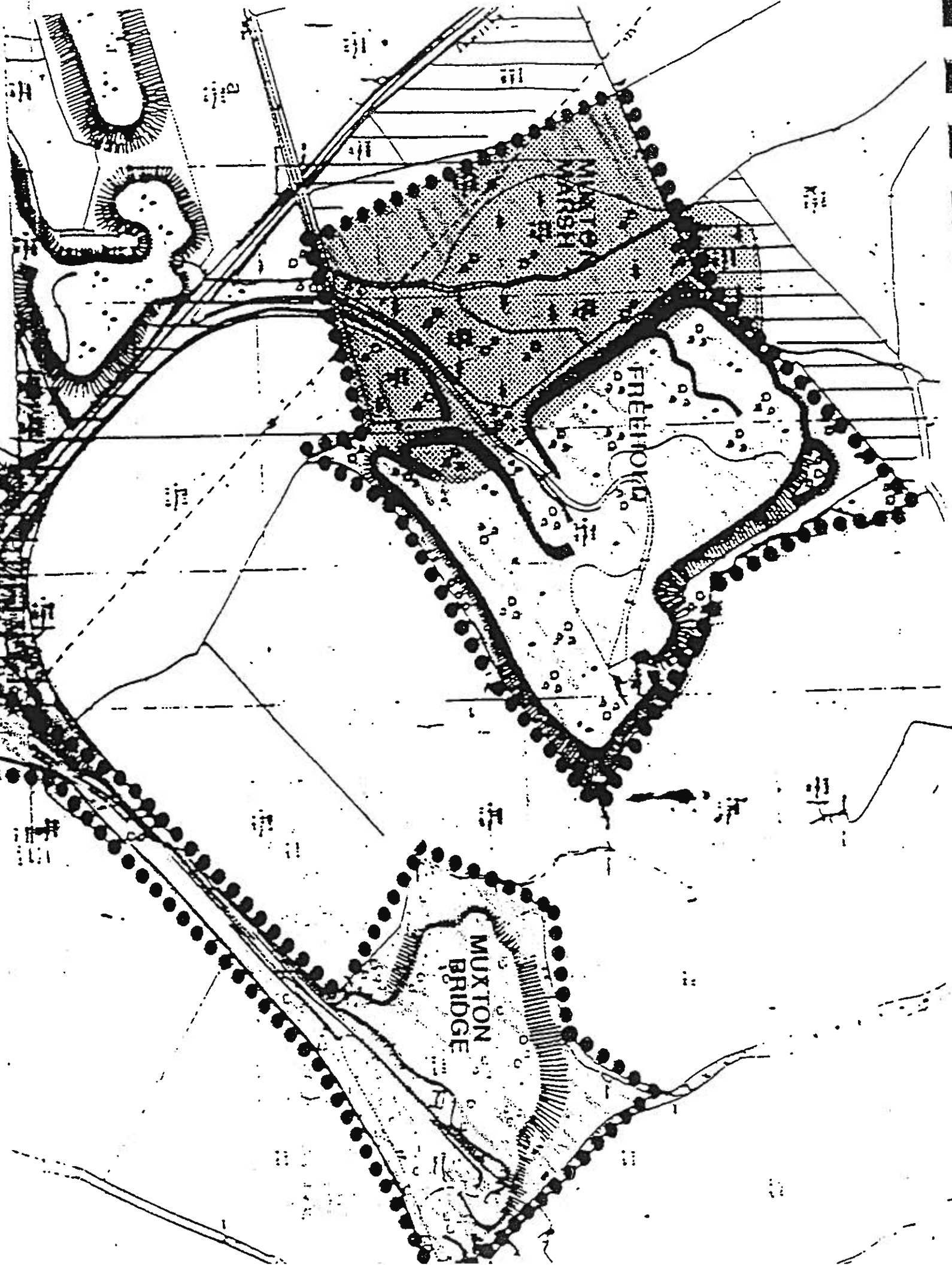
THE COMMON SEAL of the)
DISTRICT OF THE WREKIN COUNCIL)
was hereunto affixed)
in the presence of :-)

R. G. White
Chief Solicitor

~~B. A. Yeomans~~
~~Head of Administration & Legal Services~~



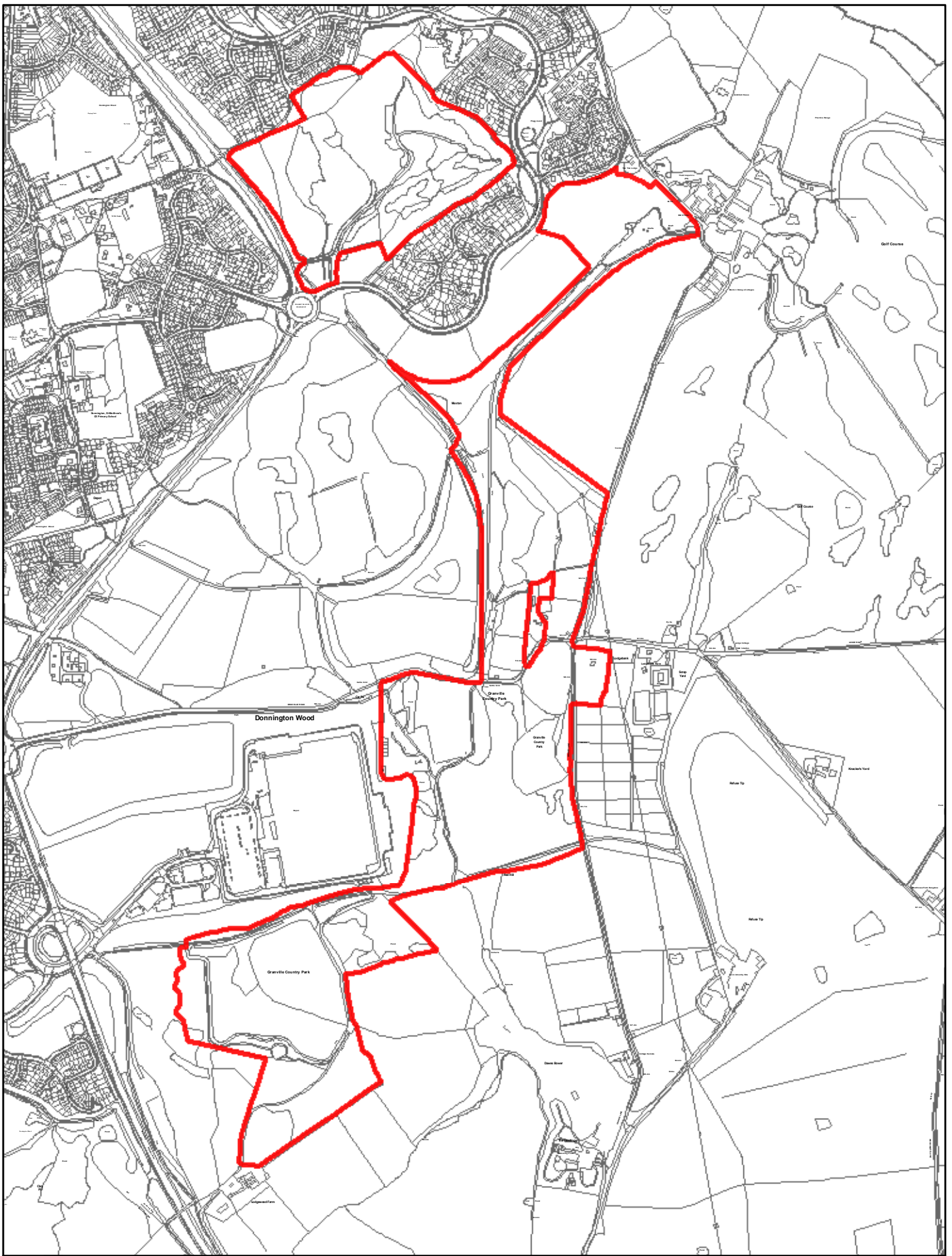
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MINNO 63
12.5.93.



LNR
BOUNDARY, WDC

LOCAL NATURE RESERVE
MUXTON MARSH FREEHOLD MOUNT
GRANVILLE COUNTY PARK

WREKIN
COUNCIL



Telford & Wrekin
COUNCIL

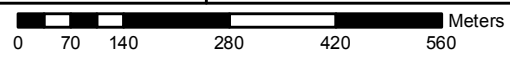
Environment & Regeneration
Darby House
PO Box 212
Telford
TF3 4LB

Title:

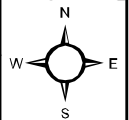
**Granville Country Park
Local Nature Reserve**

Scale: 1:10,000

Dated: 09/11/09



@ A4



Drawn By:

Caroline Last

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TELFORD & WREKIN COUNCIL

**LICENSING COMMITTEE – 8th DECEMBER 2009
COUNCIL - 28th JANUARY 2010**

GRANVILLE COUNTRY PARK LOCAL NATURE RESERVE - BYELAWS

REPORT OF HEAD OF PLANNING & TRANSPORT

1.0 PURPOSE

1.1 For the Licensing Committee to consider a recommendation to Council.

2.0 RECOMMENDATIONS

2.1 That Council is recommended to approve the revocation of the existing byelaws known as ‘District of The Wrekin Council Granville Country Park Local Nature Reserve Byelaws’ as shown at Appendix A on the site shown at Appendix B.

2.2 That Council is recommended to approve the re-application of the Byelaws to the whole site known as “Granville Country Park Local Nature Reserve” as shown at Appendix C.

3.0 SUMMARY

3.1 On 9th June 2009 Cabinet:

3.2 **Approved the** de-declaration of the existing “Granville Country Park Nature Reserve Declaration” (also known as ‘District of The Wrekin Council Nature Reserve Number 1 Declaration 1989’) and the simultaneous re-declaration of the amended and extended “Granville Country Park Local Nature Reserve”;

3.3 Delegated authority was given to the ‘Head of Legal Services’ to take steps, if necessary, to revoke the existing byelaws and reapply the byelaws to the whole site known as “Granville Country Park Local Nature Reserve” (the “LNR”).

3.4 There are existing byelaws upon the LNR which were created by the Secretary of State in September 1993. The Government department Defra has confirmed that where an LNR to which byelaws apply is extended or part is de-declared it is necessary to revoke the byelaws and new ones approved for the amended area of land.

3.5 The making, variation or revocation of bye-laws, is a function of the Licensing Committee and Council.

4.0 PREVIOUS MINUTES

4.1 Cabinet report 9th June 2009 entitled 'Amendment and Extension of Local Nature Reserve – Granville Country Park'. Minute reference CB-14 – 9th June 2009

5.0 INFORMATION

5.1 "Granville Country Park Local Nature Reserve" is in the process of being amended and extended under Section 21 of the 'National Parks and Access to the Countryside Act 1949'. There are existing byelaws upon the LNR (Appendix A), which were created by the Secretary of State in September 1993 and are based on Defra's model byelaws. The purpose of the byelaws is to protect the scientific interest of the LNR from potentially damaging activities.

5.2 It is proposed that the existing byelaws are re-applied unchanged as they are based on the model byelaws outlined in Defra's guidance, "A Guide to Making Local Nature Reserves Byelaws".

5.3 Defra recommends that informal consultation with local residents, the police and other interest groups should be undertaken, especially if the byelaws are potentially controversial. As it is proposed to reapply the existing byelaws, which are based on the model byelaws, it is believed that they are not controversial.

5.4 As recommended, the Council has carried out consultation with local residents and interest groups through the Granville Steering Group, which includes representatives the Friends of Granville, Cllr Nigel Dugmore (Muxton Ward) and Shropshire Wildlife Trust. The group supported the proposal and accepted the byelaws without change. Internal consultation within the Council has been carried out and no comments or objections to the proposal were made. Lilleshall & Donnington Parish Council considered the byelaws at their meeting on the 7th September and no objections to the proposal were made.

5.5 The Licensing Committee are required to make a recommendation to Council.

6.0 EQUALITY & DIVERSITY

6.1 All members of the community should have the opportunity to benefit from the diverse range of species and habitat present in the Borough. Research has shown that improving the provision of and access to natural green space can be valuable to a wide range of groups within the community, especially children and young people.

7.0 ENVIRONMENTAL IMPACT

7.1 The impacts of this proposal are environmentally beneficial.

8.0 LEGAL COMMENT

8.1 The Local Authorities (Functions & Responsibilities) (England) Regulations 2000, Schedule 1, Regulation 2(1) states that functions relating to making, amending,

revoking or re-enacting byelaws must be the responsibility of the Council and is a non-delegated function of the Licensing Committee.

There are existing byelaws upon the LNR which were created by the Secretary of State in September 1993. Where an LNR to which byelaws apply is extended or part is de-declared it is necessary to revoke the byelaws and seek the approval for the new ones for the amended area of land. There are procedural formalities to complete so as not to undermine the enforceability of the byelaws and after the consultation period confirmation of the byelaws will be sought from the Secretary of State.

9.0 LINKS WITH CORPORATE PRIORITIES

9.1 While the proposals described in this paper will help support many of the corporate priorities it is “Priority 3: Maintaining a High Quality, Attractive and Sustainable Environment” that provides the closest link. Designation of Local Nature Reserves also helps to protect and enhance the natural environment and Biodiversity of the Borough, a key objective in the Environment Sub Priority Plan 1.

10.0 OPPORTUNITIES AND RISKS

10.1 The opportunities and risks associated with this decision have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

11.0 FINANCIAL IMPLICATIONS

11.1 The extension of byelaws to the wider area as recommended in this report is not anticipated to increase costs above a level which can be contained within existing budgets.

12.0 WARD IMPLICATIONS

12.1 These proposals affect Muxton Ward although the benefits will also be available to residents of the Borough as a whole.

13.0 BACKGROUND PAPERS

A Guide to making Local Nature Reserve Byelaws (Defra, 2007)

Local Nature Reserves in England: A Guide to their selection and declaration (English Nature)

Local Nature Reserves: places for people and wildlife (English Nature)

Report prepared by:

Caroline Last, Planning Ecologist (01952) 384221 and
Rachel Taylor, Environmental Projects Team Leader (01952) 384220
Email: caroline.last@telford.gov.uk

BYELAWS

DISTRICT OF THE WREKIN COUNCIL

GRANVILLE COUNTRY PARK LOCAL NATURE RESERVE

The District of the Wrekin Council in exercise of the powers conferred upon them by sections 20,21 (4) and 106 of the National Parks and Access to the Countryside Act 1949 in accordance with section 236 of the Local Government Act 1972 hereby make the following byelaws for the protection of the local Nature Reserve at Granville Country Park in the Parish of Lilleshall and Donnington in the County of Shropshire.

1. In these byelaws

a. "The Reserve" shall mean the pieces or parcels of land containing in the whole thirteen hectares or thereabouts and situate in the Parish of Lilleshall and Donnington in the County of Shropshire declared to be managed as a local Nature Reserve by the declaration dated the 22nd day of November 1989 made by the District of the Wrekin Council in pursuance of section 21 of the National Parks and Access to the Countryside Act 1949, and the Reserve is for the purposes of identification shown as nearly as may be on the map annexed to these byelaws and therein coloured pink.

b. "The Council" shall mean the District of the Wrekin Council.

c. "Firearm" shall have the same meaning as in section 57 of the Firearms Act 1968.

2. Within the Reserve the following acts are hereby prohibited except insofar as they may be authorised by a permit issued by the Council in accordance with Byelaw 3 or are necessary to the proper execution of his or her duty by an officer of the Council or by any person, or servant of any person, employed or authorised by the Council.

RESTRICTION OF ACCESS

(i) Entering at any time those parts of the Reserve where notice to keep out has been posted by order of the Council.

DAMAGE TO OR DISTURBANCE OF THINGS IN THE RESERVE

(ii) Spreading or using any net, or setting or using any lamp or other instrument, or any snare or lure, for the taking, injury or destruction of any living creature.

(iii) Taking, molesting or intentionally disturbing, injuring or killing any living creature.

(iv) Taking or intentionally disturbing or destroying the eggs, larvae, pupae or other immature stages, or the place used for the shelter or protection of any living creature.

(v) Intentionally removing or displacing any tree, shrub, plant, fungus or part thereof, or any unfashioned mineral thing including water.

(vi) Climbing or ascending any tree or climbing or placing a ladder or steps against any tree.

BRINGING ANIMALS INTO THE RESERVE

(vii) Intentionally bringing, or permitting to be brought, into the Reserve any living creature, or the egg of any living creature, or any plant, or any seed or any other part of any plant, in such circumstances that it is likely that such creature or plant will reproduce or propagate itself, or such egg will hatch, or such seed will germinate.

(viii) Bringing into, or permitting to remain within, the Reserve any dog unless it is kept on a lead or any other animal unless it is kept under proper control and is prevented from worrying or disturbing any animal or bird.

(ix) Turning out any animal or poultry to feed or graze.

AREAS OF WATER

(x) Committing any act which pollutes or is likely to cause pollution of any water.

(xi) Bathing or wading in any water in contravention of a notice exhibited beside the water by order of the Council.

(xii) Obstructing the flow of any drain or watercourse.

USE OF VEHICLES

(xiii) Driving, riding, propelling or leaving any mechanically propelled vehicle (including hovercraft) elsewhere than on a highway or on a road, or in a place indicated by a notice as being available for the purpose.

(xiv) Landing any aircraft except in case of emergency.

(xv) Launching or landing except in an emergency a hang glider.

(xvi) Operating any hang glider at such a height that persons on the ground or in buildings may be inconvenienced or annoyed.

USE OF CERTAIN EQUIPMENT

(xvii) Using any camera or any apparatus for the transmission, reception, reproduction, or amplification of sound, speech or images by electrical or mechanical means, except apparatus designed and used as an aid to defective hearing and apparatus used in a vehicle so as not to produce sound audible by a person outside the vehicle.

(xviii) Using any device designed or adapted for detecting or locating any metal or mineral in the Reserve.

USE OF FIREARMS ETC.

(xix) Being in possession of a firearm (with ammunition suitable for use in that firearm) otherwise than on a public paved road, or discharging a firearm or lighting a firework.

(xx) Projecting any missile manually or by artificial means.

GENERAL PROHIBITIONS

(xxi) Erecting, occupying or using any tent, shed, caravan or other structure for the purpose of camping elsewhere than in an area indicated by a notice as being available for camping.

(xxii) Flying any kite or model aircraft.

(xxiii) Erecting any post, rail fence, pole, booth, stand, building or other structure.

(xxiv) Neglecting to shut any gate or to fasten it if any means of doing so are provided.

(xxv) Posting or placing any notice or advertisement.

(xxvi) Selling or offering or exposing for sale, or letting for hire or offering or exposing for letting for hire, any commodity or article, or selling or offering for sale any service.

(xxvii)(a) Engaging in any activity which is causing or likely to cause a disturbance.

(b) Holding any show, performance, public meeting, exhibition or sports or the playing of any organised games.

(xxviii) Intentionally or recklessly removing or displacing, any notice board, notice exhibited by order of the Council, apparatus, wall, boundary bank, fence, barrier, railing, post or hide.

(xxix) Roller skating, skiing, tobogganing, or skate-boarding.

(xxx) Lighting any fire, stove, heating or other appliance capable of causing a fire, elsewhere than in an area indicated by a notice as being available for camping.

(xxxi) Letting fall or throwing any lighted match or substance in a manner likely to cause fire.

(xxxii) Intentionally leaving items, in a place other than a receptacle provided by the Council for deposit of litter or refuse.

INTERFERENCE WITH DULY AUTHORISED OFFICER

(xxxiii) Intentionally obstructing any officer of the Council or any person, or the servant of any person, employed or authorised by the Council in the execution of any works including research or scientific work connected with the laying out, maintenance or management of the Reserve.

3. (1) The Council may issue permits authorising any person to do any act or class of acts within the Reserve or any part thereof which would otherwise be unlawful under these byelaws.

(2) Any such permit shall be issued subject to the following conditions :

(a) That it must be carried whenever a visit is made to the Reserve, and produced for inspection when required by a person duly authorised by the Council in that behalf ; and

(b) that it may be revoked by the Council at any time.

4. These byelaws shall not operate so as to interfere with the exercise -

(a) by a person of -

(i) a right vested in him or her as owner, lessee or occupier of land in the Reserve,

(ii) any easement or profit a prendre to which he or she is entitled,

(iii) any public right of way.

(b) Of any functions of a local authority, statutory undertaker or drainage authority.

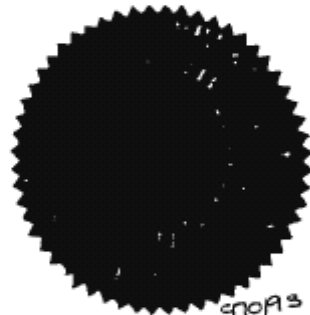
(c) By a constable or a member of the armed forces or of any fire brigade or ambulance service of the performance of his or her duty.

5. Any person who offends against any of these byelaws shall be liable on summary conviction to a fine on level 2 as laid down in the Criminal Justice Act and in the case of a continuing offence to a further fine for each day during which the offence continues after the said conviction.

THE COMMON SEAL of the)
DISTRICT OF THE WREKIN COUNCIL)
was hereunto affixed)
in the presence of :-)

R.G. Wolter
Chief Solicitor

~~R.A. Yeomans~~
~~Head of Administration & Legal Services~~



97093
MINNO 63
12.3.93.

The foregoing byelaws are hereby confirmed by the Secretary of State for the Environment and shall come into operation on the day of One thousand nine hundred and ninety three.

Signed by the authority of the Secretary of State

PR2L.BYE

The Secretary of State hereby confirms the foregoing Byelaws

Signed by Authority of the Secretary of State

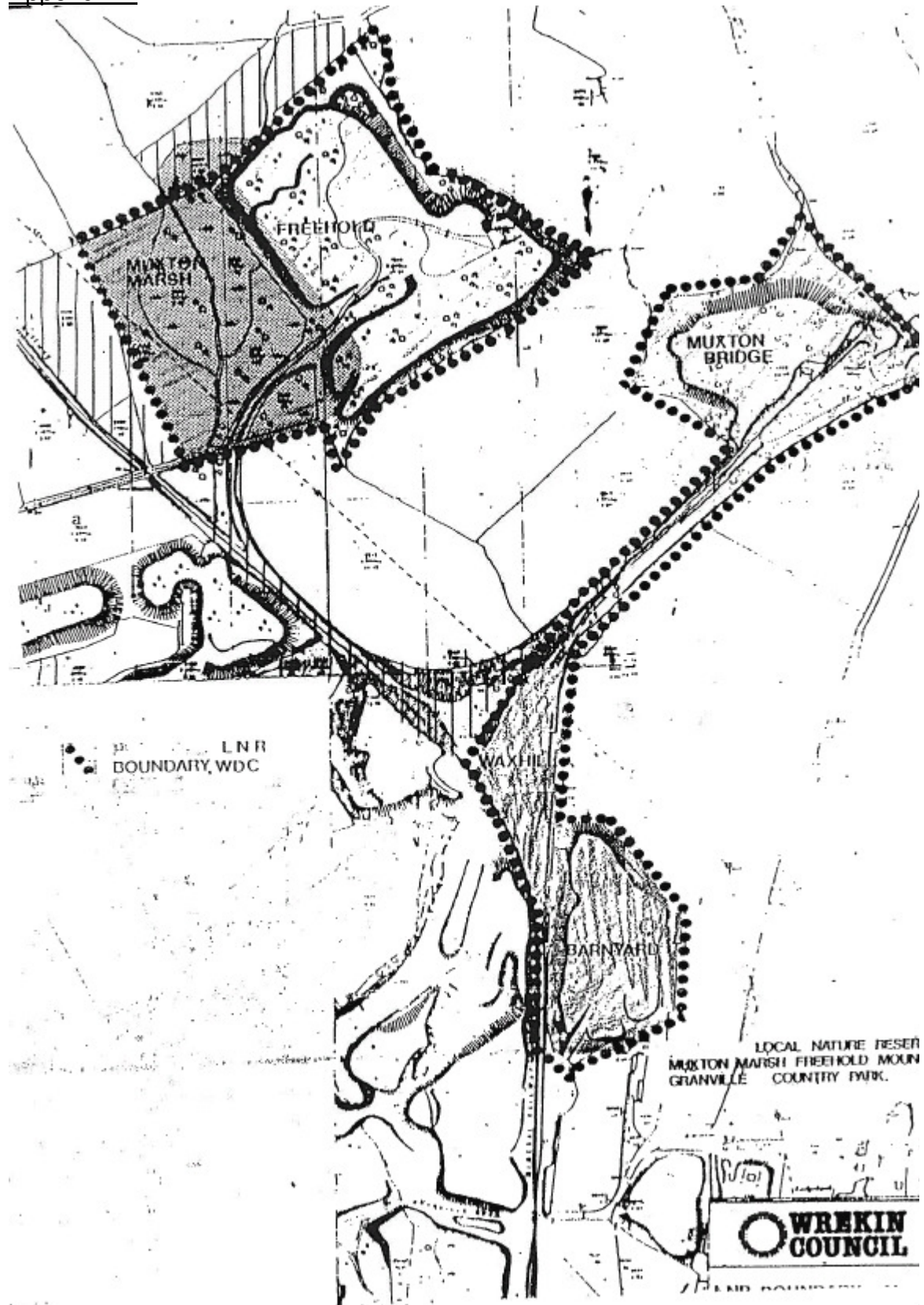


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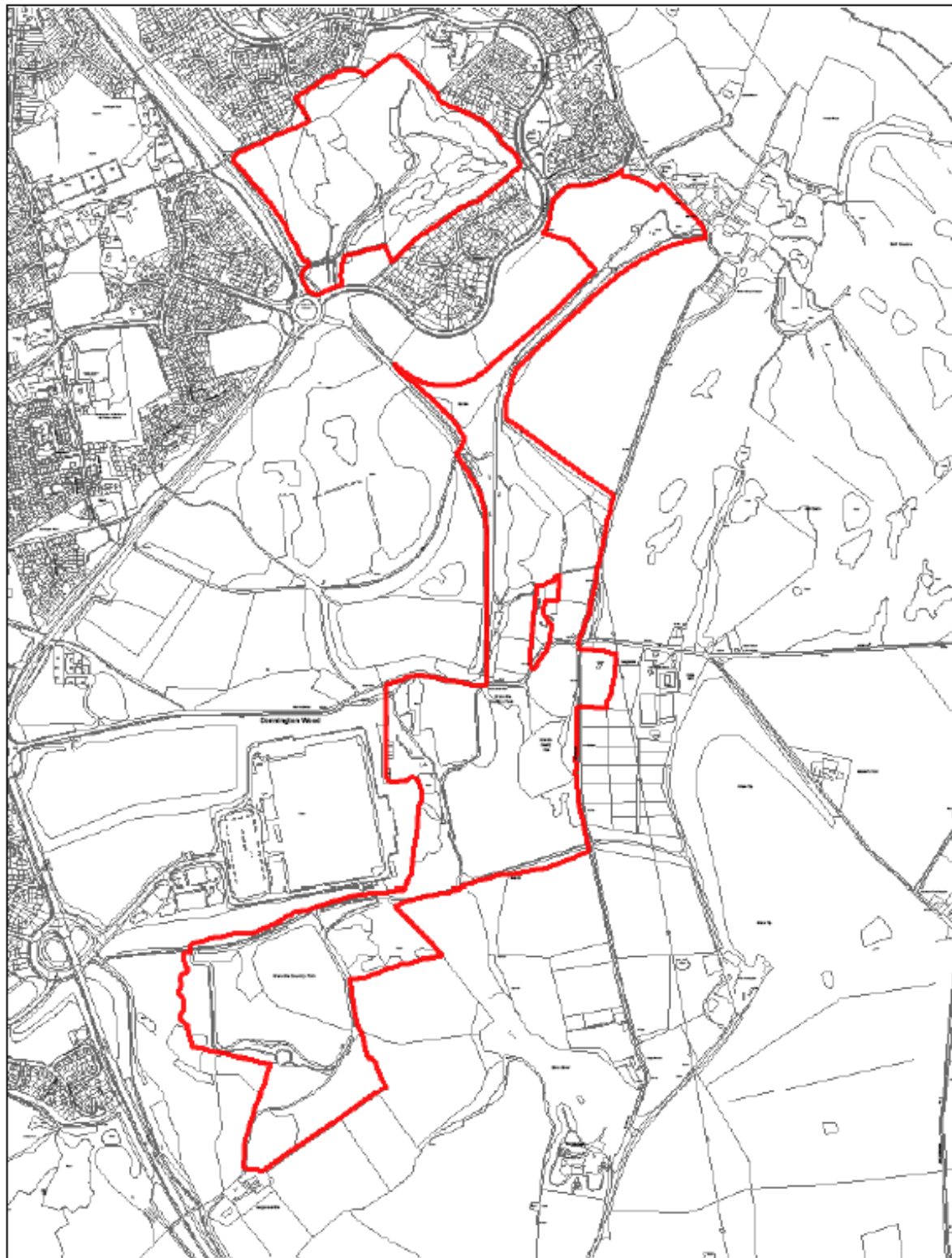
Department of the Environment
Tollgate House
Houlton Street
Bristol
BS2 9DU



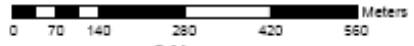
6 September 1993

Appendix B



Appendix C



 <p>Telford & Wrekin COUNCIL</p> <p>Environment & Regeneration Darby House PO Box 212 Telford TF3 4LB</p>	<p>Title:</p> <p>Granville Country Park Local Nature Reserve</p>	<p>Scale: 1:10,000</p>	<p>Dated: 03/11/09</p>		
		 <p>0 70 140 280 420 560 Meters</p>			
		<p>Drawn By: Caroline Last</p>	<p><small>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction is illegal. Copyright and any lead to Proceedings or civil proceedings, Borough of Telford & Wrekin Council, Licence No: 10001894, 2nd Ed 2004. Aerial Photography by airphoto.co.uk</small></p>		

TELFORD & WREKIN COUNCIL

COUNCIL CONSTITUTION COMMITTEE – 8 DECEMBER, 2009

REVISION OF COUNCIL CONSTITUTION

REPORT OF THE HEAD OF LEGAL SERVICES

1.0 PURPOSE

- 1.1 To request the Committee to agree the proposed changes to the Constitution, as set out in the report, and recommend their approval to full Council.

2.0 RECOMMENDATIONS

That the Committee recommend to Council:

- 2.1 To agree the process and timetable for implementation of a Scheme for Public Speaking at Plans Board, as set out in paragraph 5 of the report;
- 2.2 To agree the process and timetable for the adoption of a Scheme for Dealing with Petitions, as set out in paragraph 6 of the report;
- 2.3 The adoption of the proposed changes to the Constitution to create a Dispensations Sub-Committee and that the addition of the Terms of Reference for the sub-committee, as set out in paragraph 7 of this report, to Part 2, Article 9 of the Constitution;
- 2.4 The adoption of the proposed changes to the Constitution to establish a Health Monitoring Committee and the addition of the Terms of Reference, as set out in paragraph 8 of this report, to Section 10 of the Constitution.

~~3.0~~ 3.0 SUMMARY

- 3.1 At the Council meeting held on 30 September, 2009 it was resolved that the proposed Scheme for Public Speaking at Plans Board and the proposed Scheme for Dealing with Petitions be referred back to this Committee for further consideration. This report, therefore, provides Members with an update on progress on the Schemes.
- 3.2 Elected members can apply to the Standards Committee for a dispensation to allow them to take part in a council meeting when they would otherwise be prevented from doing so due to a personal and prejudicial interest in the business being discussed at the meeting.

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New legislation has changed the criteria for obtaining dispensations and this report seeks approval of the creation of Dispensations Sub-Committee.

- 3.3 At the Council meeting held on 26 November, 2009 the Leader announced, with Members' full support, the establishment of a Health Monitoring Committee. An appropriate amendment was, therefore, agreed to the Motion on the agenda relating to health provision in Telford and the Motion was carried.

4.0 PREVIOUS MINUTES

Council Constitution Committee – 3 September, 2009 (Minute No. CCC-04 & 05)
Council – 30 September, 2009 (Minute No. 44)

5.0 PUBLIC SPEAKING AT PLANS BOARD

- 5.1 The scheme for Public Speaking at Plans Board was referred back to this Committee by Full Council for further consideration. Before the finalised scheme is brought back to this Committee for approval further consultation will need to take place with:-

- Head of Planning & Transport in order ensure that any proposed scheme can work effectively and efficiently – (December 2009 – January 2010).
- Members of Plans Board (January – February 2010)
- Parish Councils (February 2010)

It is estimated that the final scheme will come back to this Committee in March 2010 for approval and then go on to Full Council in April 2010 for final approval.

6.0 LOCAL PETITIONS

As required by the Local Democracy, Economic Development and Construction Act, a draft Scheme for Dealing with Petitions, including electronic petitions, was referred back to this Committee by Full Council for further consideration. Members will, therefore, receive a presentation on electronic petitions at tonight's meeting. Once a decision has been made on whether to proceed with electronic petitions, a draft Petitions process will be completed. Further consultation will then need to take place with:

- Members
- Customer Services

It is estimated that the final scheme will come back to this Committee in March 2010 for approval and then go on to Full Council in April 2010 for final approval.

7.0 STANDARDS COMMITTEE –CREATION OF DISPENSATIONS SUB-COMMITTEE

- 7.1 On 17 September 2009 the Standards Committee considered the new legislation and were asked to consider establishing a Dispensations Sub-Committee to hear dispensation applications. The provision of a sub-committee to consider dispensation applications is allowed for under Section 54A (1) of the Local Government Act 2000. The benefits of using a sub-committee would be the ability to quickly consider applications which are sometimes made at relatively short notice. It would also fit in with the structure already established to assess Code of Conduct complaints.
- 7.2 At the aforementioned meeting the Standards Committee resolved to make a recommendation to this Committee to establish a Dispensations Sub-Committee with responsibility for considering dispensation applications. The proposed structure for the sub-committee recognises the statutory requirement for an independent chairman, the need for an elected member to be present and that a parish councillor representative should also be a member of the sub-committee if the application is made by a parish councillor. The proposed addition to the constitution to add this sub-committee is set out below.

Terms of Reference of the Dispensations Sub-Committee

As approved by the Standards Committee

1. Terms of Reference

The Dispensations Sub-Committee is established to determine applications from members of the authority for a dispensation in accordance with the provisions of the Local Government Act 2000 (as amended) and the Standards Committee (Further Provisions) (England) Regulations 2009.

2. Composition of the Dispensations Sub-Committee

The Dispensations Sub-Committee shall comprise 4 members, of whom at least 1 shall be an independent member of the Standards Committee and at least two shall be elected members of the Authority. When the Dispensations Sub-Committee considers an application from a Parish or Town Councillor, the Sub-Committee shall also include a Parish or Town Council representative. The Chairman of the Dispensations Sub-Committee must be an independent member of the Standards Committee.

3. Quorum

The quorum for a meeting of the Sub-Committee shall be 3 members, with an Independent member as Chairman, and at

least one elected member of the Council and at least one Parish or Town Council representative when considering an application from a Parish or Town Councillor.

8.0 TERMS OF REFERENCE FOR THE HEALTH MONITORING COMMITTEE

8.1 Following the Motion agreed at Council on 26 November, 2009 approval is sought for the establishment of a Health Monitoring Committee and the addition to the Constitution of Terms of Reference for the Committee.

8.2 Terms of Reference

1. To gather information and consider significant issues that are relevant to the local health review and the implications for people in Telford & Wrekin.
2. To work with the Health Monitoring Scrutiny Group and the Joint Health Scrutiny Committee in relation to formal consultations on significant changes to health services in the Borough.
3. To consider and co-ordinate the Councils response to proposals from the PCT for any changes in health service provision in the Borough and to report findings and recommendations to Cabinet.
4. The Committee may invite groups, organisations and individuals to address them, discuss issues of local health service provision and/or answer questions.

The Committee has no delegated powers.

8.3 Membership of the Committee.

1. To consist of a minimum of 6 and a maximum of 12 Members, including all Group Leaders.
2. The allocation of seats on the Committee will be subject to political balance rules.
3. The Chairman will be the Leader of the Council.

8.4. Co-optees

1. The Committee shall be entitled to appoint a number of people as co-optees.
2. Co-optees will not have voting rights.

8.5 Frequency of Meetings.

Meetings will take place as and when required.

8.6 Working Arrangements

The Committee shall be able to convene Working Groups, consisting of the Committee's Members and co-optees to undertake work on its behalf. These are not formally constituted Council committees and therefore do not have to meet in public or meet political balance requirements.

Working Groups will report their findings to the Health Monitoring Committee for onward referral to Cabinet.

8.7 Quorum

At least three Members will need to be present in order for the Committee to be quorate.

9.0 **OTHER INFORMATION**

Equality & Diversity	The business of the Committee considers equality and diversity in an appropriate manner.
Environmental Impact	None arising directly from this report.
Legal Comment	The Local Government Act 2000 requires the Council to have a Constitution. This Committee has been established to review the Constitution and to provide advice and guidance to the Council on any proposed changes.
Links with Corporate Priorities	The Council seeks to deliver its objectives of providing leadership, accountability and high standards in local democracy.
Opportunities & Risks	The opportunities and risks associated with these proposals have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.
Financial Implications	There are no financial impact implications arising from this report and any changes can be met from within existing budgets.
Ward Implications	Borough wide

10.0 **BACKGROUND PAPERS**

Council Constitution
Local Government Act 2000 (as amended)
The Standards Committee (Further Provisions)(England) Regulations
2009

Standards Board Guidance in relation to Dispensations (issued July 2009)
The Local Democracy, Economic Development & Construction Act 2009

Report prepared by Phil Griffiths (Democratic Services Manager – 01952-383210), and Matthew Cumberbatch (Group Solicitor – Standards & Regulatory) – 01952-383255

TELFORD & WREKIN COUNCIL

FAIRTRADE STATUS : PROGRESS REPORT

COUNCIL – 28th JANUARY 2010

REPORT OF THE HEAD OF PLANNING & TRANSPORT

1.0 PURPOSE

- 1.1 To provide an update on work that has been undertaken to promote Fairtrade in the Borough of Telford & Wrekin in support of the resolution adopted by Council on 27th April, 2005.

2.0 RECOMMENDATION

- 2.1 That council note the progress that has been achieved.

3.0 SUMMARY

- 3.1 This report provides an update on the activities of the Fairtrade Group on behalf of Telford & Wrekin Council and summarises the Group's plans for the coming year.

4.0 PREVIOUS MINUTES

- 4.1 Minutes of the Meeting of the Council held on 27 April 2005 endorsing the motion to support the principles of Fairtrade.
- 4.2 Minutes of the Meeting of the Council held on 6 March 2008 that continued to endorse the motion to support the principles of Fairtrade.

5.0 INFORMATION

Fairtrade

- 5.1 Fairtrade guarantees a better deal for third world producers. Fairtrade gives power back to both producers and consumers – producers get fair wages, good working conditions, help with the development of products and marketing, while consumers are given the choice to make a difference by buying Fairtrade products whenever they can.
- 5.2 Fairtrade organisations and advocates share and support the following principles for trading relations:

- Creating opportunities for economically disadvantaged producers
- Transparency and accountability.
- Capacity building
- Payment of a fair price
- Gender equality
- Working conditions
- Environmental protection

5.3 On 27 April 2005¹ the Council passed a motion that the Authority wholly supported the principles of Fair Trading. Fairtrade status was granted to the Shropshire Coalition by the Fairtrade Foundation in 2007. The Council renewed the commitment again on 6 March 2008².

Fairtrade Goals

- Pass a resolution supporting the campaign and use Fairtrade tea and coffee at meetings and in its offices and canteens;
- Make available at least two Fairtrade products in the area's shops and local cafes / catering establishments;
- Ensure Fairtrade products are used by an appropriate number of local work places (including a large flagship employer) and community organisations;
- Demonstrate media coverage and popular support;
- Convene a local Fairtrade Group to continue the commitment to Fairtrade products.

5.4 **Progress against each of the Fairtrade Goals**

Appendix 1 provides details of progress to date. In summary, the following actions have been achieved:-

- Tea and coffee ordered from the Catering Team for meetings in the Council is Fairtrade;
- The Shropshire Coalition far exceeds the number of required retail and

¹ Meeting of the Borough of Telford & Wrekin – 27 April 2005:

“That this Borough of Telford and Wrekin wholly support the principles of fair trading throughout the world and that we in the Borough of Telford and Wrekin will seek to promote this worthy cause both from within the Council and that we will encourage local businesses, commercial outlets and other Public Agencies to support this initiative.”

² Meeting of the Borough of Telford & Wrekin – 6 March 2008:

“Telford & Wrekin Council resolves to continue its support of the principles of its Fairtrade status granted on 13 July 2007 by, wherever possible, supplying Fairtrade products within the Council premises and schools, purchasing supplies from Fairtrade sourced producers, encouraging local employers to utilise Fairtrade products in their businesses, promoting and encouraging Fairtrade principles and raising awareness of Fairtrade goods in Council publications.”

- catering outlets selling at least 2 Fairtrade products;
- A number of local work places and organisations use Fairtrade products including schools, faith groups and the flagship employer, the Ironbridge Gorge Museum Trust;
- There have been a number of press releases across the coalition area and literature is available on the Council's intranet;
- The Fairtrade Stall has operated in Civic Offices on numerous occasions since 2008;
- The Telford & Wrekin Council Fairtrade Group has been meeting regularly since 2008. Harjot Rayet (Environmental Policy Officer) was assigned to the Group as Lead Officer in September 2009.

5.5 Next Year's Priorities

Appendix 2 provides the Fairtrade Action Plan for the Council. In summary, the principal actions for 2010/11 are to:

- Develop an action plan to focus on priorities;
- Raise awareness of Fairtrade issues amongst staff;
- Arrange Fairtrade Christmas and Fairtrade Fortnight activities;
- Establish a Fairtrade webpage on the Council's website.

6.0 **EQUALITY & DIVERSITY**

6.1 There are no direct equality or diversity implications.

6.2 By supporting Fairtrade the Council demonstrates a commitment to reducing the inequalities faced by communities in some of the most disadvantaged areas of the world.

7.0 **ENVIRONMENTAL IMPACT**

7.1 Fairtrade adheres to high environmental standards and financially rewards farming communities that engage in sustainable farming practices.

8.0 **LEGAL COMMENT**

8.1 There are considerations to be made when 'social issues' such as the use of Fairtrade products are incorporated into public sector purchasing, but the EU Procurement Rules do not apply to situations where staff or members of the public buy goods direct from the contractor.

9.0 **LINKS WITH CORPORATE PRIORITIES**

9.1 The policy is in line with Priority 3: Maintaining a High Quality Attractive and Sustainable Environment and Sub Priority 1: Addressing Climate Change and Enhancing the Natural Environment.

10.0 OPPORTUNITIES AND RISKS

10.1 By not demonstrating commitment and leadership in this and other areas of sustainability issues the Council risks damage to its reputation.

11.0 FINANCIAL IMPLICATIONS

11.1 This report seeks only to provide an update on the progress made to date and outline priorities for 2010/11. There are no financial implications, which will not be covered from existing resources.

12.0 WARD IMPLICATIONS

12.1 All

13.0 BACKGROUND PAPERS

Telford and Wrekin Council Fairtrade Group Minutes

Report Prepared by Harjot Rayet, Environmental Policy Officer (tel: 01952 384219)
--

Appendix 1 Progress against each of Telford & Wrekin's Fairtrade Goals

Goal 1: Local Council passes a resolution supporting Fairtrade, and agrees to serve Fairtrade tea and coffee at its meetings and in its offices and canteens.

Telford & Wrekin Council continues to be a key partner in line with the Council's resolution.

The resolution has committed the Council to promoting awareness of Fairtrade. Following the resolution, Fairtrade tea and coffee has been made available within the Council.

Goal 2: A range of at least two Fairtrade products are readily available in the area's shops and local cafes / catering establishments

With a population of 450,000 Shropshire Coalition requires 45 retail outlets and 23 catering outlets selling two or more Fairtrade products. As of 2nd December 2009, there were a total of 143 known retail and 28 known catering outlets meeting the Fairtrade standard within the Shropshire Coalition area. Of which there are 20 known retail outlets and 3 known catering outlets selling Fairtrade produce within the Borough of Telford & Wrekin, these are listed below:

Retail Outlets

ASDA, St. George's Rd, Donnington Wood	ASDA, Telford Town Centre
Body Shop, Telford Town Centre	Co-op, Limes Walk, Oakengates
Co-op, Wrekin Dr, Donnington	Co-op, High St, Dawley
Healthy Thymes, Wellington Market	Holland & Barrett, Telford Town Centre
Sainsbury's, Telford Forge Retail Park, Colliers Way, Old Park	Julian Graves, Telford Town Centre
Marks and Spencer, Telford Town Centre	Somerfield, Madeley Centre
Somerfield, Stirchley Centre	Telford Christian Centre, Meeting Point House, Wellington
Tesco, Arlington Way	Tesco, Wrekin Retail Park, Arleston
The Red Rooster, High St, Ironbridge	Tsabok, Halesfield
Morrisons, Spring Hill, Wellington	Co-op, Priorslee Avenue, Priorslee

Catering Outlets

Café Revive (Marks and Spencer), Telford Shopping Centre	Costa Coffee, Telford Shopping Centre
Meeting Point Trust Ltd	

<i>Goal 3: Fairtrade products are used by an appropriate number of local work places (estate agents, hairdressers etc. for a small town, and a large flagship employer for a large town or city) and community organisations (churches, schools, universities etc.)</i>	
The Coalition has one main flagship employer (which is situated within the Borough of Telford & Wrekin) – the Ironbridge Gorge Museum Trust. The Trust has made Fairtrade products available in all catering outlets and in conference and hospitality packages.	
Overall within the Shropshire Coalition area there are 23 workplaces using Fairtrade products of which the Ironbridge Gorge Museum Trust is one. Of the remaining 22 workplaces there are approximately 6 workplaces that fall within the Borough of Telford & Wrekin, these are listed below:	
Care Ironbridge	Community Health Education Centre, Madeley, Telford
Harvest Help (Development Charity), Wellington	Greenwood Trust, Ironbridge
Telford and Wrekin Primary Care Trust (Health Promotion), Telford	Meeting Point House, Telford
There are also currently 78 known churches signed up to Fairtrade within the Shropshire Coalition area. Of these, there are 21 within the Borough of Telford & Wrekin:	
St Andrew's, Church Aston	St Michael's, Water Upton
St Leonard, Malinslee	All Saints, Stirchley
St Peter's, Edgmond	All Saints, Wellington
St Michael & All Angels, Lilleshall	Christ Church, Wellington
Buildwas Holy Trinity	Eaton Constantine St Mary
High Ercall St Mary, Crudgington	High Ercall St Michael and All Angels
Leighton St Mary	Longdon-uponTern St Bartholomew
Rodington St George	Rowton All Hallows
Uffington Holy Trinity	Uppington Holy Trinity
Upton Magna St Lucia	Withington St John the Baptist
Wrockwardine St Peter	
Additionally, there are currently 94 known Schools signed up to Fairtrade within the Shropshire Coalition area. Of these, there are 24 within the Borough of Telford & Wrekin:	
Wrekin College, Wellington	Moorfield Primary School, Newport
Telford College of Arts & Technology	Madeley Court School
New College (Sixth Form)	Lord Silkin School

Harper Adams University College, Newport	Lawley Primary School
Blessed Robert Johnson Catholic College (11-18 yrs)	Ercall Wood School
Short Wood Primary School	Dothill Junior School
Three Oaks Primary School	Donnington Wood Infant School
Sutherland School	Windmill Primary School
Stirchley Primary School	Aqueduct County Primary School
Randlay Primary School	Apley Wood Primary School
Phoenix School	Adams' Grammar School
Muxton Primary School	Redhill Primary School

Goal 4: Attract media coverage and popular support for the campaign

Within the Shropshire Coalition area, Fairtrade has been published through publications such as the Bridgnorth Journal to the Shrewsbury Chronicle. Within the Council, the campaign has been publicised through the e-bulletin. Additionally, Fairtrade has been promoted through events during the year, especially during Fairtrade Fortnight. A particular highlight for the year was the Pre-Christmas Stall (18th November 2009) organized by Jo and Ken Pattison which operated in the Scrutiny Room, Civic Offices. The stall stocked a variety of Fairtrade and other fairly traded products.

Additionally, Fairtrade literature on Procurement is now available on the Corporate Procurement & Payments Unit Intranet Webpage with information on:

- Introducing Fairtrade into Public Procurement
- How to minimise legal uncertainties within Fairtrade
- Tender Models for Fairtrade
- Fairtrade Further Promotion Presentation

Goal 5: A local Steering Group is convened to ensure progress and continued commitment to the campaign

A Fairtrade Lead Officer has been established for Telford & Wrekin – the Environmental Policy Officer, who will provide representation at the Shropshire Fairtrade Coalition as well as events both locally and nationally. The Telford & Wrekin Council Fairtrade Group will meet on four occasions during the year to review progress to date and set actions. Membership of the group is diverse and includes the following:

- Councillor Veronica Fletcher
- Ken Pattison Shropshire Fairtrade Coalition
- Ann Baxendale Internal Communications Officer
- Harjot Rayet Environmental Policy Officer
- Clare Francis Environmental Projects Officer
- Kerry Hughes Procurement Officer
- Kate Sumner Cleaning Services Manager
- Fiona Wright Education for Sustainable Development

Appendix 2 Fairtrade Action Plan 2010/11

Action	Recommended Lead
Goal 1: Local Council passes a resolution supporting Fairtrade, and agrees to serve Fairtrade coffee and tea at its meetings and in its offices and canteens	
Procurement to try wherever possible to include a fairly traded option in relevant tenders	Corporate Procurement Unit Environmental Projects Team
Encourage school shops / vending machines to stock Fairtrade products	Environmental Projects Team Education for Sustainable Development Officer Catering Services
Goal 2: A range of (at least two) Fairtrade products are readily available in the area's shops. Fairtrade products are served in local cafes / catering establishments	
Publicise on the forthcoming Fairtrade webpage which retail outlets stock Fairtrade products, by providing a link to the Shropshire Fairtrade Coalition Directory	Environmental Projects Team
Goal 3: Fairtrade products are used by a number of local work places (estate agents, hairdressers etc) and community organisations (churches, schools etc)	
Offer advice and support to local work places and community groups to promote Fairtrade products via the forthcoming Fairtrade webpage	Environmental Projects Team
Encourage and promote Fairtrade activities within Schools Encourage schools across the Borough to go for Fairtrade status	Environmental Projects Team Education for Sustainable Development Officer
Goal 4: Attract media coverage and popular support for the campaign	
Ensure widespread press coverage about the campaign and events	Public Relations
Develop a Fairtrade webpage on the Council's website	Environmental Projects Team
Provide information through the e-bulletin	Public Relations
Carry out a number a promotional activities	Environmental Projects Team Public Relations
Goal 5: A local Fairtrade steering group is convened to ensure continued commitment to its Fairtrade Town Status	
The Council's Fairtrade Group to progress Council-specific actions	All Members of the Fairtrade Group

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 4 November, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), R.G. Chaplin, N.A. Dugmore, J.A. Francis, G.M. Green, H. Rhodes, C.F. Smith (substitute for Councillor F.R. Picken) and M.J. Smith

ALSO PRESENT: Councillor D. Wright for planning application W2009/0618 and Councillor R.E. Groom for planning application W2009/0793

PB-50 MINUTES

RESOLVED - that the minutes of the meeting of the Plans Board held on 15 October, 2009 be confirmed and signed by the Chairman.

PB-51 APOLOGY FOR ABSENCE

Councillor F.R. Picken

PB-52 DECLARATIONS OF INTEREST

Councillor C.F. Smith declared a prejudicial interest in planning application W2009/0793 during discussion and determination of which he would leave the room.

Councillor N.A. Dugmore declared a personal but non-prejudicial interest in planning application W2009/0836

PB-53 PLANNING APPLICATIONS FOR DETERMINATION

- (a) W2007/1382 – Candles Landfill Site, Dog in the Lane, Little Wenlock, Shropshire

This application sought approval of the variation of Conditions 6 & 8 of Planning Permission W92/0903 in order to extend the period of time for the disposal of controlled waste until 31st December 2012 and restoration of the site until 31st December 2013. As set out in the report, this application had been submitted to resolve the outstanding issues in relation to planning application (W2006/1552), which the applicant had withdrawn in July 2007 following an officer recommendation of refusal. A copy of the officer report on application W2006/1552 was appended to this current report, and a copy of the planning permission in respect of W93/903 had been circulated to Members for their further information.

Condition 6 of permission W93/903 required landfilling to be completed within ten years of its commencement and Condition 8 required restoration within 11 years of the date of commencement of tipping, i.e. 14th April 1997. Therefore, tipping should have ceased on 13th April 2007 and restoration have been

completed by 13th April 2008. It was the modification of the expiry dates of these two planning conditions that were proposed in this application.

A further 5 years of tipping would, potentially, allow the present licensed permitted landfill void of some 0.75 million cubic metres to be fully utilised. All other aspects of site operations including hours of operation, environmental controls and restoration of the site to woodland and meadow with 5 years aftercare would remain the same with no proposed modifications. It was further proposed to give the Council the option of leasing the site on completion of aftercare works with a commuted sum of £25,000.

The saved policies of The Shropshire and Telford & Wrekin Joint Structure Plan, 1996-2011 and the Wrekin Local Plan, 1995-2006, the policies of the adopted Regional Spatial Strategy (RSS11) and supplementary national planning guidance were relevant to the determination of this application.

The report detailed the consultation responses. Little Wenlock Parish Council supported the proposed variation of the two conditions but wished to have a circular bridlepath around the site and the Coalmoor Coal Disposal Point Area restored. The Council's Rights Of Way Officer had confirmed that any change to the bridlepath route did not have to be included in the proposals for this application.

The Council's Leisure Facilities & Physical Activity (LFPA) Manager had advised that the authority would like the option to lease the land along with a £25,000 commuted sum. As the LFPA Manager would not wish to see the land split into separate parcels, it was suggested that the preferred option would be for the Council to lease the whole site. The Council could then determine how the land should be used alongside the existing Horsehay Golf Course. The figure of £25,000 was less than that originally requested for community benefits in the local area but, as this figure was not based on any mathematical equation, and given the Company's willingness to lease to the site to the Council, it was considered acceptable.

None of the other Council consultees had submitted any objections to the proposal but objections had been submitted by two local residents, as summarised in the report. The Site Liaison Group had discussed this application and the management of the site in general and was of the overall view that the site was being run adequately and the present application could be supported. There was an acceptance that, notwithstanding the need to recycle more waste, the existing licensed void space should be utilised for tipping licensed wastes. The site would be regularly monitored by the Environment Agency in relation to its Pollution, Prevention and Control Permit, and by the Council for environmental health and planning issues.

Since withdrawal of application W2006/1552, Veolia had agreed a 27 year integrated waste management contract with the, then, Shropshire Waste Partnership, now Shropshire Council. As a result, the proportion of Shropshire's municipal waste needing to be landfilled was now being tipped at the Candles landfill site rather than, as previously, at the Granville landfill site, which was operated by SITA, the previous service provider. As set out in the

report, Telford & Wrekin, for all practical purposes, provided the municipal landfill capacity in the Shropshire and Telford & Wrekin sub-region, a situation that might well continue for a few years.

Veolia had advised that, as at October 2009, there was approximately 0.75 million cubic metres of remaining licensed void capacity at the site. On this basis, it would have to tip at some 230,000 tonnes per annum to complete infilling the remaining licensed void space by the end of 2012. The maximum amount of permitted wastes that were allowed to be imported to the Candles was 435,000 tones per annum. However, whilst importing Shropshire's municipal waste had increased tipping, there had been a reduction in the amount of industrial and commercial wastes imported due to the recession, although this was expected to increase once the current economic climate had improved. This should have the overall effect, notwithstanding initiatives to reduce the amount of landfill, of reducing the operational life of Candles. It was, therefore, considered prudent at this stage not to recommend the granting of planning permission for tipping at the site beyond the end of 2012, although it could not be guaranteed that all licensed tipping capacity would be completely utilised by the end of 2012. In conclusion, as set out in the report, the proposals were compatible with national planning guidance, regional and saved development plan policies.

Councillor C.F. Smith expressed concern at the application given the recent approval of the coal mining application at Huntingdon, which would affect the same area of Telford, and questioned whether this was likely to be the last such application for a variation of the conditions. He wished to see the site closed at the earliest opportunity but accepted that the revised dates, if approved, were reasonable. Other members welcomed the S106 contribution and the utilisation of the remaining landfill capacity on the site.

The Head of Planning & Transport responded that there was no guarantee that the applicant would not submit a further application for a variation in the conditions, but the current variation was the shortest period that could be achieved. At this point in time it was not possible to foresee any future issues, but this variation, if approved, would enable the applicant to satisfactorily finish the site.

RESOLVED – that with respect to planning application W2007/1382 subject to the applicant entering into a Section 106 Agreement dealing with the option to lease all or part of the Candles landfill site and the payment of £25,000, upon the signing of that lease to delegate authority to the Head of Planning & Transport to grant variation to condition 6 cessation of landfill until 31st December 2012 and condition 8 completion of restoration until 31st December 2013 of planning permission W93/903.

(b) W2009/0618 – Land Adjacent to 81 Coronation Crescent, Madeley, Telford, Shropshire

This application for the erection of a single dwelling in the side garden of this property had been deferred by the Board at its meeting on 15 October, 2009 to allow Members to make a Site visit.

Members' attention was drawn to the comments received from the applicant's agent in response to the officer's report, a copy of which was tabled at the meeting. However, despite these comments, officers remained of the opinion that the site was unsuitable for development and, if approved, would constitute an over-development in this area.

Councillor D. Wright, who had requested that the application be determined by the Plans Board, was invited to address the Board. In supporting the application, he said that the applicant and the occupants of no. 52 Coronation Crescent shared an access and could only reverse out onto the highway. However, development of the site and the provision of four parking spaces would enable the occupants of both properties to drive out forwards. With regard to the Highways Engineer's objections on the grounds of increased traffic generation, Councillor Wright said that, following the closure of Madeley Court School, there was now less traffic on Court Street. In conclusion, he agreed that the view from properties on Court Street would be restricted but not to the extent that the Wrekin could no longer be seen.

Councillor G.M. Green, the other Ward Member for Madeley, was of the view that traffic on Court Street had not reduced. She also believed that the proposal, if approved, would make the site look out of keeping with those adjacent and would set a precedent for future applications. This view was supported by other members, who agreed that the development would be an over-development and result in traffic problems given the shared access.

RESOLVED – that with respect to planning application W2009/0618 permission be refused on the following grounds:

- 1. The Local Planning Authority considered that the proposed development was unacceptable and was an overdevelopment of the site which failed to respect and respond positively to its context. The addition of a new detached dwelling on the plot would create an incongruous and cramped form of development within the street scene, out of character with the spacious semi-detached built form of Coronation Crescent. Accordingly, the proposal was contrary to 'saved' Policies UD2 and H6 of the Wrekin Local Plan 1995-2006, Policies CS5 and CS15 of the Core Strategy 2007 and national planning guidance in PPS1: Delivering Sustainable Development and PPS3: Housing;**
- 2. The Local Planning Authority considered that the traffic generated by the proposed development was likely to result in an increase in highway danger owing to the intensification in use of a vehicle access location which afforded restricted visibility splays for drivers existing onto the highway. Accordingly, the proposal was contrary to 'saved' Policies UD2 and H6 of the Wrekin Local Plan 1995-2006, Policies CS5 and CS15 of the Core Strategy 2007 and national planning guidance in PPS1: Delivering Sustainable Development and PPS3: Housing.**

(c) W2009/0759 – 1 Ellerdine, Heath Lane, Ellerdine, Shropshire

This application sought planning permission for a large garage of three bays fronting the road and two storage bays to the rear, with ancillary living accommodation above. Following refusal of a similar proposal earlier in the year, the size of the garage had been reduced and slight changes made to the character of the proposal. The previously extended, large detached property was surrounded by garden land and a paddock and sited within the rural area. It was accessed via a driveway to the front that ran to the north of the dwelling. Within the grounds, to the north-east, were large detached outbuildings of a prefabricated construction, which had previously been used with the paddocks as part of a small holding.

Ercall Magna Parish Council had objected to the application on the grounds of the size of the development and its relationship with the main dwelling. No other objections had been received but the Fire Safety Officer had requested the placement of an informative with regards to access

The proposed garaging would replace the existing single storey outbuildings, sited approximately 12m from the extended dwelling. The roof ridge would be 0.3m lower than that of the existing dwelling and 0.7m lower than the dwelling. This lower eaves height would give a more subservient appearance and, therefore, it would not detrimentally dominate the extended property. The proposal had been amended so that the dormer windows at the front matched those of the dwelling with the same roof slope being retained. To ensure that the proposal was not detrimental to the character and appearance of the dwelling or the surrounding area, a condition would be imposed requesting that samples of all the materials to be used were submitted prior to commencement. The land on which the garage was to be located appeared to be at a higher level than the existing dwelling and, to ensure that this did not result in the development dominating the dwelling, a condition would be imposed requesting a plan of the finished levels on the site to be approved prior to commencement.

Given its distance from the existing dwelling, the garage could be separated into a new dwelling, leading to an undesirable separation of the curtilage. To prevent this, a condition would be placed to ensure that the development was only used for purposes incidental to the enjoyment of the existing dwelling and did not become a separate unit of accommodation at some future date. In addition, to prevent the ground floor of the proposed garage becoming additional living accommodation and thus placing additional pressures on the residential curtilage of the dwelling, it would be conditioned to be retained for purposes incidental to the use of the dwelling house, but not to include living accommodation.

As the site was bounded by fields, with the nearest neighbouring properties being approximately 60m away, the proposed development would not be of detriment to the surrounding properties. As the property benefited from large grounds the proposal would leave adequate private amenity space. In conclusion, as the proposal was in keeping with the character and appearance of the general area and would not be detrimental to the amenities

of the neighbouring properties, it complied with policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

The Planning Officer stated that the proposed garage was acceptable as a building, but stressed the importance of ensuring that it was not converted into a dwelling at some future date.

Several members expressed concern at the size of the proposal and the potential for its conversion. However, the Chairman drew their attention to conditions D129 and D127, which control future use. The Head of Planning & Transport added that, whilst these were the strongest conditions that could be imposed, there was no guarantee that a future application would not be submitted seeking permission to convert the garage into living accommodation. It was, therefore, important, that the Council, Parish Council and neighbouring properties should be vigilant in checking that this was not done without benefit of planning permission.

RESOLVED – that with respect to planning application W2009/0759 planning permission be granted subject to the conditions as set out in the report.

(Councillor C.F. Smith, having previously declared an interest in the following application, left the room during discussion and determination thereof.)

(d) W2009/0793 – Wrockwardine Wood & Trench Parish Council Building, Church Road, Wrockwardine Wood, Telford, Shropshire

This application was in respect of the erection of a single storey side extension to the Parish Council building to provide an enlarged parish room and chair store. The building was attached to Wrockwardine Wood Infant School and Nursery, and located at the north of the school site. There were shared car parking facilities at the front of the building, with access off Church Road.

The proposed extension would measure approximately 6.63m in length and project 3.15m from the existing rear elevation with a roof measuring 3.36m to eaves and 4.6m to ridge. It would be constructed in the same materials and be of the same form as the existing building, with a metal asymmetrical monopitch roof. It was considered to be a modest and proportionate addition which would be in keeping with the character and appearance of the existing development. The rear of the site was visible through the security fencing from the footpath to the north but it would not appear overly prominent in the streetscene and, by virtue of its form, design and materials, would be read as part of the existing building and development at the school.

To the rear of the existing building was a single, mature silver birch tree, the canopy of which would be close to the proposed extension. The applicant's agent had clarified that the tree needed to be removed due to the proximity of the roots and branches to the proposed extension and the potential damage that it would cause to the foundations and the roof. Furthermore, there was a service cable/pipe running underneath the tree, which would have to be

relocated to enable the extension to be built; however this could be compensated through replacement planting and the submission of a planting scheme was, therefore, recommended as a condition.

The Council's Geotechnical Engineer had requested that the applicant submitted a mining report and advised that, if the report identified a shallow mining problem, investigations might be required. Members were advised that following a review of the report, the issues could be dealt with through appropriate mitigation.

One letter of objection had been received, as summarised in the report, regarding the potential for noisy activities within the building. However, there were no existing conditions relating to hours or restricting particular activities on the original 1997 permission for the parish council building. But, as the development would be a sufficient distance from adjoining residential properties, the proposal would not have an unduly harmful impact on their amenities.

In conclusion, it was considered that the proposed extension was acceptable in terms of its scale, design, form and materials, would be in keeping with the character and appearance of the existing development, and would not have an adverse impact on adjoining residential properties or on the streetscene.

Councillor R.E. Groom, the other Ward Member for Wrockwardine Wood & Trench, was invited to address the Board and spoke in support of the application which would provide a much needed storage facility for this community building. His only concern was the loss of the silver birch tree but he said that the Parish Council would guarantee to provide a replacement. Given the concerns expressed at the loss of the tree, it was proposed that the recommendation shown in the officer's report be amended to seek the submission of a planting scheme to include a suitable replacement tree prior to commencement of the development. In addition, as set out in the tabled update sheet, it was proposed that a further condition be added to the approval regarding mitigation and contamination informatives, as requested by the Council's Environmental Engineering Section.

RESOLVED - that with respect to planning application W2009/0793 delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the submission of satisfactory additional information that addressed geotechnical issues, a mitigation condition as recommended by the Environmental Engineering Section and contamination informatives, to the conditions as set out in the report, and to the prior submission of a planting scheme to include a suitable replacement tree.

(Councillor C.F. Smith returned to the meeting).

- (e) W2009/0797 – Public Open Space to the rear of Kesworth Drive, Priorslee, Telford, Shropshire

This application by Telford & Wrekin Council sought planning permission for the refurbishment of the existing children's ball court and seating area and the erection of 3m high mesh fencing on an established games court within an area of recreational land. The refurbishment would include resurfacing of the adjacent footpaths, provision of an additional footpath to service the seating area, and upgraded litter bins and safety signage.

The proposal would provide an upgraded multi-use games area, bounded by 3 metre high gridweld mesh fencing with 0.5 metre high crank top. It would provide facilities for a range of activities such as basketball, cricket and 5-a-side football for use by the community. The layout of the facility would not be changed but its design would be amended to bring it up to modern safety standards and to meet the expectations of the young people who would use the facility.

The addition of fencing would make it a more prominent structure than the existing ball court, but it was considered that the overall scheme was appropriate to the context of the area, both visually and functionally. It was considered that the design was in accordance with local design policies CS15 of the Core Strategy and UD2 of the Local Plan. There would be no adverse impact on the amenities of the area, as the site was located well away from residential properties, with substantial screening around the boundaries of the recreation land.

The site was located in the Green Network and Policy OL4 of the Wrekin Local Plan permitted development provided there were community benefits, such as recreational facilities. This scheme, therefore, met the aims of the Green Network and provided important community facilities for local residents. The Geotechnical Engineer had recommended approval subject to Informatives relating to former mineral workings and contaminated land.

The Chairman commented that this proposal was in his Ward and would provide a much need facility for youngsters of 12-18 years.

RESOLVED – that with respect to planning application W2009/0797 planning permission be granted subject to the conditions as set out in the report.

(f) W2009/0805 – Ladygrove Primary School, Old Office Road, Dawley, Telford, Shropshire

This application by Telford & Wrekin Council requested planning permission for the erection of a single storey classroom extension at the end of the north-eastern wing of the school, including installation of a glazed corridor and lobby to the side. The site of the proposed extension was currently a hard play area but planning application W2009/0621 had been previously approved to extend the play area to facilitate this extension.

The extension would be timber framed with facing brickwork to form one classroom and a glazed corridor to be used as a cloak area. It would follow the inner roof pitch, but with a lower roof pitch adjacent to the footpath which,

along with the large glazed feature, would create a subservient design that did not dominate the building or the area. Furthermore, with the use of materials to match that of the existing building, the proposal would not be of detriment to the character and appearance of the building or the surrounding area. As the nearest residential properties were located some 40m away and benefited from substantial screening, it was considered that the proposal would not have any detrimental impact on the amenities of neighbouring properties.

In conclusion the proposed use supported the existing school and, as such, complied with Policies CS10 of the Core Strategy and LR1 of the Wrekin Local Plan and would not have an adverse impact the surrounding environment in accordance with Policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

The Council's Geotechnical Engineers had raised no objections to the proposal subject to the placing of some informatives with regard to caution being undertaken on all excavations and the presences of mine shafts.

RESOLVED – that with respect to planning application WW2009/0805 planning permission be granted subject to the conditions as set out in the report.

(g) W2009/0819 – Traffic Roundabout, Junction of Station Road, Newport, Shropshire

Telford & Wrekin Council had submitted this application for the display of four 'available for sponsorship' advertising signs on the central island of this roundabout on the A518 Newport by-pass. There were some dwellings in the vicinity of the roundabout, but the surrounding area was predominantly rural. A significant feature of the roundabout was the 'sheep and pen' metalwork sculpture on the central island which related to the rural character of the area, and provided visual interest.

The proposed signs were part of current Council policy to promote local businesses and similar sized signs were located on many roundabouts in Borough as part of the Telford & Wrekin Community Sponsorship scheme. It was considered that roundabouts within predominantly urban areas were suitable for such signage and that the addition of advertising in urban locations was more likely to be acceptable from the point of view of visual amenity. However this roundabout was situated in a predominantly rural area surrounded by a verdant landscape. There was little signage in the area except for existing highway signs and it was considered that the proposals would detract from the visual appearance of the existing sculpture on the central island of the roundabout.

RESOLVED – that with respect to planning application W2009/0819 Advertisement Consent be refused for the following reason:

- 1. The proposed advertising signage would detract from visual amenity in this predominantly rural area and the signs would harm the existing character and appearance of the central island of the roundabout which featured a sculpture installation. Therefore, the**

proposals would be contrary to the aims and objectives with regard to amenity contained in Policy S31 of the Wrekin Local Plan 1995-2006

- (h) W2009/0836 – Moorfield Primary School, Wellington Road, Newport, Shropshire

This was an application by Telford & Wrekin Council for the erection of a single storey front extension to the main school building which, together with internal reconfiguration, would create a new waiting area and school reception/administrative office and enlargement of one of the classrooms to make it compliant with Ofsted regulations. The proposal would also improve existing access arrangements, with ramped level access for disabled people and parents with young children. New windows and level access from classrooms was also proposed.

The development was the second phase of improvements to the school involving various refurbishment works/extensions. Phase one of the project had encompassed internal works to the school building that did not require planning permission and which had been carried out during the school summer holiday.

As Members recalled, a similar scheme for extensions/alterations to the front of the school building had been approved by the Plans Board on 19th March 2008 and the current proposal was, effectively, an amendment to this which would create a small 'L' shaped extension projecting 4.6 metres in front of the existing building. The proposed extension would extend approximately 17m along part of the front elevation of the main building, projecting out a maximum of 4.6 metres, and would be constructed over an area of both hard surfacing and soft landscaping. The new windows on the side elevation of the building would face the car parking area to the side and the Newport Girls High School. The proposal represented a relatively minor addition to the school which would not significantly alter its character or appearance as the materials would match those of the existing building. There would be little impact on the street scene or the surrounding area and no detrimental impact on any nearby residential properties. There would only be a small loss of soft landscaping and the development would not encroach on the existing vehicular access and car parking area.

RESOLVED – that with respect to planning application W2009/0836 planning permission be granted subject to the conditions as set out in the report.

- (i) W2009/0614 – Stafford Street Car Park, Newport, Shropshire

This planning application was for the erection and relocation of the public toilets within the Council owned Stafford Street Car Park in Newport. The proposed brick building measured approximately 9.8m by 7m, with a hipped tile roof 6m to the ridge, and comprised male and female toilets, a disabled toilet, a baby change area, and a cleaner and service area.

The site was to be acquired by McCarthy and Stone, the applicant, for the comprehensive development of sheltered housing apartments on the land between Stafford Street and the Car Park. In addition, Newport Town Council wished to provide improved, modern public conveniences in the town. The site was currently occupied by three car parking spaces, which would be relocated within the car park. Adjacent to the site were five sycamore trees and a number of recycling skips.

Various sites in the vicinity had been considered for the relocation of the toilet block with the determining factors being the requirement to provide a safe environment, with passive surveillance, and an obvious visual presence. This was the most appropriate location as it was situated adjacent to the main pedestrian route from the car park to the High Street and would locate the toilets closer to the main shopping area of the town.

The proposed development also provided an opportunity to improve the visual appearance of the area by re-arranging the recycling facility area, and incorporating a new pathway and planting bed. The Council's Trees & Woodland Officer had recommended removal of all the existing trees but the Council's Landscape Architect had considered this would be to great a visual loss and had recommended retention of the largest sycamore tree, which had been agreed. This would be supplemented with new ground-cover planting.

The report set out the concerns raised by Newport Town Council. With regard to their request that the door to the maintenance area be located at the rear of the building rather than through the baby-change area, the West Mercia Police Architectural Liaison Officer had suggested that, for security purposes, the access should remain at the front of the building and the number of entrances minimised. The Town Council had queried the provision of two small windows, as it was considered that they could be prone to vandalism, but they would enable light and ventilation to enter the toilet. In response to the Town Council's request that the building be energy efficient and vandal proof, it had been confirmed that the building would have stainless steel doors, automatic 'turn-on and turn-off' lighting inside, and no external lighting.

It was considered that the design of the building and the proposed facing brickwork and plain clay tiles would reflect and respect other buildings in the surrounding area and enhance its visual appearance and quality with no adverse effect upon the nearby Conservation Area. The three parking spaces that would be lost would be relocated to the ends of the parking bays opposite the building and the Council's Highways Engineer had confirmed that these would not have any impact on the manoeuvring space for refuse vehicles and lorries delivering to the adjoining retail units.

Members welcomed the proposal, which would provide an improved community facility.

RESOLVED – that with respect to planning application W2009/0614 planning permission be granted subject to the conditions as set out in the report.

PB-54 SITE VISITS

None.

**PB-55 PLANNING APPLICATIONS DETERMINED UNDER
DELEGATED AUTHORITY**

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 6.45 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 25 November, 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), R.G. Chaplin, E.A. Clare (substitute for Councillor F.R. Picken), N.A. Dugmore, J.A. Francis, G.M. Green, Y.C. Hicks (substitute for Councillor H, Rhodes) and M.J. Smith

ALSO PRESENT: Councillor S. Bentley for planning application W2009/0794 and Councillor Y.C. Hicks for planning application W2009/0874

PB-56 MINUTES

RESOLVED - that the minutes of the meeting of the Plans Board held on 4 November, 2009 be confirmed and signed by the Chairman.

PB-57 APOLOGIES FOR ABSENCE

Councillors H. Rhodes and F.R. Picken

PB-58 DECLARATIONS OF INTEREST

Councillor Y.C. Hicks declared an interest in planning application W2009/0874 and stated that, as she would be speaking in support of the application, she would leave the room during determination and voting thereon.

PB-59 PLANNING APPLICATIONS FOR DETERMINATION

- (a) W2009/0009 – The Shropshire Golf Centre, Muxton Lane, Muxton, Telford, Shropshire

This application was deferred at the Plans Board meeting on 15th October 2009 to enable officers to discuss with the applicants whether any further measures could be taken to make Granville Road more attractive for motorists, thereby encouraging more drivers to use this road to gain access to the Golf Centre rather than using Muxton Lane.

Officers had considered the possibilities of widening Granville Road and/or providing passing places and of bringing the road up to an adoptable standard. However, investigations had shown that most of the land on either side of the road was in private ownership and, therefore, any potential road widening would not be possible. As a way forward, the Council's Highways Engineer had suggested that the road be adopted by the Council under Section 228 of the Highways Act 1980, although this could not take place until the road improvements had been carried out. Adoption could not be guaranteed as the owner of any section of the road had the right to object. However, if the road was adopted, the surface dressing works would take place in June/July immediately following the implementation of the improvement works and adoption of the road.

In the short term the applicants were willing to take the following measures to encourage greater use of Granville Road:

- The removal of the existing flag sign at the junction of Muxton Lane with Wellington Road that now directed motorists up Muxton Lane
- Updating and amending the internet web site so that all visitors were directed to the Golf Centre via Granville Road
- Writing to all the suppliers to the Golf Centre advising that all their delivery vehicles should use Granville Road only
- On the grant of planning permission, to update all existing road signs leading to the Granville Roundabout so that it was clear that all the facilities at the Golf Centre should be accessed along Granville Road

During discussions with the applicants the possibility of closing off Muxton Lane where it joined Granville Road had been explored, as well as placing a barrier between the Golf Centre car parks to prevent movement through the site. However, it was considered that trying to encourage hotel guests to only use Muxton Lane and golfers to only use Granville Road would be difficult to monitor and enforce, and would create too many operational difficulties and could, in the long run, result in more vehicles using Muxton Lane than was currently anticipated.

It was considered that the implementation of the above measures would be sufficient to encourage drivers to access the Golf Club from Granville Road thus alleviating the flow of traffic along Muxton Lane.

Members welcomed the new proposals but the Chairman requested that it be stipulated that the highways improvements be undertaken prior to the commencement of the building works at the Golf Centre.

RESOLVED – that with respect to planning application W2009/0009 delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to a financial contribution of £30,000 towards highway improvements in Granville Road and to the conditions as set out in the report.

(b) W2009/0544 – St. Luke’s Catholic Primary School, Church Road, Trench, Telford, Shropshire

This planning application was for the erection of annexe extensions to provide new and improved facilities for church, school, and community use on a site designated as Green Network in the Wrekin Local Plan. St Luke’s Primary School formed part of a larger school complex which also accommodated the Wrockwardine Wood Church of England School. Councillor C.F. Smith, one of the Ward Members, had requested that the application be considered by the Plans Board.

The proposed development, which would be sited on an area of grass to the west of the existing school buildings, would comprise a building for a community and church hall, sacristy, foyer, meeting room, kitchen and toilets

together with an extension to the existing car park to provide 42 parking spaces. The proposed one-way system through the site and the chevron parking spaces had been designed to discourage access from Pinewood Avenue or exiting onto Church Road. Overflow parking for 20 cars would be provided on part of the existing playground for related events. The existing pedestrian accesses from Church Road and Pinewood Avenue through the site would be maintained.

Following the demolition of the original Catholic Parish Church in Winifreds Drive, Donnington services had been held at the Army Garrison Church and at St. Luke's School. However neither building was suitable or licensed for wedding or funerals. The applicant, the Shrewsbury Roman Catholic Diocese, tried, whenever possible, to co-locate church, community, and school facilities on the same site, to the benefit of both the school and the parish but had been unable to find an alternative site or building in the Trench/Wrockwardine Wood area.

162 letters of support and a petition signed by 218 people in support of the application had been received, as summarised in the report. In addition, the Rector of Holy Trinity Church in Wrockwardine Wood supported the application as the proposed new facilities would not only benefit St Luke's School and the congregation of Our Lady of the Rosary, but also the wider community of Lower Trench. 27 letters of objection had been received, together with objections from Wrockwardine Wood & Trench Parish Council and Councillor C.F. Smith, as summarised in the report.

The Council's Highways Engineer had no objections to the application but had advised that weddings, christenings, and funerals should take place outside the school opening and closing times. This restriction together with the placing of appropriate signage at the car park entrance and exit points would be subject to conditions. The Council's Environmental Health Officer had no objections to the application but had recommended the imposition of conditions to attenuate noise from the development, as described in the report and that an acoustic fence should be erected along the northern boundary of the site.

Policy LR1 (Provision of Community Facilities) of the Wrekin Local Plan expected proposals for community facilities, including places of worship, to normally be located in District or Local Centres. However, such facilities might be acceptable on other sites providing that certain criteria were satisfied. These criteria, and the Council's response to each one, were summarised in the report.

It was considered that the design of the proposed development related positively to its context as the buildings had an appropriate and distinctive design which would complement and enhance the character and appearance of the surrounding area. The proposal would provide much needed new and improved school, church, and community facilities for local people and the wider community in a sustainable location which was accessible by pedestrians, cyclists, and public transport. Whilst the proposal would result in the loss of Green Network land it would accord with the community aims of the Green Network. The annexe extensions would not have an adverse impact on

the local environment or on amenities presently enjoyed by residents living in the local area and had been designed to echo and complement the style of the existing school buildings by the use of matching external materials, mainly brown bricks and interlocking tiles.

The Chairman invited the two Ward Members for Wrockwardine Wood & Trench to address the Board. Councillor R.E. Groom considered that the need for such facilities on this particular site had not been proven and raised concerns regarding the impact of increased traffic on the immediate area. In conclusion he believed that any benefits of the proposal were outweighed by the disadvantages and was of the opinion that there had been no material changes since a similar application had been refused in 2005.

Councillor C.F. Smith supported the need for a Roman Catholic Church in Telford but raised concerns on this particular site, particularly with regard to the impact of the increased traffic. He agreed with the concerns raised by local residents, who would now be subject to traffic movements all week. He requested that, if approved, no licensed club should be allowed to operate on the site.

In response the Council's Highways Engineer outlined the highway reasons for refusing the 2005 application but explained that the current application was significantly different as a one-way system had now been introduced to overcome the visibility issues when turning right out of the site. He informed the Board that the adjacent roads were of standard estate road width and, therefore, able to accommodate the additional traffic. However, information provided by the applicant had shown that, whilst users of the Army Garrison Church were more likely to drive to Donnington, they were more likely to walk to St. Luke's.

Following a discussion of the issues raised by the Ward Members, the Board agreed that a decision on the application be deferred to allow them to make a Site Visit.

RESOLVED – that planning application W2009/0544 be deferred to the meeting of the Board on 16 December 2009 to allow Members to undertake a Site Visit.

(c) W2009/0615 – 16 – 20 Stafford Street, Newport, Shropshire

This planning application, as originally submitted, related to the development of a sheltered housing for 60 units, 54 of which would be sheltered apartments, comprising 32 one-bedroom units and 22 two-bedroom ones. It also included a communal residents' lounge, laundry, guest suite, and house manager's accommodation. 6 social rental apartments would also be provided within an attached but separate self-contained block at the northern corner of the site with its own amenity space and sitting-out area to the rear. However, since submission of the application the applicants had commenced negotiations with the Wrekin Housing Trust to take over the affordable units but, in order to achieve this the one-bedroomed units had been redesigned to produce 4 two-bedroom and 2 one-bedroom units. As a result, the number of sheltered

apartments had been reduced to 53 but the number of affordable units remained as 6..

The proposal was for a rectangular-shaped building with development along all four sides of the site together with the creation of an internal courtyard to provide a parking court for 21 cars and a landscaped amenity space for the residents. A single point of vehicular access would be provided off Stafford Street, with an archway into the courtyard. The development was predominantly three-storey in height, although there were several two and a half storey elements along Stafford Street to mirror the existing development on the opposite side of the road. External materials comprised red bricks, render, and brown and grey roof tiles and the development would be mainly bounded by railings with brick pillars.

One letter of objection had been received from a local resident, as summarised in the report. Newport Town Council and Newport District Civic Society had both welcomed the potential development of the site but had expressed a number of concerns, as summarised in the report.

The Council's Highways Engineer had no objections subject to the applicants entering into a Section 106 Agreement for financial contributions of £20,000 towards changing the operation of the Stafford Street Car Park to create a one-way circulation system (with no exit being allowed onto Stafford Street) and improvements to the Stafford Street/Audley Road traffic signal junction, £10,000 towards highway improvements at the Stafford Street/High Street roundabout junction, £10,000 towards the relocation of the existing bus stops and bus shelters in the Stafford Street Car Park and to conditions relating to the provision of all the proposed parking within the site before the first unit was occupied, and any visibility splays being clear of any obstructions at all times.

The Council's Outdoor Recreation Officer had requested a financial contribution of £30,000 towards the environmental improvements being planned in Victoria Park, in lieu of any on-site provision of recreational or leisure facilities. These improvements would include some items specifically for elderly people.

Whilst the provision of 6 affordable dwellings, which equated to 10%, was less than the 35% suggested in Policy CS6 it was considered that in the present economic climate and the current housing market it was a reasonable number to secure and was more than had been negotiated on other sites in the Borough recently.

Normally affordable housing would be 'pepper-potted' around the entire housing development but, in this instance, the developers had maintained that, for operational reasons, they were not willing to have social rented units within their buildings interspersed with the privately owned apartments for the reasons outlined in the report. Following discussions with the Council the applicants had submitted this scheme whereby the social rented units were located within a self-contained block but which was physically attached to the buildings along Stafford Street. This wing of the building would be built to exactly the same specifications as the remainder of the site, both internally and

externally, and no differences in its ownership or management would be discernible from the outside.

The proposed development had been designed to resemble a collection of traditional town houses, and incorporated red brick and light render on the facades, topped by brown and grey roof tiles. It was, therefore, considered that the design and appearance of the proposed development sympathetically respected and responded to its context in the street scene in terms of scale, form, massing, proportions, historic plot layout, boundary treatment, roofscape, and materials. The scheme would enhance the character and appearance of the area, and substantially improve the townscape quality of a site that adjoined the Newport Conservation Area. In addition it was considered that the amount of the site devoted to landscaped gardens and sitting out areas was acceptable given the average age of residents in sheltered accommodation.

The level of car parking provision was acceptable, as the applicants had stated that car ownership levels amongst its residents were very low and the site lay in a highly sustainable location close to Newport Town Centre. In addition, the new bus station lay adjacent to the site with a frequent bus service to Stafford and Telford and irregular services to Wolverhampton and Stoke-on-Trent. Approval of the application would necessitate the relocation of the bus stop situated outside the existing public toilet block to a new position at the north-eastern end of the two existing bus stops and would entail the loss of six parking spaces within the public car park. This was regrettable but it would be offset by the creation of some 30 additional spaces within the Town Centre Improvement Scheme being developed for the High Street.

Stafford Street constituted one of the main vehicular and pedestrian accesses into the town centre and this development would replace a vacant, boarded-up site. The scale, footprint, and design of the proposed apartment building respected, complemented and reinforced the prevailing townscape in this part of Newport, and the resulting development would preserve and enhance the character and appearance of the surrounding area and the adjacent Conservation Area.

Members welcomed the application which met the need for sheltered housing and affordable housing and would be a well-sited development close to the town centre.

RESOLVED – with respect to planning application W2009/0615, delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the applicants entering into a Section 106 Agreement relating to the provision of affordable housing accommodation and to financial contributions of:

- (i) **£20,000 towards changing the operation of the Stafford Street Car Park to create a one-way circulation system (with no exit being allowed onto Stafford Street) and improvements to the Stafford Street/Audley Road traffic signal junction;**

- (ii) **£10,000 towards highway improvements at the Stafford Street/High Street junction;**
- (iii) **£10,000 towards the relocation of the existing bus stops and bus shelters in the Stafford Street Car Park;**
- (iv) **£20,000 towards the environmental improvements being planned in Victoria Park**

and subject to the conditions as set out in the report.

- (d) W2009/0794 – Roden Lane Farm, Roden Lane, Roden, Shropshire

This application sought permission for the redevelopment of the existing Dogs Rehoming Centre. The Dogs Trust had operated in this location since 1970 with the last major phase of kennel improvements being over 15 years ago. Since then there had been significant changes in the design and construction of Rehoming Centres and the proposal sought to redevelop the site to meet these standards. Therefore, it was considered that the application met the criteria for expansions of existing employment uses as set out in Policy E6, although Roden was not considered a sustainable location.

The rehoming kennels had been designed and would be built to the latest standards, thus reducing stress and noise and providing viewing to the public. The new reception area would be larger than the existing one and would create a welcoming space. The proposed training hall would be used for evening training classes, anticipated to be one day per week. Other additional facilities would be 4 sponsor dog kennels, accessed via the main reception, and on-site veterinary facilities, all of which would be easily accessed by staff and visitors. A Training and Behavioural Assessment Building would be rebuilt away from active parts of the site; intake buildings would be erected away from other active parts of the site under an earth mound, thus reducing any possible noise from the new dogs, and providing a thermal heat store heated by solar thermal panels above the new unit. A Whelping Kennel was proposed to the rear of the existing administrative building, the Manager of the Centre would be relocated to Oakfield House, and staff currently housed there would be relocated in accommodation on the 1st floor of the administrative building and the Manager's house. The older dogs would then be relocated in the Manager's house at ground floor in domestic surroundings. A new sewage treatment plant was proposed in addition to rainwater harvesting for washing kennels and toilet cisterns.

The facility currently accommodated 190 dogs, although the existing permission was for 200 dogs, with the average number presently accommodated being 175. The proposal would provide a total of 82 kennels to accommodate 156 dogs. However, it was likely that the average number of dogs accommodated at any one time would be 125, as some would not be able share. The proposal would, therefore, assist in the rehoming of dogs, create a quicker turnover, and reduce the number on site at any one time and, ultimately, reduce the impact of the business on the surrounding environment.

The proposed development, whilst located in the rural area, had to be specific to meet the needs of the Dogs Trust and the buildings would be situated some

distance from other dwellings. Subsequently, there was no specific vernacular which the proposal needed to reflect. The proposals would introduce a modern building and, subject to the quality of materials, no objections had been raised to the proposed design. The proposed locations of the buildings had been arranged, as near as possible, to the existing built-up area of the site and had also taken account of the need to reduce the dogs' stress thus having a positive influence on animal welfare and the amenity of the surrounding area. Whilst local objections had been noted, further development would require planning consent, which would be considered on its merits at that future time. The proposal did not set a precedent for future development of the remaining fields to the north or west and, subsequently, no objections had been raised to the location of the buildings covered by this application.

The application had been supported by a noise report which had concluded that current levels of noise in the area were a result of road traffic rather than the dogs. No comments had been received from the Council's Environmental Health Officer but calculations had indicated that the proposed site layout would reduce noise levels of barking dogs from the site in comparison to the site in its current form.

One letter of objection has been received from a resident on behalf of the residents of Haughton, as detailed in the report. .

The update sheet tabled at the meeting set out a number of points which the applicant's agent wished to bring to the Board's attention, one of which was the concerns raised by the Council's Arboricultural Officer. The agent had addressed these issues and the Council had confirmed that this was satisfactory and that there were now no objections subject to appropriate conditions.

In conclusion it was considered that the proposed redevelopment would result in the improvement of the facilities for not only the dogs but also the amenities of the surrounding area. It was, therefore, considered that the proposal was considered appropriate and acceptable and was compliant with the Wrekin Local Plan 1995 – 2006, the Adopted Core Strategy and guidance contained in National Planning Guidance.

The Chairman invited Councillor S. Bentley, Ward Member, to address the Board and he raised three points for Members'. The proposal would involve moving the existing facilities further back and some local residents were concerned about the impact on the open countryside. In addition, he would wish to seek guarantees that there were no future plans to extend the site and the present level of management would be both retained and enhanced. He advised the Board that a Site Visit would enable them to more easily determine this application.

RESOLVED -_that planning application W2009/0794 be deferred to the meeting of the Board on 16 December, 2009 to allow Members to undertake a Site Visit.

(e) W2009/0872 – 75 Aintree Close, Leegomery, Telford, Shropshire

The application sought planning permission for the change of use of land at the side and rear of No.75 Aintree Close to private garden land with the erection of 1.83 metre high timber fencing and the erection of 2 pigeon loft buildings on the land. These would be constructed in timber, with tin and perspex sheeting to roof and galvanised weld mesh to front. Beyond the rear boundary was a communal courtyard area with access to rear gardens shared by Nos. 68 to 75 Aintree Close, providing storage for wheelie bins but with no vehicular access.

The new area of enclosed land to the side of the property was intended to be a vegetable and flower garden to match the existing front garden area of the dwelling, and would be bounded by 0.9 metre high arch top feather edge panels. The rear garden area would comprise slabs and landscaping and would be bounded by 1.8 metre high feather edge fence. In addition to the fencing at the rear of the site, the Applicant had advised that a gate would be added to provide security to the courtyard area.

Householder Permitted Development allowed free-standing structures for use as pigeon lofts but, as these would be located within 2 metres of the boundary of the curtilage of the dwellinghouse and would exceed 2.5 metres in height planning permission was needed. However, under Permitted Development, there was no control on how many sheds and birds could be accommodated within the curtilage of a property. Only the top of the timber structures would be visible above the existing boundary treatments.

Hadley & Leegomery Parish Council object to the application and three letters of objections received, as set out in the report. No formal comments had been received from the Council's Environmental Health Officer.

The proposal was considered acceptable in the context of the area and the streetscene and also in terms of its scale and design. As the area at the side of the dwelling would have 0.9 metre high fencing officers considered that a landscaping scheme should be submitted to maintain the verdant character of the area.

However officers had considered that the enclosure and encroachment across the courtyard access was unacceptable, as this would reduce the access to the area and set a precedent for future applications. Therefore the applicant had been requested to amend the plans so that the additional garden area at the rear infilled the space from the brick wall boundary but did not extend the 1.5 metres across the existing access. The update sheet tabled at the meeting informed Members that amended plans had subsequently been received which reduced the area of land to be enclosed so that it did not extend and obstruct the access. The area of land to be enclosed was, therefore, considered to now be acceptable.

In addition the proposed design and layout of the pigeon lofts had been revised and a single 'L' shaped building measuring 24 sq.m. with a height of 2 metres to eaves, 2.8m to ridge was now proposed, which would combine the 2 pigeon lofts originally proposed. The pigeon loft would be positioned in the centre of

the extended rear garden area and projecting towards the rear of the site. While, the top of the structure would be visible above the boundary fencing, due to the form, design and materials and existing timber garden sheds etc. in the locality, it would not be overly prominent in the streetscene. Furthermore, the colour of the fencing and pigeon loft would be agreed to ensure the development was in keeping with the context of the area. In light of these amended plans, the recommendation in the report had been revised together with an additional condition in relation to the finish/colour of materials to the fencing and the pigeon loft.

Although the top part of the pigeon lofts, above 1.83 metre fencing, would be visible in the streetscene the development would look similar to large garden sheds and would be in keeping with the character of the area and they would not appear unduly prominent as the roofs would slope away from the boundary and the timber walls would match the existing fence boundary.

RESOLVED – that with respect to planning application W2009/0872 planning permission be granted subject to the amended conditions as tabled at the meeting.

(f) W2009/0874 – 87 Dunsheath, Hollinswood, Telford, Shropshire

This application sought permission to erect a free-standing amateur lattice radio mast in the rear garden of this property to replace the previously approved slim pole aerial. The proposed mast would comprise three ‘telescopic’ sections of lattice metal construction with a horizontal aerial at least 4 metres in length which would be attached to the top of the mast. When fully erected complete with aerial it would be a substantial structure to a height of 17.5m. and would be located approx 0.5m away from the rear elevation of the dwelling. The applicant had acquired the mast apparatus from 8 Hill Fold, Dawley Bank, where it had been allowed on appeal following refusal of planning permission (W95/0279).

Two letters of objection on the grounds of visual intrusion had been received from residents in the surrounding residential area and Hollinswood & Randlay Parish Council considered that the mast would not be in keeping with the residential area and would be visually obtrusive in the locality. A letter had been received from the Radio Society in support of the application.

While paragraph 80 of PPG8 advised that amateur radio masts usually presented few potential planning problems in terms of their size and visual impact over a wide area the proposal also needed to be considered against the guidance given in ‘saved’ Policy T21 in the Wrekin Local Plan which required telecommunication installations to be designed and sited in order to minimise their visual impact.

Whilst lattice type mast structures had been allowed elsewhere in the Borough, this proposal needed to be considered on its own merits and site specifics. Officers had visited sites at Hill Fold and Cuckoo Oak Green in order to view the circumstances existing at those sites. At both sites the dwellings, while similar in size to 87 Dunsheath, were part of relatively smaller residential estates with a mix of land uses and development in the wider surrounding area

and were in a different setting and context. The aerial approved on appeal at 15 Cuckoo Oak Green and, notwithstanding the verdant backdrop of trees which provided some screening from the adjoining slip road, appeared as a substantial piece of antennae equipment not normally associated with a low-rise residential development.

The applicant had also made reference to an approved 13.7m high radio mast, at 73 Cordingley Way but the pattern of development there was different to that in Dunsheath being of a lower density and with, typically, traditional semi-detached dwellings with longer rear gardens giving a greater distance to adjoining properties to the rear. Thus the mast had less visual impact. In contrast, at Dunsheath, there was a distinct pattern of development and dwellings in closer proximity and the existing 1.8m high fencing enclosing the garden would do little to mitigate the impact of the lattice mast when fully extended. The lower section of the mast would be screened from some viewpoints by adjoining dwellings but, due to its height when fully extended, would project above the height of the roof of the property. The apparatus was likely to be visible at various points in the surrounding area and street scene and would appear as an incongruous feature in this residential area.

The update sheet tabled at the meeting informed the Members that eight letters of support had been received from neighbouring properties and that the applicant had submitted details and photographs of several radio aerials within Telford. Officers had responded that no planning history had been found in respect of several of these aerials.

Therefore, it was considered that the proposed mast would have a significantly greater impact on the character and amenity of the surrounding area than the similar apparatus approved at Cordingley Way and allowed on appeal at Hill Fold and Cuckoo Oak Green. The application made no attempt to minimise the visual impact of the proposed mast on the surrounding environment, contrary to the advice and guidance given in national planning policy (PPG8) as well as the objectives of local planning policy contained in CS15 of the LDF and 'saved' Policy UD2 in the Wrekin Local Plan. Therefore, in this case, it was considered that the radio mast would be a visually intrusive and incongruous feature which would have a detrimental impact on the character and amenity of the locality.

The Chairman invited Councillor Y.C. Hicks to address the Board in support of the application, as she had indicated. She informed the Board that the description given in the officer's report was incorrect as the mast was not free standing but would be fixed to the wall of the property. In addition, the mast at rest was only 5.75m in height, and, therefore, lower than the roof of the property, and would only reach 17.5m when extended. Due to the nature of the applicant's work, he was only able to use the mast 2/3 time per week in the evening and, therefore, for the majority of the time it would not have any visual impact by breaking the skyline. She considered that the policy context set out the report referred mainly to mobile telephone masts and care should, therefore, be taken when applying it masts for a hobby. In addition, she disputed the use of the word 'development' being applied to the mast in the officer's report. With regard to two of the letters of objection received she was of the opinion that these were due to the incorrect height of the mast being

given and to personal issues with the applicant. Other residents with direct visual access to the mast had not lodged objections. In conclusion, she referred to other instances of lattice masts within the Borough.

(Councillor Hicks left the room while the application was determined).

For clarification, the Head of Planning & Transport informed the Board that the use of the word 'development' referred to any structure above ground; it did not have to be a building. He advised Members that the application should be considered on the basis of the impact of size and scale of the mast when fully extended. He further advised that the existence of similar masts elsewhere in the Borough that did not have the benefit of planning permission but against whom no enforcement action had been taken had not set a precedent for approving other masts.

Two Members spoke in support of the application on the grounds that the mast could be retracted and the existence of satellite dishes. However, on being put to the vote, it was:

RESOLVED – that planning application W2009/0874 be refused planning permission for the following reason:

The proposed radio mast represented an unacceptable development by reason of its size, overall height, design and appearance, which would be visually intrusive and out of character in the context of the surrounding residential area. The proposal, therefore, would be an incongruous feature which would be detrimental to the visual and residential amenities of the area and would, therefore, be contrary to the established objectives of 'saved' Policies UD2 and T21 of the Wrekin Local Plan and Policy CS15 of Local Development Framework Core Strategy Development Plan Document.

(Councillor Y.C. Hicks returned to the meeting for the remaining items of business).

(g) W2009/0876 – Snedshill Trading Estate, Holyhead Road, Snedshill, Telford, Shropshire

This was an application for full planning permission for the erection of a DIY retail warehouse, for occupation by Wickes, extending to 2,931sq.m., together with a 464sq.m. outdoor garden centre and the erection of new foodstore comprising 1,558sq.m. gross floorspace with a net retail sales area of 1,125sq.m. to be occupied by the discount food retailer, Aldi. Provision would also be made for a 594sq.m. external compound area to include a pump house and sprinkler tank installations.

The site comprised some 1.8ha. of land known as the Snedshill Trading Estate and was located to the north of the Holyhead Road, adjacent to the Town Centre as defined in the Local Plan, and approximately 1km to the north of the Town Centre's retail core. Oakengates lay approximately 1 km to the north of the site.

The site was a former quarry, with the remaining quarry face running along its northern and eastern boundaries. This steep embankment represented a prominent feature in the local landscape and contained densely planted evergreen and deciduous trees, thus providing a strong visual context for the development. The site had been cleared of former industrial buildings leaving the remnants of the frontages to the former buildings, lowered and used partly as an existing retaining wall, which would need to be re-built in its entirety to retain the proposed car parking area.. Whilst this was a 'gateway' site and prominent in relation to Queensway, Holyhead Road and the Greyhound roundabout, it was relatively secluded and there were few buildings that the site could relate to, with those there were being concealed by trees and shrubs.

Access to the two retail units would from the Holyhead Road by means of a dedicated right turn lane. 182 car parking spaces would be located against the boundary along the Holyhead Road with the buildings located to the rear backing on to the former quarry face embankment. A service area and an enclosed garden centre facility would be provided to the rear and side of the DIY warehouse store. From the roundabout, the buildings would be viewed against the backdrop of the hill behind. A new retaining wall was proposed along the frontage to the site, which would form an important element in the street scene and was to be constructed with smooth 'sandstone' masonry blockwork and incorporate recessed panelling to aid design.

The height of the non-food DIY retail warehouse was equivalent to a 2.5 storey building with a height of approximately 10 metres and the foodstore at a lower height of approximately 8.5 metres. The design of the two buildings was broken into two distinctive components with each incorporating common design and elevational treatment. The building would effectively 'sit' on an architectural smooth facing 'sandstone' masonry plinth to a height of 3 metres.. The main upper parts of the building would be clad in a smooth metallic silver cladding framed by a flat panel cladding of the same colour. The theme was to provide a simplistic 'sculptured' form when viewed from a distance in the context of the landscaped slope to the rear of the site.

Officers had been in negotiation with the developer to ensure that the design treatment respected the Council's aspirations for this 'gateway' site and, as a result, the treatment of the entrance to the DIY store had been further enhanced to incorporate a projection to the elevation, the canopy roof remodelled, and a corner feature introduced to the roundabout-facing elevation. A Transport Assessment, a Retail Impact Assessment and a Supplementary Report Flood Risk Assessment Sustainability Statement had also been submitted as part of the application.

Oakengates Town Council had drawn attention to the need for a plan for managing traffic on the whole length of Holyhead Road between the Greyhound Island and the Priorslee Roundabout, as outlined in the report. A further point of concern was the effect of the proposed food store on the centre of Oakengates, where trade was in a fragile state. However, the Council's Property & Design Section had confirmed that it had received an expression of

Interest from a major food retailer for a site in Oakengates and negotiations were continuing. The retailer was aware of the proposed development of an Aldi store at Snedshill.

The Highway's Engineer had requested the localised widening of the frontage footway to the Holyhead Road and appropriate conditions on the proposed access and pedestrian splitter island. A Travel Plan would be necessary as would a financial contribution to secure off-site highway improvements and monitoring of the Travel Plan.

As set out in the report, the application needed to satisfy the requirements of Planning Policy Statement 6 : Planning for Town Centres. As a general rule any application should satisfy all these requirements, along with relevant local issues and other material considerations. The report set out in detail the justification for approval of the application in respect of the need for the development, the qualitative need, the retail impact considerations, and the sequential test considerations

With regard to the economic effects of the proposal and issues of sustainability, a major element in the success of Wickes was the evolution of the larger warehouse format whereby a large amount of goods were offered for sale from a large site. With regard to the convenience element, the proposal would provide 70 jobs and represent a substantial private sector investment given the current economic climate.

The Transport Assessment submitted by the applicants stated the level of traffic likely to be generated by the current proposed development was significantly below that of the previous proposal and, therefore, no objections had been raised by the Highway Engineer. Following the production of the CTAAP and the clarification of 'major schemes' it was now anticipated that all major developments would be required to share the costs of major highway schemes throughout the Town Centre corridor. The applicant had, therefore, agreed to make Section 106 contributions of £410,872 towards major highways and transportation infrastructure schemes, £10,000 towards monitoring the Travel Plan and £10,000 towards the ongoing monitoring and administration of the Agreement. In addition, they would be required to submit a Travel Plan for consideration and, as the monitoring of such Plans impinged upon the resources of the Highways Section, a financial contribution had been secured for the monitoring of the Travel Plan provisions over a 3-5 year period.

There were a number of mineshafts both on and outside of the application site regarding the impact of the development on the mineshaft to the rear. The update sheet tabled at the meeting informed the Members that the applicants had now resolved the land stability/geo-technical issues to the satisfaction of the Council's Engineering Services and recommended the imposition of appropriate conditions.

The Chairman invited Councillor J.C. Minor, the Ward Member to address the Board. Councillor Minor welcomed the application and the jobs it would bring to Telford. This was a very positive statement in terms of the investment and regeneration in this part of the town. However, he expressed concern at the

omission of any reference to St. George's and its Parish Council in the officer's report and was of the view that a proportion of the proposed Section 106 monies should be used to the benefit of St. George's. In response the Head of Planning & Transport welcomed the support given to the application by the two Ward Members for St. George's but explained that Oakengates had been designated as a Borough Town and included in the Council's regeneration programme, hence the emphasis upon it in the report.

The Board supported the application and considered that it would not have a negative retail impact upon Oakengates or the surrounding area. However, the Chairman asked if the scheme included any mitigation proposals given that there were seven egresses onto this stretch of road between the Greyhound and Priorslee roundabouts and the 'T' Junction between Furnace Road and the Holyhead Road.

In response the Council's Highways Engineer explained that the trip rates associated with this application had been found to be the same as for the previous application for this site, which had been approved. The proposal for both applications included a right hand turn onto the site, with estimated 75 turns per hour in peak times. There would be space in this lane for 6 vehicles. With regard to the S106 contributions sought, the Highways Section now took a holistic approach to the impact on both the CTAAP area and the wider area.

With regard to the issues in respect of the Holyhead Road/Furnace Road the Highways Engineer referred to a number of possible improvements which, for a variety of reasons had not proved to be feasible. However, the highway modelling work being carried out in support of the CTAAP has identified the need for improvements to the highway network in the vicinity of the site and that there was an opportunity to use part of the S106 Agreement contribution to design and implement a traffic signal controlled junction at the Holyhead Road/Furnace Road junction.

In conclusion, officers considered that there was sufficient retail capacity within Telford to accommodate the foodstore proposal and that sequentially, whilst there might be better sites available within Oakengates centre, there was a strong market demand to develop another site in the town centre and that, due to the nature of these retailers, they were comfortable to operate within the same immediate community. The tests of PPS6 had been satisfied on the basis of both quantitative and qualitative need and the planning balancing exercise was heavily influenced by the very positive regeneration elements of the proposal and the opportunities to develop this brownfield site.

RESOLVED – that with respect to planning application W2009/0876 the Head of Planning & Transport be granted delegated authority to grant planning permission upon the signing of a Section 106 Agreement to secure the payment of £410,872 towards major highways and transportation infrastructure schemes plus a further £10,000 towards monitoring the Travel Plan and a contribution of £10,000 towards the ongoing monitoring and administration of the Agreement and there be no objection from the Engineering Services on geotechnical grounds, and subject to the conditions as set out in the report, together with the

conditions advised by the Engineering Section and those set out on the update sheet tabled at the meeting.

(h) W2009/0886 – Public Open Space to Rear of Glendale, Lawley, Telford, Shropshire

This application by Telford & Wrekin Council sought planning permission to erect a neighbourhood equipped area for play (NEAP), ball court and cycle track on this existing area of public open space, part of which lay within the Green Network. The ball court would be bounded by 3 metre high galvanised grille fencing including a seating area, upgraded litter bins and safety signage. The play area would be bounded by 1.2 metre high bow top fencing and the cycle track fencing would be 1.2 metre high flat top. This was a modernisation of the existing facilities following a public consultation exercise by the Council. The site of the existing play area was needed to accommodate new housing as part of the Lawley development.

The Council's Arboricultural Officer had advised a number of measures to mitigate any damage to the adjacent hedge and trees. Lawley & Overdale Parish Council had objected to the proposal and one letter of objection had been received from local residents in Glendale, as summarised in the report. The response to the Parish Council's objections by Landscape & Recreation was also summarised.

The colour of the fencing to the ball court would be green and brown, and the cycle track and play area would be bounded by 1.2 metre high green metal fencing, which would blend in with the surrounding woodland. It was considered that the overall scheme was appropriate to the context of the area, both visually and functionally and the design accorded with local design Policies CS15 of the Core Strategy and UD2 of the Local Plan. There would be no adverse impact on the amenities of the area, as the site was located well away from residential properties, with substantial screening around the boundaries of the recreation land.

The proposed new facility would be located in the Green Network but, in line with Policy OL4, development such as this which provided a community benefit was permitted. In addition, Policy CS10 of the Core Strategy stated that improvements to existing community facilities would be supported.

As the facility would be sited at least 40 metres from the nearest dwellings, which exceeded national NPFA guidelines for proximity of facilities to residential properties, it would not have a detrimental impact on nearby residential amenities. There was no evidence that the instances of past anti-social behaviour cited by the objector would be exacerbated by the proposal, as it was intended that these facilities would result in a reduction in the fear of crime, enhance community harmony and improve the quality of life for the local community.

The Chairman invited one of the Ward Members, Councillor C.P.R. Mollett, to address the Board. He stated that whilst he had worked with the Council's Sports & Leisure Management to encourage the development of this facility, he

has also been asked to represent the views of Lawley & Overdale Parish Council. In doing so he advised the Board that the Parish Council was awaiting a determination on its application for Village Green status which, if approved, would mean it would not be possible to implement these play facilities. The Parish Council also had concerns regarding the inclusion of a BMX track and the loss of trees. Councillor Mollett also informed Members that the proposal site included the area currently used by the Lawley Comets Football Team.

In response the Head of Planning & Transport said that the location of the site had been chosen to have a minimal impact upon local residents. This site had to be viewed within the wider context of the provision of leisure facilities for the proposed 3,500 new houses in Lawley. The loss of football facilities as a result of this application would be compensated for elsewhere in the area by means of the framework being agreed with the developer in respect of all the open spaces in Lawley. In conclusion, he said that the Council had undertaken extensive consultations over many years and that, in so doing, it had to listen to both the concerns expressed by local councils and by local residents.

RESOLVED – that with respect to planning application W2009/0886 planning permission be granted subject to the conditions as set out in the report.

- (i) W2009/0904 – Windmill Primary School, Beaconsfield, Brookside, Telford, Shropshire

This application by Telford & Wrekin Council was for a single storey extension to the school building to provide a new entrance lobby and glazed vestibule, with glazed canopies over the entrances.

The single storey extension would be built on the east elevation of the school building as part of an internal restructuring of space within the existing building to provide two new reception classrooms and a nursery area, which were currently provided elsewhere within the building. Although the extension would encroach onto part of an existing hard surfaced play area, there would be no significant loss of this facility as a result of the proposal.

The proposed extension would be of an acceptable appearance. Although the external facing elevations would be of largely glazed construction, they would harmonise satisfactorily with the existing school building. Curved polycarbonate canopies would feature over the new entrance doors. The extension to the school building would have little impact on residential amenities in the surrounding area.

RESOLVED – that with respect to planning application W2009/0904 planning permission be granted subject to the conditions as set out in the report.

PB-60 SITE VISITS

RESOLVED – that a Site Visit be made in respect of planning application W2009/0794 (Roden Lane Farm) at 3.30 p.m. and in respect of planning application W2009/0544 (St.Luke’s Catholic Primary School) at 4.15 p.m.

PB-61 PLANNING APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY

The Board received for information details of planning applications that had been determined under delegated powers.

The meeting ended at 8.32 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of a meeting of the Plans Board held on Monday, 7 December 2009 at 6.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), R.G. Chaplin, E.A. Clare (substitute for Councillor F.R. Picken), V.A. Fletcher (substitute for Councillor N.A. Dugmore), J.A. Francis, G.M. Green, C.F. Smith (substitute for Councillor H, Rhodes) and M.J. Smith

ALSO PRESENT: Councillors N.A. Dugmore and A. Lawrence

PB-62 APOLOGIES FOR ABSENCE

Councillors N.A. Dugmore, H. Rhodes and F.R. Picken

PB-63 DECLARATIONS OF INTEREST

None.

PB-64 W2008/1083 – LAND ADJACENT TO GRANGE LANE, REDHILL, TELFORD, SHROPSHIRE

This was an application by SITA (UK) Ltd for the construction of an Energy from Waste (EfW) plant on a site adjacent to the existing Granville Landfill Site. EfW was a collective term for a number of thermal treatment techniques. The most commonly used to date in the United Kingdom was Mass Burn or direct combustion (incineration), in which waste was burned to provide heat, which was then used to generate electricity. EfW incineration plants could burn any organic materials, including those that were not readily degradable such as wood based wastes and plastics. The outputs of direct combustion plants produced incinerator bottom ash (IBC) and fly ash, which was a product of the abatement processes used to remove pollutants from the flue gases. The bottom ash could be used as a secondary aggregate, subject to quality criteria, but the fly ash had to be disposed of as a hazardous waste.

The application site occupied 4.15ha of predominantly undeveloped grassland currently used for grazing on the eastern fringe of Telford, approximately 2.5kms from its centre. An area of 0.15ha of land in the north-eastern and south-western corners of the site was in temporary use as a car park and for the siting of a portakabin associated with the adjacent temporary landfill site. To the east, the site was bounded by a Community Recycling Centre (CRC) and the existing Granville landfill site.

The site lay within the built up area of Telford, as defined on the Local Plan proposals map, immediately adjacent to the boundary with the Borough's rural area and was part of a larger swathe of Green Network that extended northwards to the southern edges of Muxton and westwards towards Redhill Way. The boundary of the Borough with the newly formed Shropshire Council lay approximately 600m to the east and the nearest residential housing estates at Priorslee lay approximately 700m to the south and the nearest

residential property only a few metres from the site boundary. The site was accessed via Grange Lane off the A5(T), which also served as the existing public vehicular access for both the Granville landfill site and the CRC. To the north of the site were a Local Nature Reserve, the Granville Country Park, and a golf course with views to the south, including towards the proposed EfW site.

The report set out a non-technical description of the proposed application, its intended operation and incineration processes, full details of which were included in the applicant's supporting Environmental Statement (ES) and supporting technical appendices, all of which were available for public inspection with the application. The Board was asked to note that the conclusions mentioned in this part of the report were those of the applicant and were not necessarily shared by officers.

The ES identified that the EfW plant would be powered by approximately 62,000 tonnes of mainly municipal waste per annum although, correspondence from the applicant had established that the plant could take commercial waste. The annual output from the operation would be approximately 17 megawatts of steam energy, capable of being converted in part to electrical energy but also for heat energy, which could be used to supply combined heat and power to local businesses, although the application did not include end users or infrastructure to provide onward transport of heat or power. About 15,000 tonnes per annum of ash residue from the incineration process would have to be removed from the site by lorry for recycling, landfill or further treatment at a specialist facility.

The EfW incineration facility would be sited in a building which would also house a waste reception hall, waste crusher and ash bunker, offices, workshops and visitor centre. The maximum dimensions of the main building were 105m long, 63m wide and 32m high, together with a chimney stack for dispersion of waste gases rising to a height of measuring 65m. The total footprint of the building would be approximately 4,900sq m. i.e. about 0.5 ha. A significant proportion of the western site area (approximately 1.9 ha) was associated with a screening mound and landscaping and a further c.0.4ha in the south-east of the site would be open, with the remainder comprising access and circulation roads, water storage and attenuation ponds, car parking, air cooled condensers, oil tank and further planting.

The report described the process, and associated energy recovery and utilisation. It was noted that the emissions from the 65m high stack would have to comply with the emission levels permitted under the European Waste Incineration Directive and by the Environmental Permit that the applicants would have to obtain from the Environment Agency before the plant could operate.

The facility would operate 24 hours a day, 7 days a week, apart from any planned and unplanned shutdowns of which there would be, typically, two per year for maintenance each lasting approximately 7 days. Waste deliveries would take place between 7am – 8pm Mondays to Fridays and 8am – 5pm Saturdays and Sundays although the plant would be required to receive waste

outside these hours, for example in emergencies. During shutdowns, waste would be diverted from the facility to other disposal or processing sites, including the adjacent Granville landfill site.

Construction would take some two years followed by a commissioning period of up to four months. Construction works would take place between 7am–7pm Monday to Friday and from 7am–4pm on Saturdays. Noisy activities such as piling would not take place on Saturday afternoon but, should it be necessary to have extended working hours, this would be by agreement with the Council in advance.

The design of the building had been dictated by the operational requirements of the plant, whilst at the same time aiming to be sympathetic to its surroundings and responding positively to the physical constraints of the site. It would be clad in various coloured, profiled cladding of shades of dark greens and mid to light greys and the slim line steel chimney stack would be epoxy painted in light grey. Visibility of the plume would vary with weather conditions and times of day and year but the applicant had concluded that, overall, the impact of the plume visibility would be low.

The applicant considered that the proposals would have a slight/moderate impact on the surrounding landscape, mainly through aesthetic and perception changes to the local landscape as a result of the building, but the ES stated that this would be largely localised as the site was well screened by nearby landforms. Overall the applicant believed that this site could accommodate the proposed development more easily than other character areas in the Borough.

The ES considered that the proposed plant would have a limited impact on transportation in terms of traffic flows, as the adjacent landfill site already attracted the waste that would be transported to the EfW. Under the proposal a proportion of this waste would be diverted to the EfW incineration plant with some of the residual waste that was not suitable for burning being disposed of in landfill. There would be an increase in vehicle movements should current rates of infilling at the landfill site resume once the EfW incineration plant was operational. A clock-wise one-way system was proposed around the site using a single entry/exit point off Grange Lane and the internal access road would be sufficiently long to prevent vehicles queuing out of the site and onto Grange Lane towards the CRC. The applicant considered the potential level of increase to be within the existing capacity of the landfill operation and, therefore, not significant but had proposed to implement a Travel Plan to encourage and facilitate more sustainable transportation by its staff.

With regard to alternative sites, the applicant had concluded that the proposed site was the most appropriate as it had been allocated at one time in an emerging Waste DPD. However, it was noted that this document had been withdrawn following criticism from the independent Planning Inspector at the Core Strategy Public Inquiry and was no longer relevant. The applicant considered that the proposed site was away from significant built up areas and residential development, was adjacent to an existing waste management

site and had good access to the primary road network and that the Green Network and landscape impacts could be addressed.

Any noise generated by the development was likely to arise during construction, as set out in the report and associated HGV noise (but this would not be dissimilar to that of HGVs currently visiting the landfill site). The operational noise emitted from the fan via the exhaust stack had the greatest potential to contribute to community noise, although it would be steady, and the proposals included appropriate mitigation measures including the construction of a 3-4m. high landscaped bund along the western site boundary.

The site, save for 0.15 ha, had no planning history as it had always been in agricultural use. However there were a series of relevant planning applications for landfill and non-landfill activities in relation to the adjacent Granville Landfill Site and Community Recycling Centre (CRC), as detailed in the report.

The consultation responses received were summarised in the report but were available in full on the planning file. With regard to non-Council consultation responses, Members' attention was drawn to those from the West Midlands Regional Assembly, the Environment Agency, Natural England, and the Shropshire Wildlife Trust and, for Council responses, to those of the Drainage Engineer, the Environmental Project Team, and Highways Management. Further consultation responses had been received from Advantage West Midlands and Telford Friends of the Earth, as tabled at the meeting.

Objections had been submitted by Friends of the Earth (West Midlands), Telford Friends of the Earth, David Wright, M.P., Mark Pritchard, M.P., various parish councils, the former Bridgnorth District Council, and Kaleidoscope Child Care. In addition, Telford PAIN, a local pressure group, had submitted several letters of comment and information in objection, as summarised in the report. 244 letters and e-mails of objection (including from the Cottage Kennels/Cattery on Grange Lane as the nearest property to the site) had also been received from residents, as summarised in the report, together with a petition signed by 58 people opposing the application. One letter of support for the incinerator had been received. A further 8 letters of objection had been received, as summarised in the update tabled at the meeting.

With regard to the planning considerations relevant to this applicant, it was necessary that the officer report was read in conjunction with the three independent consultant reports commissioned by the Council, whose reports were appended to the main report. The report discussed in detail the issues relating to the waste generated and currently managed by Telford & Wrekin, its Waste Management Policy, links with the EfW and the waste treatment gap, and the Waste Treatment Capacity in the West Midlands Region.

The Council's future waste management policy would be based on the consideration of local and regional need and a review of all technologies and potential locations for required facilities. As the assessment of these options was just beginning, it was the view of officers that this proposal was

premature, as there remained sufficient treatment capacity within existing and permitted waste management facilities within the Borough and the West Midlands Region to allow the Council adequate time to undertake its Local Development Framework Review, adopt a waste management strategy, and provide required waste management facilities to provide a continuous service.

The applicant's ES considered that one of the advantages of the proposed site would be its co-location with the existing adjacent waste management activities of the Granville Landfill Site, the CRC and the potential end users of the waste heat energy produced. However, even if there was evidence that additional waste treatment capacity was required, there would still be a need to assess whether the proposed site was appropriate for the proposed use and the Board's attention was drawn to the relevant local and regional policies. Ownership of the site and the adjacent Granville landfill site was not justification alone that the development should be sited at Granville.

Site selection criteria for waste management facilities were set out in regional policy W7 of the West Midlands Regional Spatial Strategy (WMRSS2) and required, in addition to other criteria, that the development did "*not harm the openness of land*". In addition, Joint Structure Plan Policy (JSP) P67 and Wrekin Local Plan (WLP) Policy NR1 only permitted the siting of waste management proposals where it could be demonstrated that they would not have unacceptable adverse impacts on interests of acknowledged importance.

The application site abutted a CRC and an operational landfill site, both of which had a degrading effect on the physical and perceived character of their immediate landscape context but, unlike the proposed EfW scheme, they were not permanent uses. The conclusions of the applicant's ES had failed to adequately acknowledge the substantial change that the site and its immediate surroundings would undergo in the medium term following cessation of the landfill site and its agreed restoration. Therefore, officers considered that the development proposals and their permanency had the potential to directly remove land from the Green Network and to adversely impact on the landscape character and visual amenity of the adjacent parts of the network.

Officers had also given consideration as to whether the proposal was compliant with the aims of relevant regional and local policies in respect of the Green Network. Their overall conclusion, shared by the Council's landscape consultants EDP, and set out in the report, was that there were no material considerations to justify going against Green Network and Open Space policy and, hence, the application was contrary to WMRSS2 Policies QE4 and W7 and WLP policies OL3 and OL4, Core Strategy policy CS11.

With regard to alternative sites, an alternative site assessment was initially carried out by the applicant, as contained in the ES. Following evaluation, the applicants had concluded that the application site was the most appropriate site because it had been allocated at one time in the emerging Waste Development Plan Document (now withdrawn), was away from significant built-up areas and residential development, was an existing waste

management site with good access to the primary road network, and that the Green Network and landscape impacts could be addressed. However, the assessment undertaken by the Council's consultants had shown that, having considered a limited number of sites, there were other more appropriate alternative and available sites for a waste management facility. They considered that the alternative site assessment undertaken by the applicant to be flawed and, had the Granville site been included as a potential alternative waste management site at the outset of the consultant's assessment, it would have been discounted given its inappropriate Local Plan allocation as Green Network.

Concern had been expressed amongst residents regarding the potential for harmful emissions from the proposed EfW, particularly on those living closest to the plant. Whilst "fear" could be a material factor, it was considered that this stance could not be applied here because of the national policy position set out in PPS10, PPS23; advice of the Health Protection Agency (HPA) that such facilities could operate safely; and the role of other bodies which monitored and regulated emissions under Environmental Permitting Regulations in line with European and national legislation. With regard to the call from some members of the public and the Telford & Wrekin Primary Care Trust for a Health Impact Assessment (HIA) to be carried out on the proposed facility, there was no statutory requirement for this and, in light of the advice from the HPA and set out in the ES submitted with the application and the quantitative elements of the proposed development, it was considered that it was not necessary to undertake an HIA.

Over 19,000 HGVs already brought waste to the landfill site and approximately 75,000 private cars visited the adjacent CRC. Most of the HGV vehicles initially visiting the proposed EfW facility would be those diverted from the landfill site and so, initially, there would be limited impact on traffic flows. Whilst there were likely to be variations in traffic, the traffic assessment undertaken had concluded that the proposed increase in traffic movements was within the existing day-to-day operating capacity of the road network and the existing landfill site. However, should planning permission be granted, highway engineers had recommended a condition that the access, internal roads and parking/turning areas were all surfaced in a bound material (not a loose material such as chippings). They had also requested £15,000 towards traffic management/safety measures on the A5, to be secured by a Section 106 agreement, and a condition requiring the applicant to implement a Travel Plan.

The report set out the following conclusions.

With regard to the Waste Hierarchy, notwithstanding the prematurity of the submission of the planning application, it was considered that the site was wholly unsuitable for the development of a permanent waste management facility of this size and effect. There was no clarity that the proposal was either a suitable or best practicable means of contributing to local waste management needs. Whilst EfW was, in principle, a more acceptable option than landfill, as it was higher up the waste hierarchy, it was necessary for it to form part of a combined waste management strategy which prioritised options

further up the hierarchy and only resorted to incineration (and landfill) once these options had been exhausted. There was, therefore, a potential for the proposed EfW plant to prejudice both movement up the waste hierarchy and the evolution of a preferred waste management strategy for Telford & Wrekin that could lead to the Government's objective of minimising waste and its transfer becoming unviable in the local area.

In addition, the flexibility to utilise appropriate treatment technology would be inhibited as waste, which could be treated by alternative means higher up the waste hierarchy, would be still be incinerated in order to ensure that the EfW plant remained commercially viable. It was, therefore, considered that the proposed development was contrary to national Waste Strategy, PPS10, WMRSS2 Policy W1 and JSP Policy P65. Although a benefit of this particular option was its creation of energy by providing heat and electricity outputs, the application had not included any such proposals.

The Council considered that there was sufficient capacity within existing and committed local and regional waste management facilities to accommodate part of Telford & Wrekin's municipal waste stream, or to displace waste from existing EfW plants, thus releasing capacity that could be utilised by the Council at least in the short to medium term (5-10 years). This would allow the Council to undertake a full and robust appraisal of the various waste management options and to produce a waste management strategy to meet future requirements. It, therefore, could not currently be proven that the proposed EfW facility was *'the right type'*, *'in the right place'*, or *'at the right time'*, as required by PPS10.

Future policy would be based on the consideration of local and regional need and a review of all technologies and potential locations for required facilities. In order to deliver a robust and proper strategy all options would be considered and assessed on their relative merits and shortcomings and, as the Council had only begun the options assessment, the proposal for the Granville EfW remained premature. In addition, the application had not demonstrated any co-location benefits arising from the siting of the EfW adjacent to the landfill nor were there any arising from the siting of the EfW adjacent to the CRC.

The proposal site was not allocated for any form of development within the Local Plan and was specifically protected against built development as part of the Green Network in the east of the Telford urban/rural fringe area with amenity, recreation and landscape value. There was, therefore, a presumption in favour of preserving the Green Network and the proposed EfW did not meet any of the criteria established within the Local Plan in WLP Policy OL4 and CS Policy CS11.

By virtue of its commanding location in an elevated location on the interface between the town and the rural landscape, the proposed development did not comply with the provisions of JSP Policy P67 and WLP Policy NR1, both of which required that proposals for waste management should not have unacceptable impacts on interests of acknowledged importance, including landscape character.

The availability or abundance of commercial and industrial waste might not normally be a material factor in determining an application of this nature, as the viability of a facility was a question for the marketplace to determine. However, it was relevant in this particular instance as the restoration of the Granville landfill back to countryside with amenity and recreation value following expiry of the temporary planning permission in 2025, and which had a degrading effect on the perceived character and quality of the local landscape would be delayed. The EfW facility would be a permanent, uncharacteristic and intrusive form of development, with an ongoing impact on the area following restoration in accordance with the Council's long term countryside/recreation aims for this area of Telford and with a public expectation that this would happen.

The existing CRC site might be removed in the future as the Council was currently reviewing its overall provision of CRC sites for Telford and the Borough and the optimum location for a CRC was yet to be determined. Furthermore, this CRC facility was small in comparison to the proposed EfW. The planning balance needed to consider the site as an open land resource within the protected Green Network and, following the cessation of the landfill, its future as a public recreation asset with strong links to Granville Country Park

There was acknowledged significant pressure on land within the urban fringe and the proposed EfW facility would increase this, forming an 'island' of development separate from the built up areas of Telford. This could increase pressure from other forms of development for the release of further Green Network land and would undermine the spatial strategy for the future direction of development in Telford, as provided within the Development Plan.

Based on an initial assessment of alternative sites available, it was evident that there were a number of sites that were preferable to the proposal, as described in the report. Planning policy favoured the development of waste management facilities within employment/industrial areas or on brownfield land, as stated in PPS10 and policy W5 of the WMRSS2. It was, therefore, considered that there were alternative preferable sites and that the applicant had not fully considered alternative locations and had failed to demonstrate that alternative sites existed.

With regards air quality and emissions, as set out above, officers did not consider that there were grounds for refusal based on air quality and emissions, or fear to human health. In addition, officers considered that any issues relating to highways, traffic, nature conservation, historic conservation water and noise could be adequately controlled by the imposition of conditions should planning permission be granted.

The application had been advertised as a departure from the Development Plan and the public consultation period expired on 11th December.

Councillor A. Lawrence, Ward Member for Muxton, was invited to address the Board. He said that this issue had prompted the most number of comments and complaints of any since he was elected to the Council in 2003. Residents

were very concerned at the potential for further erosion of the Green Network in this part of Telford particularly in view of the fact that they were aware that the landfill site would ultimately close and be restored back to recreational use and they did not wish to see industrial activity in the area. In conclusion, he referred to the policy implications weighted towards refusal of the application, as highlighted in the officer's report.

Councillor N.A. Dugmore, the other Ward Member for Muxton, was also invited to address the Board and echoed the comments of Councillor Lawrence. He considered that the application had poor environmental credentials with potential for enormous and, in certain areas, incalculable impact upon the locality. In addition, he expressed concern at the effect of emissions from the facility and hazardous ash residue arising from the process. As covered comprehensively in the officer's report, he believed that there was already ample incinerator capacity in the area to meet the Council's commitment to recycling.

A number of Board Members believed that the application was for the wrong site and premature to the Council's needs and that other options should be more fully investigated. Councillor E.A. Clare referred to problems caused over the years by the landfill site and considered that this application, if approved, would only serve to exacerbate these.

In summing up the debate the Head of Planning & Transport said that approval of the application would have a serious effect in terms of policy upon the Council's ability to rise up the Waste Hierarchy and would be detrimental to developing the principles of reducing, re-use and recycling. Although the proposal was better than landfill, it was still at the low end of the Hierarchy and would not promote the better management of reducing and recycling waste.

In conclusion he drew the Board's attention to the recommendations in the officer's report and proposed that Reason 1 for refusal be amended to make reference to 'the loss of best and most versatile agricultural land' and that in Reason 3 the word 'transfer' be deleted and replaced by the word 'recycling'. On being put to the vote it was unanimously

RESOLVED: that following expiry of the departure time period on 11th December 2009 delegated authority be granted to the Head of Planning & Transport, following consultation with the Chairman of the Plans Board, to REFUSE PLANNING PERMISSION for the following reasons:-

1. Green Network

The proposed development would be a visually prominent and permanent encroachment into the designated Green Network which was not consistent with the stated aims and objectives of land within the Green Network. By reason of its location, permanency, scale and mass the proposals would erode the identity of this part of the town, would conflict with the aim of providing an appropriate supply of open land and would have a

negative impact upon the character, appearance and amenity of the Green Network and the local area and Granville Country Park, especially following completion of the landfill reclamation proposals and would result in the loss of best and most versatile agricultural land. As such, the proposal would be contrary to WMRSS2 Policy W7, Joint Structure Plan Policy P67, Wrekin Local Plan Policies OL3 and OL4 and LDF Core Strategy Policy CS11;

2. Landscape

The proposed development by reason of its location, design, scale, mass, height and permanency would be visually harmful to the open character of this part of Telford's urban fringe area and be detrimental to the setting of this area by delaying the restoration of the landfill site back to open land and as such would be contrary to WMRSS Policies QE6 and W7, Joint Structure Plan Policy 67 and Wrekin Local Plan Policy NR1;

3. Waste hierarchy

The proposed EfW facility, without removal of the biodegradable fraction for biological treatment or the absence of a materials recycling facility at the "front end", had the potential to prejudice movement up the waste hierarchy and prejudice the evolution of a preferred waste management strategy for the Borough that could undermine the government's objective of minimising waste (and the recycling of waste) and hence would be contrary to the advice in the national Waste Strategy, PPS10, WMRSS2 Policy W1, Joint Structure Plan Policy P65;

4. Prematurity

The proposed development was considered premature to the consideration of the emerging LDF waste policies and there was no urgent local or regional need for the proposed EfW facility that would warrant pre-empting the LDF Review;

5. Alternative sites

The applicant had inadequately considered and failed to demonstrate that there were no preferable alternative sites and hence the proposed development would be contrary to PPS10 and WMRSS2 Policies W5 and W7.

The meeting ended at 8.36 p.m.

Chairman:

Date:

PLANS BOARD

Minutes of a meeting of the Plans Board held on Wednesday, 16 December, 2009 at 6.0 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors I.T.W. Fletcher (Chairman), E.A. Clare (substitute for Councillor F.R. Picken), R.G. Chaplin, N.A. Dugmore (Vice-Chairman), J.A. Francis, G.M. Green, Y.C. Hicks (substitute for Councillor M.J. Smith) and C.F. Smith (substitute for Councillor H. Rhodes)

ALSO PRESENT: Councillor R.T. Kiernan for planning application W2009/0947

PB-65 MINUTES

RESOLVED – that the minutes of the meeting of the Plans Board held on 25 November, 2009 be confirmed and signed by the Chairman.

PB-66 APOLOGIES FOR ABSENCE

Councillors H. Rhodes, F.R. Picken and M.J. Smith

PB-67 DECLARATIONS OF INTEREST

Councillor C.F. Smith declared a personal interest in planning application W2009/0544 and stated that he would leave the room during determination thereof.

Councillor I.T.W. Fletcher declared a personal interest in planning application W2009/0947 and stated that he would vacate the Chair and leave the room during determination thereof.

PB-68 CHAIRMAN'S ANNOUNCEMENT

The Chairman of the Plans Board informed the Board that, with regard to planning applications W2009/0915 (Land at Malinslee House, Malinsgate, Town Centre, Telford) and W2009/0945 (Land off Southwater Way, Town Centre, Telford) he had been advised by the Council's Solicitor that, in view of the late objections made within the time limit but only recently received and the need to make an appropriate, considered response, he was proposing that their determination be deferred until January 2010.

RESOLVED – that planning applications W2009/0915 and W2009/0945 be deferred until a meeting of the Plans Board in January 2010.

PB-69 PLANNING APPLICATIONS FOR DETERMINATION

- (a) W2009/0544 – St. Luke's Catholic Primary School, Church Road, Trench, Telford, Shropshire

Determination of this application had been deferred at the meeting of the Plans Board on 25 November, 2009 to allow Members to undertake a site visit. A number

of issues raised for clarification at that meeting had been addressed in the current before the Board.

The reasons for refusal of the 2005 planning application for a Roman Catholic Church, with associated car parking and a new vehicular access, were set out in report. However, the current application had been the subject of pre-submission discussions with Planning and Highway Officers, whereas there had been no such discussions before the 2005 application was submitted. As a consequence, the current scheme was better thought out and justified and, in particular, it was considered that the appearance, layout, access and parking arrangements were a marked improvement over the previous scheme. In addition, the present proposal did not involve the loss of a playing field, as was the case in 2005. The Highways Engineer had no objection to the current application and had confirmed that he could not substantiate a highway reason for refusal based on access and parking issues.

Whereas the 2005 application had been solely for an independent church building, the current one was for an annexe extension that would provide church, school, and community facilities. Policy OL4 of the Wrekin Local Plan permitted development within the Green Network if community benefits were an integral part of the proposal and it was considered that, as the proposed annexe would be available for general community uses, it complied with the policy and overcame the first reason for refusal of the 2005 application.

The recommended two metre high acoustic fence would be erected along the northern boundary of the site, as described in the report. It was understood that the school owned the existing fence and hedgerow and, therefore, would be able to replace it with a 2-metre high acoustic fence, which would also have the effect of giving the occupants of the adjoining houses some degree of added security.

At the previous meeting of the Board Members had also requested a breakdown of the addresses of the 163 people who had written in supporting the application and of the 218 people who had signed a petition in support, and this was set out in the update sheet tabled at the meeting.

Since the Plans Board meeting on 25th November the applicants had submitted additional information which they wished to bring to Members' attention. With regard to parking facilities and traffic movements, the extended 45 place car park would be sufficient to cover all but the most exceptional circumstances and only very rarely would there be a need to use the school playground as an overflow car park. These occasions would always be outside the school day. The number of weddings and funerals would vary but recent history suggested 10–12 funerals and 4-5 weddings a year. For both it would be the parish priest's policy not to allow 'large' events during the school day, i.e. one where approximately 20+ cars were expected. Large events would be scheduled for non-school days with weddings typically being held on a Saturday.

The new building was of a flexible design so that it could reasonably be used both as a church and a hall. With regard to social/community events, the present school hall had accommodated approximately 6 per year where an occasional license had been obtained. No permanent licence would be obtained, not least because this would be

contrary to diocesan policy but should this be necessary any application would be advertised and local residents would have the opportunity to comment. The licensing authority would determine whether or not an occasional license should be issued and this was not, therefore, a material planning matter.

After receiving this information, and coupled with the fact that the Council's Highways Engineer was not objecting to the application, the recommendation to Plans Board for approval of the application remained unaltered.

Councillor C.F. Smith spoke as one of the Ward Members for Trench & Wrockwardine Wood. With regard to the addresses of those people who supported the application, he pointed out that, while the largest single number was from the Ward, the overall majority were not. The previous application had been refused in 2005 and, whilst the current application had been improved, there had been no changes to the site and he, therefore, questioned why the application was now recommended for approval. He expressed concern regarding the impact of the additional parking spaces and the potential noise nuisance for adjoining properties. He believed that the proposed acoustic barrier would not be sufficient to address this issue and would also cut out sunlight from gardens and take away the wildlife habitat provided by the existing hedge. With regard to the highways issues, he noted the proposed improvements but did not consider that these had fully addressed the concerns of residents. Whilst acknowledging the need for a new hall for school use, he queried whether the proposal was over-development and whether this was the best site for a new church in north-east Telford. If approved, there would be increased traffic in the area all week rather than just for five days as at present.

(Councillor Smith left the meeting during discussion and determination of the application)

A number of Members spoke in support of the application given its benefits for the school and the community and the improvements to parking and access made since the 2005 application. However, other Members expressed concern over the impact of the development on the amenities of local residents from traffic and noise and questioned whether this was the most appropriate site for a church. The Planning Officer responded that the decision was one of balance between providing new community facilities and improved access and parking and the needs of residents. However, given that the Highways Engineer was now satisfied with the proposed scheme, it would be difficult to refuse the application on those grounds.

RESOLVED – that with respect to planning application W2009/0544 planning permission be granted subject to the conditions as set out on the update sheet included with the report.

(Councillor C.F. Smith returned to the meeting)

(b) W2009/0745 – Highbury Villa, Drury Lane, Rodington, Shropshire

This application sought planning permission for the erection of a single storey side extension to the existing annex accommodation to provide a full granny annex on this site in the rural area. The main property was a large detached one with a detached gable fronted double garage to the rear and a smaller single storey

outbuilding to the side, which was currently used for storage but contained separate rooms for a kitchen lounge and bedroom and, therefore, was able to be used as ancillary living accommodation.

The proposed development would have a length of approximately 6m., which would be shorter than the existing building and with a width of approximately 3m. It would retain the same depth as the existing building but would be stepped back by half a metre. The proposal would be of a very similar character to that of the existing outbuilding with a small gable styled porch feature, although this would be well screened from the street scene by the existing dwelling and outbuilding. It was, therefore, considered that the proposal would not be detrimental to the character and appearance of the existing building and the surrounding area. The property benefited from a modest plot and, therefore, the development would leave adequate amenity space within the curtilage of the dwelling.

The proposed development would be on the opposite side of the car parking area to the neighbouring depot, which was approximately 7m. away. There would be one additional window on that side elevation but, as this would be a bathroom window, there would be no detrimental overlooking of the neighbouring industrial properties. At this distance and as the development would be single storey, it would not lead to a detrimental level of overshadowing.

Given the rooms in the existing annex, the unit would then include a separate bedroom, bathroom and kitchen, which was contrary to policy for the creation of new dwellings within the open countryside. A condition was, therefore, required to control its future use but, due to previous issues relating to enforcement of such units in the rural area, it was considered that a Section 106 agreement would ensure this was not breached. The applicant had now agreed to enter into a Section 106 legal agreement to ensure that the proposal stayed ancillary and linked to the main dwelling.

As the proposed development would not dominate the site, was in keeping with the character and appearance of the general area and not of detriment to the amenities of the neighbouring properties, it complied with policies UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

RESOLVED: that with respect to planning application W2009/0745 delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the applicant entering into a Section 106 agreement with regards to the proposed development remaining linked to the main dwelling as ancillary accommodation and to the conditions as set out in the report.

(c) W2009/0768 – Old Hall Building, King Street, Wellington, Telford, Shropshire

This was an application for the erection of a two storey rear extension, following a partial demolition, and a single storey extension for use as a mosque. The Plans Board had previously approved a change of use of the former Territorial Army Centre to a Mosque and ancillary facilities, together with the remodelling of the facade (W2007/0667) and, therefore, the principle of redeveloping the site for a mosque had already been established. At the time of the current submission the applicants had

demolished the majority of the building but had retained the front façade. This was not in accordance with the previously approved plans but was in accordance with the current application.

The agents who had dealt with earlier application had failed to address the religious needs of the proposed users and new agents had been appointed to redesign the layout to provide the necessary accommodation thus limiting the usability of the site. The consequence of redesigning the layout had resulted in addressing the external parameters and, therefore, the main issues being considered under this application were those of design.

The previous application sought to remove the front elevation of the Drill Hall whilst retaining the rear aspects but the present proposal sought to retain the front elevation with the erection of a two storey element which displayed modern architectural features set back from the front elevation. The proposal would be slightly higher than the ridge of the Drill Hall but with a curved roof and elevations, which would be rendered in a light colour. The proposed set back acted as a buffer and would be well screened at a pedestrian level on King Street by the retained façade.

Taking this into account it was considered that the proposed design was more in keeping than the previous approval, respecting and reinforcing the architectural features of the Drill Hall and the character of the surrounding area. Whilst it was accepted that this was a modern development attached to a mature façade, it was considered it would preserve the Drill Hall whilst giving it a modern twist which met the needs of the user.

The proposal would provide 27 parking spaces and, as parking along King Street would be restricted by yellow lines, users could not overspill onto the highway. Occasional events such as weddings and funerals would require additional parking and, consequently, an agreement was in place with New College to cater for such events. The Council's Highway Engineer had raised no objections subject to the inclusion of the previous conditions relating to the Travel Plan.

The proposed hours of use had not been conditioned on the previous application but, given the location of the site on a main road into Wellington, it was considered that the nature of the use was acceptable. As the principle of use had already been accepted on the site, it was considered that the revised proposal respected and reinforced the Drill Hall and the surrounding area, and was less intrusive than that previously approved. Subsequently it was considered that the proposed application met the criteria of Local Plan Policy LR1, UD2 and Core Strategy Policy CS15.

A number of Members expressed concern at the possible traffic congestion that could result from this application but the Planning Officer informed them that the applicant already had an agreement with New College to pay for use of its parking facilities.

RESOLVED – that with respect to planning application W2009/0768 planning permission be granted subject to the conditions as set out in the report.

(d) W2009/0794 – Roden Lane Farm, Roden Lane, Roden, Shropshire

Determination of this application had been deferred at the meeting of the Plans Board on 25 November, 2009 to allow Members to undertake a site visit. Members were now informed that the Council's Environmental Health Officer had raised no objections to the proposals subject to the conditions set out on the update sheet. In addition, an informative had been recommended whereby the enclosed run areas and the kennels would require a good level of ventilation to ensure thermal comfort. Comments had also been received from the applicant's agent, as set out in the report, and the issues raised by the Council's Arboricultural Officer had been satisfactorily addressed.

The update sheet tabled at the meeting informed Members that the representative of local residents had now withdrawn the objections to this application, for the reasons set out. However, they would continue to press their case for longer term protection against a change of mind/regime at the Dogs Trust (and/or any other constituent) to future development plans on the overall site. However, the planning officer reminded Members that any such application would be considered on its merits at the time.

Members considered the application would provide improved facilities for the dogs, thus reducing their stress.

RESOLVED – that with respect to planning application W2009/0794 planning permission be granted subject to the conditions as set out in the update sheet tabled at the meeting.

Informative: The enclosed run areas and the kennels will require a good level of ventilation to ensure thermal comfort.

(e) W2009/0811 – Ketley Hall, Red Lees, Ketley, Telford, Shropshire

This application sought full planning permission for the erection of a detached single storey one-bedroomed dwelling together with associated car parking spaces and amenity area on an 'L' shaped site, located on the north-west boundary of the Hall, a three-storey Grade II listed building, some 20 metres from the Hall. Access to the new property would be via the existing private driveway to Ketley Hall from Red Lees. Ketley Parish Council had requested that the application be determined by the Plans Board.

The site was located in a predominantly residential area, with a modern two-storey residential estate to the south, previously used as a haulage yard. The proposed dwelling would be located very close to the boundary (approximately 1.2m.) with the adjoining dormer bungalow, Champions Ridge, but would present a blank elevation and 3 rooflights and existing boundary screening would ensure that there would be no overlooking or loss of privacy of adjoining residential amenities.

Ketley Parish Council had no objections to the proposed design but considered it would be too close to the listed building and were concerned about the access arrangements and the additional pressure on the exit onto Red Lees. These comments had been noted but the proposed dwelling was very modest and had

been designed to have the scale and simple form of an outbuilding, subservient to the main house. Given the proposed siting of the new dwelling, it was considered that the proposal would not affect the setting of the Hall. In addition, it would appear smaller in footprint and height than the adjacent dormer bungalows beyond the site boundary and would accord with national and local planning policies relating to listed buildings. Landscaping and boundary treatment to the new property would be important in order to protect the setting of the listed building, and this would be controlled by condition.

The plans had been amended in accordance with Conservation Officer's advice to simplify the design and give the building more vertical emphasis, with fewer glazing bars, omission of timber features, and the addition of sills to windows on the front and side elevations. Therefore, it was considered that the amended scheme was acceptable, by virtue of its modest size, the simple design, and siting within the grounds of, but a sufficient distance from Ketley Hall, and with no adverse effect on adjoining residential properties.

Members considered that the proposed dwelling would be well screened and was an improvement upon the site's previous use as a haulage yard.

RESOLVED – that with respect to planning application W2009/0811 planning permission be granted subject to the conditions as set out in the report.

(f) W2009/0917 – Oakengates Leisure Centre, New Road, Wrockwardine Wood, Telford, Shropshire

This application by Telford & Wrekin Council was for the siting of one new storage container and a portable w.c. facility near to the athletics running track. It was also proposed to regularise the situation regarding eight existing metal storage containers on the site some of which were the subject of now expired temporary permissions and others which had been in situ for many years and were, hence, immune from enforcement action. In addition it was proposed to relocate container 'K' which had been given planning permission earlier this year (W2009/0401)

The proposed single 9 metre long container would be sited within the existing gated compound adjoining the car-parking area and would be used to store an 'indoor mobile sports hall' trailer for use around the community by disabled persons. It was essential to store this trailer within a secure compound for insurance purposes but in this location it would have little impact on the appearance of the area and would not detract from local amenity. All the existing containers as well as those proposed, were situated well within the Leisure Centre site and, therefore, would have little impact on the residential amenities of any dwellings which adjoined the site. It was proposed to paint all of them dark green which would result in a unified appearance and would further reduce their visual impact on the site.

As there were no proposals for a permanent storage building on the Leisure Centre site and officers considered that the metal containers were unsuitable to form a permanent development, a temporary planning permission for the new containers for 3 years was considered appropriate in this case. .

Councillor Smith welcomed the application, which would provide needed secure storage facilities and which, if painted dark green, would blend in with their surroundings.

RESOLVED: that with respect to planning application W2009/0917 planning permission for a temporary period of three years be granted subject to the conditions as set out in the report.

(g) W2009/0947 – 6, 8 The Avenue, Wrockwardine, Shropshire

This application sought planning permission for the erection of 4 dwellings following demolition of a pair of semi-detached, post-war properties with limited character, within the designated Conservation Area of Wrockwardine. They were sited approximately 12m. from the rear of the pavement, and followed a similar building line as the adjacent semi-detached properties to the north and south, which had similar architectural character but with differences between the exact features. Members noted that a previous application, W2008/0011, had been refused on the grounds of an insufficient demonstration of need, failure to preserve or enhance the Conservation Area, and failure to demonstrate that protected species would not be adversely affected.

In line with the criteria of saved Policy H24 of the Wrekin Local Plan, an exceptions policy for small scale affordable housing schemes, the applicant's Design and Access Statement (DAS) provided details of this need and was accompanied by the Housing Needs Survey template undertaken in Wrockwardine during March 2009. The findings of the survey were that there was a need for 2-bedroomed properties with support for a small development to provide affordable housing within the village. The Housing Needs Survey and findings were supported by the Council's Housing Enabling Officer, who was also satisfied that there were no forthcoming sites within the identified suitable settlements which would cater for this need. The village had a predominantly older population and the provision of housing for younger families would create a more balanced, mixed and sustainable community. It was expected that a lettings plan would be agreed between the Council and the Trust to ensure that the properties were allocated appropriately.

Policy H24 required development not to have an adverse impact on the character and setting of a village, no overriding environmental problems, and satisfactory access and services. The design of the dwellings had been subject to pre-application advice following the refusal of a similar application (W2008/0011) and officers were now satisfied that the proposed design would preserve and enhance the Conservation Area. With regard to parking, the Highways Officer would have had no objections if two off-road and two on-road spaces had been provided, as per the existing parking facilities, but the applicants had preferred to submit an application with four spaces on site. Whilst it was considered that this would address the nature of the Conservation Area more appropriately, it was not a sufficient reason to refuse this application and it was, therefore, considered acceptable.

Previous concerns with regard to protected species had been addressed following the submission of a survey which had concluded that, while there was a colony of bats within the village, there was no evidence they had used the existing properties

on the site for the purposes of roosting or harbourage. In addition, no evidence of nesting birds or barn owls had been found either internally or externally. Therefore, it was considered that the proposal had addressed the previous grounds of refusal and, that subject to the applicant entering into a Section 106 Agreement to ensure that the dwellings were affordable accommodation in perpetuity, it should be approved.

Since preparation of the report to Members, comments had been received from Wrockwardine Parish Council which fully supported the proposed development subject to the units remaining affordable housing. They considered that the Wrekin Housing Trust had sufficiently identified a need for such housing in the village and that the encouragement of a younger generation in what was an increasingly elderly one would help to ensure a more balanced population.

These comments were supported by Councillor J.M. Seymour, one of the Ward Members for Wrockwardine. Councillor R.T. Kiernan, the other Ward Member, was invited to address the Board and indicated his support for the application but referred to the need also for affordable family housing to be provided.

Members welcome the application, which would provide much needed affordable housing of a design in keeping with this Conservation Area.

RESOLVED – that with respect to planning application W2009/0947 delegated authority be granted to the Head of Planning & Transport to grant planning permission subject to the applicant entering into a Section 106 agreement to provide 100% affordable housing, and to the conditions as set out in the report.

PB-71 SITE VISITS

None.

PB-72 PLANNING APPLICATIONS DEALT WITH UNDER DELEGATED AUTHORITY

The Board received for information details of the planning applications that had been determined under delegated powers.

The meeting ended at 7.06 p.m.

Chairman:

Date:

LICENSING COMMITTEE

Minutes of a meeting of the Licensing Committee held on Thursday, 12th November 2009 at 9.30 am in the Wrekin Room, Business Development Centre, Stafford Park 4, Telford

PRESENT: V.A.Fletcher (Chairman), E.J.Greenaway (Vice-Chairman), R.G.Chaplin, R.E.Groom, Y.C.Hicks, T.Kiernan, A.A.Mackenzie, C.N.Mason, H.Rhodes and C.F.Smith.

LC-74 APOLOGIES FOR ABSENCE

Councillors J.A.Francis, K.L.Tomlinson and A.G.P.Williams.

LC-75 DECLARATIONS OF INTEREST

None

LC-76 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

LC-77 MR.S.W. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE

The Committee were informed by the Democratic Services Officer that on the 6th November that he had received an email from the solicitor who had previously been instructed by the licensee to confirm that he was no longer representing him. On the same date the Democratic Services Officer advised that he had written to the licensee to confirm the position and also to remind him of the Committee's decision that had been made on the 21st October 2009 when the original hearing was adjourned. The Committee were further informed that on the 10th November 2009 the licensee had written to the Democratic Services Officer confirming that he was unable to attend the resumed hearing and that he appreciated that the hearing would resume in his absence. Following the receipt of legal advice and consideration and discussion by the Committee, it was;

RESOLVED – that the private hearing should proceed in the absence of the Licensee.

After hearing the evidence presented by the Council's Licensing Operations Manager and her witness in accordance with the hearings procedure and following consideration and discussion by the Committee, it was;

RESOLVED – that the Committee considered that they were not satisfied that the applicant was a fit and proper person to remain licensed as a Private Hire Vehicle Driver and that accordingly his licence should be revoked.

The meeting ended at 11.35 am.

Chairman:

Date:

AUDIT COMMITTEE

Minutes of a meeting of the Audit Committee held on Tuesday, 3rd November 2009 at 5.30 pm in the Reception Suite, Civic Offices, Telford

PRESENT: D.Wright (Chairman), I.T.W.Fletcher (Vice-Chairman), R.K.Austin, L.Lomax and W.L.Tomlinson.

OFFICERS PRESENT: Ken Clarke – Head of Finance & Audit, Jenny Marriott – Audit & Risk Manager and Andrew Roberts – Democratic Services Officer.

AUC-35 MINUTES

RESOLVED – that the minutes of the meeting of the Audit Committee held on 23rd September 2009 be confirmed and signed by the Chairman.

Although the minutes were approved updates were provided in connection with the following points contained within the minutes.

Page 2 – paragraph 4 – the Head of Finance & Audit confirmed that KPMG would include within the Annual Audit letter specific guidance following a reflection of the Council's Use of Resources Scores and other measures that fell within their remit.

Page 2 – paragraph 5 – KPMG had also confirmed that Jes Leaper would be available to attend at a future meeting of the Value for Money Scrutiny Group in order to appraise the Group of examples of best practice that was implemented by other councils that they assess as part of their external audit remit.

AUC-36 APOLOGIES FOR ABSENCE

None

AUC-37 DECLARATIONS OF INTEREST

None

AUC-38 INTERNAL AUDIT UPDATE ON QUARTER 2 2009 (JULY – SEPTEMBER 2009)

The joint report of the Head of Finance & Audit and the Audit & Risk Manager was received which sought to update members on the work of Internal Audit during quarter two 2009/10 July to September 2009. The report also provided an update on the progress of previous audit reports that were issued during the period January 2008 to June 2009.

It was noted that Internal Audit activity during this period had focussed on the completion of the audits set out in the Internal Audit Plan including the few carry forwards from quarter 1. The key work areas that had been reviewed during the period were Council tax/NNDR, Residential Services, Treasury

Management, Internet/e-mail review, Buy Back Schemes, Service Contracts and Arthog.

Members were reminded that the Treasury Management review against the Audit Commission report "Risk & Return" was presented to the last Audit Committee. Since then the External Auditors, KPMG had used this work to update the Audit Commission on the Council's position. The Committee noted that KPMG were able to rely on the work undertaken by Internal Audit and would not need to undertake any additional work in this respect.

The Committee were referred to the Appendices as attached to the report which included a list of the final graded reports issued in quarter two together with details of budgeted time, actual time, percentage variance and comments. A list of all work undertaken for quarter two of 1 day or more and details of previous graded reports from January 2008 to June 2009 and their current status and further information from the one amber report that had been issued this quarter was referred to the Committee.

Members were referred to Appendix A which recorded 20 final reports that had been issued in quarter 2. The Committee were requested to note that there was only one amber report – Safeguarding – File Audit. Although there had been no issues identified in respect to adult safeguarding the review revealed concerns in respect to documentation and a lack of procedures. Councillor Fletcher enquired as to whether there had been any similar Internal Audit review of Child Safeguarding. By way of response the Audit & Risk Manager confirmed that there was no reason why this particular aspect could not be undertaken as part of the work programme during the next quarter. Internal Audit were confident that management were addressing the issues raised and that it was anticipated that this particular service area would move to yellow at the follow up audit planned in January 2010.

Members were also referred to the unplanned areas identified in Appendix A to the report. Internal Audit was confident and had been assured by management that controls had and would continue to improve in all areas where recommendations had been made.

The Committee was further referred to Appendix C which reported the position on the original red/amber reports that remained amber or that required to be highlighted to members. In this respect the Committee were referred to Items 2 – Catering systems and 5 – Business Continuity. In relation to the catering systems members were informed that revised catering procedures had been introduced which should move the grading to yellow following verification by Internal Audit in quarter 3. These revised procedures had already highlighted further issues as outlined in the table.

In connection with the implementation of the recommendations for Business Continuity it was noted that these could not be fully implemented whilst there was uncertainty around future organisation of the Council. This had been delayed by the reduction from 5 portfolios to 4 earlier in the year, and would be delayed again by further as yet unknown organisational changes. The work remained scheduled for completion by March 2010. It was reported that whilst

there had been progress on training and some areas of testing these had been insufficient to change the grading.

RESOLVED – that the Internal Audit Update report on Quarter 2 2009 (July – September 2009) be noted.

AUC-39 HALF YEARLY PROGRESS ON THE CONSOLIDATED 2008/09 GOVERNANCE ACTION PLAN

The Committee considered the report of the Corporate Director: Resources which requested that Members should note the progress that had been achieved against the 2008/09 consolidated Governance Action Plan. Members were reminded that the Council was statutorily obliged to produce an Annual Governance Statement which should be signed by the Chief Executive and Leader of the Council and that this was included in the Annual Accounts.

The Annual Governance Statement for 2008/09 had been agreed by Cabinet and the Audit Committee in June 2008. This Statement included an action plan which identified areas for improvement for the Council. It was further noted that in addition to this action plan during 2008/09 there were governance actions identified from the work of Internal and External Audit. All of these actions had now been consolidated together into one action plan which CMT and the Audit Committee were responsible for monitoring.

The 2008/09 Annual Governance Statement (AGS) Action Plan was presented to Cabinet and the Audit Committee in June 2009 and incorporated an action plan of 13 areas for improvement. It was reported that during 2008/09 Internal Audit as part of their assurance work had assessed the Councils adherence to the local Code of Good Governance, with 15 recommendations being made, some of which were included in the AGS action plan.

In addition, KPMG as a result of the change of Chief Executive, had identified 8 governance areas for improvement. Members were informed that some of these had already been identified and included in the AGS Action Plan. The Corporate Director Resources, as the Council's lead governance officer had also requested that all governance actions from 2008/09 should be combined into one action plan. This request ensured that all issues were monitored and that duplications were erased.

Members were referred to Appendix A attached to the report that provided details of the 2008/09 consolidated governance action plan with 29 areas identified for improvement. The current position as at 30th September 2009 of these actions was shown in the right hand side of the appendix. The Committee were requested to note that 11 actions had been completed, 8 actions were on target and a further 10 actions had revised implementation dates with the latest date being 30th April 2010.

The Committee were informed CMT and the responsible Heads of Service were confident that the revised deadlines as detailed would be achieved. The

progress against the Governance Statement at 31st March 2010 would be incorporated into the 2009/10 Annual Governance Statement.

Councillor Tomlinson commented that the future relocation from the present Civic Offices would impact on the ICT business continuity plan and that there was a need to ensure that the ICT infrastructure supported the corporate and service continuity plans. Members were informed by the Audit & Risk Manager that as part of the planned re-location the Council would appoint a comprehensive project board which would ensure that the process was properly and effectively managed to ensure that all ongoing risks were identified and dealt with.

Councillor Tomlinson also raised an enquiry in relation to Catering and the implementation of a trial cashless system within two schools. He stated that this position had not been expressed at a recent Value for Money Scrutiny Group where it was stated that there had been no immediate plans to introduce such a system. He requested as to whether the Head of Resources, BSF and Social Regeneration could attend at the next Audit Committee to confirm the present position. The Committee agreed to this invitation being sent in order to update the Committee on the position in relation to schools catering.

There was a further question raised in connection with the review of the operation and effectiveness of the revised scrutiny arrangements. Reference was made to the proposed timetable for the completion of the review by the end of May 2010. It was pointed out that if any further changes to the scrutiny structure were proposed that they could not be put into operation at the next Annual Council meeting. Accordingly it was requested as to whether the timetable could be concluded by the end of March in order that any changes could be taken into account and dealt with at the forthcoming Annual Council meeting. It was agreed by the Committee that the report in relation to the review of the revised scrutiny arrangements should be submitted to the March 2010 meeting of the Committee. It was also agreed that Councillor D White should also be invited to this meeting as Chairman of the Scrutiny Leadership Board.

Councillor Lomax enquired about the item contained within the attached appendix in relation to the Terms of Reference for Standards and Audit Committees and their annual review and whether this should be extended to external partnerships. The Audit & Risk Manager confirmed that the process had already been established in relation to a number of Committees within the Council. In connection with external partnerships it was confirmed that the existing partnership protocol published by the Council makes reference to annual reviews being highlighted as examples of best practice.

The Committee agreed that the appropriate Corporate Director and Cabinet Member be invited to the next meeting to update the Committee on the progress of the actions in respect to Business Continuity as it was outlined in the Internal Audit update report as remaining as Amber and in the Governance action plan with delayed/changed implementation dates.

RESOLVED – that the progress against the actions contained within the 2008/09 Consolidated Governance Action Plan be noted.

AUC-40 RESULTS OF THE CIPFA BENCHMARKING EXERCISE FOR INTERNAL AUDIT 2009

The purpose of the report of the Audit & Risk Manager was to provide the Committee with the results of the CIPFA Benchmarking exercise for Internal Audit 2009.

The Internal Audit team strived to ensure that it provided value for money to the Council and the community whilst also providing a high quality service. Members were reminded that the team regularly compared itself with other local authorities and continued to share good practice to ensure that it was adhering to the CIPFA Code of Practice for Internal Audit in Local Government 2006 and other recognised best practice. This occurred through membership of regional and national networking groups, membership of the CIPFA benchmarking club for Internal Audit and continued professional development.

The report set out the results of the benchmarking exercise for 2009 together with the comparative results for 2008 that had previously been reported. The results demonstrated that T&W Internal Audit generally compared well with other unitary authorities but results had been affected by the additional costs and unplanned reduction in days due to 3 members of staff being on maternity leave during the year. Members were referred to the summary results that had been attached to the report at Appendix A.

As highlighted in the summary (paragraph 3.3) 2 members of the team went on maternity leave in July 2008 and another in October 2008. The plan was adjusted once the maternity arrangements were confirmed but this had resulted in some gaps of coverage. It was noted that additional cover had been provided by an external provider at a very competitive rate but there had still been additional payments for 6 months of the year.

The estimates for 2009/10 reflected that these cost issues had worked themselves through the system as one team member had commenced part time hours and another had left which was currently only being partly covered.

The Committee were also referred to the stated contingency figure of 10% which had always been the target for the Council which was accepted good practice. The unitary average was noted as being around 6%. This rate was to accommodate unplanned work required during the year, and reference was made to the several high profile pieces of unplanned work that had occurred during 2007/08 and 2008/09. It was further reported that to the end of September 2009 the service were meeting unplanned demands from within contingency but during October there had been several requests for unplanned assistance.

Councillor Lomax enquired as to whether the Council should reduce the contingency figure to align the rate nearer to the unitary average. The Head of

Finance & Audit stated that the Council was content with the 10% rate as this figure allowed greater flexibility.

The 2009/10 estimates for fraud, grant certification continued to be below unitary averages. Although it had been reported that the area that possibly required attention was fraud as the Audit Commission in CAA Use of Resources and their recent publication "Protecting the Public Purse – Fighting Fraud in Local Government" had outlined that local authorities should promote a zero tolerance culture and ensure appropriate resources were allocated to the prevention and detection of fraud.

Members attention was also referred to the staffing information that had been analysed over salary bands and qualifications based on figures as at 31st March 2007, 2008 and 2009. The Committee were requested to note that the figures as at 31st March 2008 were based on 10.6 fte whereas the figure at 31st March 2009 was based on 8.6 due to maternity leave. Due to the reduction in numbers and increases due to qualifications and increments the profile for salaries had also changed.

The qualification information shows that the Council's and Internal Audit's aim to have appropriately qualified staff had currently been achieved – with no unqualified staff or any undertaking professional training. The Council continued to support professional and personal development and benchmarking figures on this showed the Council to be slightly above the unitary average. In conclusion it was recognised that Benchmarking was considered to be a useful exercise to compare Internal Audit with other unitary audit teams.

RESOLVED – that the CIPFA Benchmarking Exercise results for Internal Audit 2009 be noted.

AUC-41 DISCUSSION ON THE ROLE OF THE AUDIT COMMITTEE AND VALUE FOR MONEY SCRUTINY GROUP IN RESPECT TO TREASURY MANAGEMENT

The Head of Finance & Audit tabled a paper in order to initiate a discussion in relation to clarifying the roles of the Audit Committee and the Value for Money Scrutiny Group in relation to Treasury Management.

Members were reminded that from the end of September 2009 the Audit Committee terms of reference had been extended to include responsibility for the Committee to review the Council's Treasury Management arrangements etc as outlined within the discussion paper. The Committee was further advised that at a training session that was held for the Committee members and the Cabinet Member: Resources on the 6th October it was agreed that there would be future discussion in connection with the respective role(s) in relation to Treasury Management activity with particular emphasis in order to clarify and confirm the respective responsibilities of both the Audit Committee and the Value for Money Scrutiny Group. The Head of Finance & Audit confirmed that it was for Council to decide on the overall risk appetite of the Council's exposure on Treasury Management. The initial proposal would be

that the overall Treasury Management Strategy should be submitted to the Audit Committee prior to formal approval by Full Council.

Councillor Tomlinson considered that the Audit Committee should consider all aspects of Treasury Management rather than for training to be provided for the Members of the VfM Scrutiny Group on value for money aspects of treasury management as this had to be looked at alongside the risks that the Council was willing to take as risk and reward were integrally linked. If the Audit Committee took responsibility for scrutinising all matters relating to Treasury Management it would avoid duplication with the Value for Money Scrutiny Group and ensure that no areas got over-looked

Councillor Fletcher referred to the paragraph 4.3 of the Head of Finance & Audit's briefing paper which provided adequate regular monitoring of Treasury Management activities. The Head of Finance & Audit agreed that he would circulate the minutes of the recent Treasury Management Board to the Committee.

The Audit & Risk Manager sought clarification of the agreed reporting mechanisms that the Committee wished to introduce in relation to Treasury Management. It was agreed that the Audit Committee would receive a précis of the Council's Treasury Management activities at Audit Committee meetings on a quarterly basis. It was also agreed that the meeting to be held on the 2nd February 2010 would receive an annual review report together with proposals in order to agree the overall strategy for the ensuing Civic Year.

It was also suggested that it should be considered to invite the Council's external advisors in order to provide further information to the Audit Committee prior to the meeting to be held in February. The Committee also considered that further detailed training should be provided by both the appropriate Council officers together with the external experts.

By way of conclusion it was;

The Audit Committee would take the lead role on the scrutiny of treasury management rather than VfM Scrutiny Group who would only consider the impact of variations from budget as part of financial monitoring. The Committee also accepted that they would review security, yield and liquidity as a package and decided not to try and split aspects of these between the Audit Committee and the VfM Scrutiny Group and also wished to avoid duplication between themselves and the VfM Scrutiny Group.

The Audit Committee agreed that they would like the minutes of the Treasury Management Board meetings e mailed to them after the meetings had been held – starting from next month. This would enable the receipt of regular monitoring reports in relation to treasury management activity.

On a quarterly basis the Committee agreed that a treasury management item should be included on the Audit Committee agenda that would summarise the key points from the minutes of the Treasury Management Board meetings since they last considered treasury management.

The Committee agreed that there should be a further training session to which the Council's treasury management advisors would be invited to attend which would enable the Committee members to question and challenge and review the proposed Treasury Management Strategy for 2010/11, a provisional date of the 26th January 2010 was agreed for this session.

AUC-42 NATIONAL FRAUD INITIATIVE 2008/09 – UPDATE

The report of the Corporate Director: Resources was received which sought to update the Committee on the requirements of the Audit Commission National Fraud Initiative (NFI) 2008/09 and the progress that had been achieved to date on the exercise.

Members were informed that the Audit Commission's NFI exercise was part of Central Government's national recognition that taxpayers had a right to expect public bodies to put in place every possible measure to protect their money from fraud. The national public bodies included in this exercise were police authorities, local probation boards, fire and rescue authorities and all upper tier and district councils, with the exercise being undertaken every two years.

The council had a statutory responsibility to provide data to the Audit Commission for the prevention and detection of fraud as part of the National Fraud Initiative (NFI). NFI was an exercise that matched electronic data within and between audited bodies to prevent and detect fraud. From 2008, the Commission had conducted data matching exercises under its new statutory powers in the Audit Commission Act 1998, Part 2 A. The processing of data by the Commission in a data matching exercise was carried out with statutory authority. It did not require the consent of the individuals concerned under the Data Protection Act 1998. From 6 October 2008 the Council was required to upload various data sets (see section 5) to the Audit Commission website via a secure link.

From 28 January 2009 the Council's data matches were available through a secure link from the Audit Commission's website. Investigations into these matches had been concluded in the relevant service areas with the deadline for completion being 31st December 2009.

Since 1996, the Audit Commission had run the NFI once every 2 years. In the 2006/07 exercise only payroll, benefits and creditor datasets had been required. During the 2006/07 exercise an Audit Commission pilot was undertaken matching Council Tax and Electoral Registration information, this was due to be repeated in 2009/10. Data matches for all previous exercises had been investigated by the relevant service area. The Councils arrangements for the last NFI exercise in 2006/07 were reviewed as part of the CPA Use of Resources inspection with the results of this review included in the Annual Audit letter. It was noted that the External Auditor would be visiting the Council this autumn to review progress on the 2008/09 exercise and this would be reported as part of CAA Use of Resources.

The Audit Commission had published a Code of Data Matching on 21st July 2008 which governed how the NFI exercise should operate. This code required the Council to send its datasets to the Audit Commission by 6th

October 2008. The Code of Data Matching Practice was a statutory code, and all organisations that participated in the Commission's data matching exercises, including the Commission itself, were required to have regard to it.

Members were informed that the code required the Council to nominate responsible person(s) to undertake specified duties in relation to NFI, with the following officers being nominated – Senior Responsible Officer – Corporate Director: Resources and Key Contact – Group Auditor. The key contact was also responsible for data handling and the co-ordination of data matches and followed up investigations that were undertaken by service areas.

The Council was required to provide a number of datasets to specifications that had been set by the Audit Commission in October 2008. Members were referred to the report which confirmed the data that had been included.

The Council also had a responsibility to ensure an adequate fair processing notice was given to participants. This was a statutory requirement of the Data Protection Act 1998 and it was confirmed that this requirement had been undertaken where appropriate by the Council.

Members were referred to the table that contained details of the NFI data matches that had been received in February 2009. The number of matches split across the datasets was shown together with details of the numbers of matches that had been investigated by the Council to date.

RESOLVED – that the information on the National Fraud Initiative and the Council's progress made to date on the National Fraud Initiative exercise be noted.

AUC-43 UPDATE OF OUTLINE BUSINESS FOR FUTURE MEETINGS

Members were referred to the updated outline of business for consideration by the Committee for the remainder of the 2009/10 Civic Year.

AUC-44 DATES OF FUTURE MEETINGS

The Committee noted the future dates of meetings that were scheduled to be held for the remainder of the 2009/10 Civic Year but that the start times for the February and March meetings would be 6.00 pm.

The meeting ended at 6.45 pm.

Chairman:

Date:

SCRUTINY LEADERSHIP BOARD

Minutes of a meeting of the Scrutiny Leadership Board held on 19 November, 2009 at 4.00 p.m. in the Civic Offices, Telford, Shropshire

PRESENT: Councillors D.R.W. White (Chairman), R. Aveley, A.A. Mackenzie, A.A. Meredith and K.L. Tomlinson

ALSO PRESENT: Ken Clarke (Head of Finance & Audit), Fiona Botterill (Scrutiny Manager), Andy Meredith (Customer Services Manager), Stuart Freeman (Traffic & Transportation Business Manager – Network Policy & Management), Helen Hill (Transport Business Manager) and Kathy Swallow (Senior Education Officer – Admissions)

SLB-90 MINUTES

RESOLVED – that the minutes of the meetings of the Scrutiny Leadership Board held on 16 September 2009 and 24 September 2009 be confirmed and signed by the Chairman.

SLB-91 APOLOGY FOR ABSENCE

Councillor J.A. Francis

SLB-92 DECLARATION OF INTEREST/PARTY WHIP

None.

SLB-93 UPDATE ON THE FIRST POINT RECOMMENDATIONS

The report of the Head of Customer Services & Business Transformation gave the Board an update on the progress made against their recommendations in respect of First Point Telford and the Cabinet's response.

RECOMMENDATION 1: CONTINUAL MONITORING OF FIRST POINT TELFORD TO ENSURE THAT THE APPROPRIATE RANGES OF SERVICES ARE PROVIDED TO THE PUBLIC

Since opening in February 2009, First Point Telford had helped over 4,600 customers. An analysis of the services that had been used was shown in Appendix 2 of the report and the outcomes of customer visits, with debt and benefits advice enquiries creating the largest demand in Appendix 3.

Whilst it was recognised that First Point Telford had limited capacity for expansion, additional services had been introduced, as set out in Appendix 4 of the report.

RECOMMENDATION 2: THE CABINET CONSIDER PROVIDING A PERMANENT POINT OF CONTACT FOR COUNCIL SERVICES IN THE TOWN CENTRE VICINITY

The creation of a One Stop Shop on the Ground Floor of Civic Offices had been agreed by Cabinet on 21st July 2009 with the aim of it being opened on 1st March 2010. Cabinet would shortly be asked to agree that, initially, the One Stop Shop would be open: Monday, Tuesday, Wednesday, Friday 8:30 am to 6:00 pm; Thursday 8:30 am to 8:00 pm; Saturday 9:00 am to 1:00 pm. This would be reviewed on an ongoing basis to ensure that, subject to affordability, the service met the needs of customers. In addition, the Cabinet would be asked to continue with the funding for the Citizens Advice Bureau, to allow it to continue to provide debt and welfare advice through the One Stop Shop.

In addition to the Council services currently provided, a range of partners and additional Council functions would also provide services at the One Stop Shop, as set out in the report.

RECOMMENDATION 3: THE CABINET CONSIDERS THE USE OF LIBRARY FACILITIES TO OFFER A FIRST POINT OF CONTACT FOR COUNCIL SERVICES THROUGHOUT THE BOROUGH; ESPECIALLY IN AREAS WHERE THE LIBRARY IS USED ON A PART TIME BASIS.

In their response to this recommendation, the Cabinet had stated that a review of Leisure and Culture was being undertaken by Northgate Kendrick Ash and the Business Efficiency Team and they had been asked to consider this recommendation as part of their review. It was now anticipated that the review's findings would be reported in January 2010.

The report also detailed the further developments under way, including a 'Making Ends Meet' Booklet, the development of the Corporate Contact Centre and changes to the Council's website. A copy of the Booklet had also been sent to all Members as it provided good signposting information.

Councillor A.A. Mackenzie emphasised the need for there to be a planning presence in the One Stop Shop and for an increased use of electronic access to information. The Customer Services Manager responded that this was currently dependent upon the implementation of the new planning system but it was the intention under Phase 2 of First Point Telford to consider the closure of Darby House as a public reception including the transfer of planning services to the One Stop Shop.

Councillor Mackenzie also requested information on the number of users of First Point as a direct result of the economic recession. The Customer Services Manager explained that this level of analysis was not possible but referred Councillor Mackenzie to Appendix 3 of the report which showed a breakdown of the issues dealt with by the Citizens Advice Bureau staff and those by the Revenues & Benefits staff. In addition, the Scrutiny Manager said that Members could be provided with a copy of the usage information from the customer satisfaction perspective.

Both the Board and the Customer Services Manager commended the staff of First Point for their work in setting up the facility in the Telford Library. Whilst welcoming the developments set out in the report, the Chairman stressed the importance of appropriate access being available in Civic Offices. He said that the current location was very useful for people also going to the Shopping Centre and expressed some concern that the usage could decrease if First Point Telford was moved.

Members welcomed the development of First Point but commented that the Council also needed to improve its other methods of providing information to people. The Customer Services Manager agreed and informed them that a new Council website would be going live in April 2010. This would be customer focussed and give a high profile to those areas people most needed to access. In conclusion, the Chairman asked that a further progress report be brought to the Board at an appropriate date.

RESOLVED - That the progress made against the recommendations of the Scrutiny Leadership Board be noted.

SLB-94 UPDATE ON IMLEMENTATION OF RECOMMENDATIONS FROM SCRUTINY SCHOOL TRAVEL REPORT

At its meeting on 24 September, 2009 the Board had received an update report on those recommendations that had not yet been completed or where no update had been provided by the responsible officer. As no such update had been provided in respect of the Review of School Travel, the responsible officers had been invited to attend this meeting of the Board to provide a verbal update.

The Transport Business Manager and the Traffic & Transportation Business Manager, gave a verbal update on progress on the Review of School Travel. Overall the ongoing provision of transport to schools was now being considered as part of the wider transport review that was currently being undertaken by Northgate Kendric Ash.

With regard to transport provision for children attending faith schools as the choice of their parents, the Senior Education Officer – Admissions informed the Board that a report was to be submitted to Cabinet in February 2010 on the issue.

With regard to the Working Group set up, it was noted that, due to organisational changes, Community Services representation had been replaced by representation from Children & Young People and from Environment & Regeneration. The Group was now established and had met several times and would be writing to all schools to establish how many Safe Routes to School had been set up.

In conclusion, the Scrutiny Manager stressed the need to for updates on reviews to be provided as soon as the work had been completed in order that they could be taken off the list of those requiring an update.

SLB-95 REVIEW OF SCRUTINY ARRANGEMENTS AND SCRUTINY LEAD MEMBERS' APPRAISALS

The report of the Head of Finance & Audit sought approval to undertake a review of the Scrutiny arrangements in early 2010 and to incorporate into that process the appraisal of Lead Scrutiny Members.

The current Scrutiny arrangements, which had been in place since January 2009, were aligned to the Council priorities with the Board currently being responsible for scrutiny of the overarching priority of Transforming Telford & Wrekin. Each of the six Lead Scrutiny Members on the Board was responsible for scrutiny of one of the remaining priorities. As part of the process to assess the effectiveness of Scrutiny and provide appropriate support to Members, an annual appraisal of Lead Scrutiny Members had previously taken place and it was now proposed that the 2009/10 process be incorporated into the wider review.

It would be appropriate to assess the effectiveness of the current arrangements twelve months after implementation and it was proposed that a review was undertaken by an independent expert in Local Government Scrutiny. As well as seeking the views of both Scrutiny/Executive Members and co-optees, the review would seek the views of officers from the Council and partners involved in scrutiny. A range of methods would be used including questionnaires, interviews and focus groups. Based on the evidence gathered during the review, recommendations would be made on possible developments for Scrutiny.

In addition, the Audit Committee had requested that a report on the effectiveness of the Scrutiny arrangements introduced in January 2009 be made to its meeting on 30 March 2010. The focus of that report would be the role of Scrutiny in the Council's governance structures. In order to include the report in the wider review it would be necessary to bring the findings of the review to the meeting of the Scrutiny Leadership Board on 25 March 2010, which would enable any recommendations on the scrutiny structure to be considered prior to Annual Council.

The Chairman commented that this was a very positive process and the Head of Finance & Audit informed the Board of the intention to use Professor Steve Leech to undertake the review of the current Scrutiny arrangements, which was supported by Members.

RESOLVED:

- (a) That the Members of the Scrutiny Leadership Board agreed to commission and participate in a review of the Council' Scrutiny arrangements;**
- (b) That the appraisal of Lead Scrutiny Members be included in the above review.**

SLB-96 EMPLOYEE SUGGESTION SCHEME

In 2005 Scrutiny had undertaken a review of Employee Suggestion Schemes but this had not been accepted by the Cabinet. However, in the light of the current economic climate, Councillors Derek White and Bob Groom, as members of the review, had decided that now would be a good time to reconsider Employee Suggestion Schemes as a potential money saving and service improvement initiative.

The 2005 review had been updated by revisiting Ricoh, which had been consulted then and which Members considered to have an exemplary scheme, and by researching Employee Suggestion Schemes in operation in other local authorities. Concurrent with this, there was growing support for such a scheme from both the Corporate Employee Focus Group and a range of members, including the Cabinet Member for Policy, Performance & Partnership and the Value for Money Scrutiny Group.

The Policy & Value for Money Manager had, therefore, submitted a report and proposed scheme to the Cabinet of 10 November 2009, a copy of which was appended for Members' information. The Scrutiny members had been consulted on the proposals and had put forward a number of recommendations which they would like to see taken into account in the further development of the Scheme should it go ahead.

On 10th November, Cabinet had approved the following recommendation:

- That the key principles and outline process in Sections 4.1 and 4.2 of the report be agreed; and
- That the next steps in Section 5 of the report and delegation of authority to the Head of Policy, Performance & Partnership, following consultation with the Cabinet Member: Policy, Performance & Partnership, to finalise details be agreed.

The Scrutiny recommendations had been noted and the Cabinet Member for Policy, Performance and Partnership had expressed broad support although he considered that the second recommendation might not be possible in the current economic climate.

The Chairman welcomed the report and emphasised the need for a system that was appropriate to the Council to be drawn up and given due consideration before it was introduced. The Suggestion Scheme should also be operated as a computer based system with appropriate linkages.

SLB-97 CHAIRMAN'S UPDATE

The Chairman informed the Board that an additional Scrutiny Assembly would be held, on a date to be confirmed, at which Members would have the opportunity to ask questions of the Chief Executive on 'One Council One Vision'. This was a very important initiative in which Scrutiny should have a role.

SLB-98 SCRUTINY FORWARD PLAN 2009-10

The updated Scrutiny Forward Plan for 2009-10 was noted by the Board.

The Scrutiny Manager reminded the Members that the meeting of the Board on 25 March 2010 was scheduled to consider the Crime & Disorder Reduction Partnership. As this was a wide ranging area, she asked Members which areas in particular they would wish to look at. Members suggested the following:

- The results of the Dawley DPPO and an update on its operation
- Crime hot spots
- The expansion of CCTV
- The effectiveness and efficiency of Community Support Officers
- An update on work in relation to ASBOs

Given the number of issues identified, the Scrutiny Manager undertook to go back the Crime & Disorder Reduction Partnership and identify which of the issues it would be timely for Members to discuss.

SLB-99 COUNCIL FORWARD PLAN EDITION 98

Edition 98 of the Council's Forward Plan was noted by the Board.

SLB-100 DATE OF NEXT MEETING

Members noted that the next scheduled meeting of the Board would take place on Thursday, 14 January, 2010.

KEN CLARKE, HEAD OF FINANCE & AUDIT

The Chairman informed the Board that this would be the last meeting to be attended by Ken Clarke. On behalf of the Board he wished to record their appreciation and thanks for all the work Ken Clarke had done in establishing the Scrutiny function in Telford & Wrekin.

The meeting ended at 5.52 p.m.

Chairman:

Date:

COUNCIL CONSTITUTION COMMITTEE

Minutes of a meeting of the Council Constitution Committee held on Tuesday, 8 December, 2009 at 6.15 p.m. in the Civic Offices, Telford

PRESENT: Councillors I.T.W. Fletcher (Chairman), R.K. Austin, A.J. Eade, G.M. Green and J.M. Seymour

CCC-06 MINUTES

RESOLVED – that the minutes of the Council Constitution Committee held on 3 September, 2009 be confirmed and signed by the Chairman.

CCC-07 APOLOGY FOR ABSENCE

Councillor D.R.W. White

CCC-08 DECLARATIONS OF INTEREST

None.

CCC-09 PRESENTATION BY PUBLIC –i OF ITS E-PETITIONS FACILITY

Matthew Jennings, Senior Relationship Manager, together with Sarah Gusterson, Account Manager, outlined the operation and benefits of their public-i software system. The benefits were summarised as:

- A simple and fast instrument of engagement with the public
- A requirement of the Local Democracy, Economic Development and Construction Act
- Designed to comply fully with DCLG guidance on petitioning
- Simple to use and understand
- A fully realised product that could be launched very quickly
- Available on an open-source basis or could be fully hosted and supported by public-i

The Government supported the use of e-petitions as an easy way to engage with the community on-line.

A detailed discussion took place on the operation of this system, such as the validation processes and the level of control that would be available to the Council in terms of accepting valid petitions and deciding whether or not to restrict the scheme to people living, working or studying with the Borough.

CCC-10 REVISION OF THE COUNCIL'S CONSTITUTION

The report of the Head of Legal Services presented the report setting out proposed changes to the Council's Constitution and requesting the Committee to recommend their approval to full Council.

At the Council meeting held on 30 September, 2009 it was resolved that the proposed Scheme for Public Speaking at Plans Board and the proposed Scheme for Dealing with Petitions be referred back to this Committee for further consideration and the report provided Members with an update on progress on these two Schemes.

Public Speaking at Plans Board

The Committee was informed that before the finalised scheme was brought back for approval further consultation would need to take place with:-

- The Head of Planning & Transport in order ensure that any proposed scheme could work effectively and efficiently – (December 2009 – January 2010).
- Members of Plans Board (January – February 2010)
- Parish Councils (February 2010)

It was estimated that the final scheme would then come back to this Committee in March 2010 for approval and then go on to Full Council in April 2010 for final approval.

Members raised a number of questions, which officers agreed to address in finalising the Scheme. In particular, the need to allow the Chairman of the Board discretion in who he allowed to speak and for how long was agreed. As the Committee was aware, members of the Plans Board received appropriate training on the need to speak only on planning related matters when determining applications, and it was agreed that other members should receive training prior to the introduction of the final Scheme.

Local Petitions

Following the presentation at the start of the meeting and, subject to a decision being made on whether or not to proceed with electronic petitions, a draft Petitions process would be completed and further consultation would take place with Members and Customer Services. It was anticipated that the final scheme would come back to this Committee in March 2010 for approval and then go on to Full Council in April 2010 for final approval.

The Democratic Services Manager agreed to provide a flow chart setting out the operation of the proposed Scheme for Dealing with Petitions.

It was agreed that the Democratic Services Manager should continue to explore appropriate software systems and bring a preferred option back to a future meeting of the Committee for its consideration.

Standards Committee - Creation of a Dispensations Sub-Committee

At its meeting on 17 September 2009 the Standards Committee had considered new legislation, which had changed the criteria for obtaining

dispensations, and had resolved to make a recommendation to this Committee to establish a Dispensations Sub-Committee to hear dispensation applications. The provision of a such a sub-committee was allowed for under Section 54A (1) of the Local Government Act 2000. The benefits of using a sub-committee would be the ability to consider quickly applications which were sometimes made at relatively short notice and would fit in with the structure already established to assess Code of Conduct complaints.

The proposed structure for the sub-committee recognised the statutory requirement for an independent chairman, the need for an elected member to be present and for a parish councillor representative to also be a member of the sub-committee if the application was made by a parish councillor. The Terms of Reference for the sub-committee, as required to be included in the Constitution, were set out in the report.

Elected members could apply to the Standards Committee for a dispensation to allow them to take part in a council meeting when they would otherwise be prevented from doing so due to a personal and prejudicial interest in the business being discussed.

With regard to the first Term of Reference, the Chairman suggested that the wording be amended to include parish councillors. It was, therefore, agreed that the words ' and members of other relevant authorities' should be inserted following the words 'members of the authority'.

Terms of Reference for the Health Monitoring Committee

At the Council meeting held on 26 November, 2009 the Leader had announced, with Members' full support, the establishment of a Health Monitoring Committee. An appropriate amendment was, therefore, agreed to the Motion on the agenda relating to health provision in Telford and the Motion was carried. Proposed Terms of Reference for this new Committee were set out for Members' approval in the report.

For the purposes of clarification the Head of Legal Services sought approval for the first and third Terms of Reference, as set out in his report, to be amended to read:

1. To gather information and consider the implications of any local health reviews that affect the Borough and the implications for people in Telford & Wrekin.
3. To consider and co-ordinate the Councils response to proposals from the PCT for any changes in health service provision in the Borough and to report findings and make recommendations to Cabinet.

He further informed the Board that, subsequent to the publication of the report, some concerns had been raised with respect to the wording of the second Term of Reference, which read:

“To work with the Health Monitoring Scrutiny Group and the Joint Health Scrutiny Committee in relation to formal consultations on significant changes to health services in the Borough.”

In order to maintain the individual key roles of these groups, it was suggested that this wording be deleted.

With regard to the proposed Membership of the Health Monitoring Committee, Councillor J.M. Seymour suggested that the Cabinet Member with responsibility for issues relating to the NHS and the Telford & Wrekin Primary Care Trust should be included.

RESOLVED:

- (a) **That, following consultations with the Head of Planning & Transport, Members of the Plans Board, and Parish & Town Councils, in line with the timetable set out in the report, and in line with the comments made at the meeting, a final Scheme for Speaking at Plans Board be submitted to the Committee at its meeting in March 2010;**
- (b) **That further software options be investigated and a final Scheme for Dealing with Petitions be submitted to the Committee at its meeting in March 2010;**

RECOMMENDED – THAT COUNCIL APPROVES

- (a) **The proposed changes to the Constitution to create a Dispensations Sub-Committee, and the addition of the Terms of Reference for the sub-committee, as set out in paragraph 7 of the report, to Part 2, Article 9 of the Constitution subject to the first Term of Reference being amended by the insertion of the words ‘and members of other relevant authorities’ after the words ‘members of the authority’;**
- (b) **The proposed changes to the Constitution to establish a Health Monitoring Committee and the addition of Terms of Reference for the Committee, as set out in paragraph 8 of the report, subject to:**
 - (i) **The first Term of Reference being amended to read:
“To gather information and consider the implications of any local health reviews that affect the Borough and the implications for people in Telford & Wrekin”;**
 - (ii) **The second Term of Reference, as set out in the report, being deleted;**
 - (iii) **The third Term of Reference being amended to read “...to report findings and *make* recommendations to Cabinet”;**
 - (iv) **That the Membership of the Committee be amended to include the Cabinet Member with responsibility for issues**

relating to the NHS and the Telford & Wrekin Primary Care Trust.

The meeting ended at 7.05 p.m.

Chairman:

Date:

DRAFT

STANDARDS COMMITTEE

Minutes of a meeting of the Standards Committee held on Thursday, 10 December, 2009 at 6.00 p.m. at Civic Offices, Telford

PRESENT: Councillors D. Allen, R. Aveley, V.A. Fletcher, R.E. Groom, C.R.P. Mollett, K.S. Sahota and A.J. Stanton
A. Simpson (Chairman) and A. Selvaratnam (Independent Members)
Councillors D. Edwards, R. Wickson and R. Williams (Parish Council representatives)

ST-17 COUNCILLOR PAULINE PICKEN

The Chairman paid tribute to Councillor Pauline Picken who had died recently. Councillor Picken had been a Parish Councillor representative on the Committee, and Members expressed their appreciation for her work and the contribution she made to the Committee.

ST-18 MINUTES

RESOLVED – that the minutes of the meeting of the Standards Committee held on 10 December 2009 be confirmed and signed by the Chairman.

ST-19 APOLOGIES FOR ABSENCE

Councillor H. Rhodes (TWC); F. Beasland and B. Bayley (Independent Members)

ST-20 DECLARATIONS OF INTEREST

None

ST-21 UPDATE ON STANDARDS COMMITTEE WORK PROGRAMME

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which updated Members on progress in relation to the work programme which had been agreed for the current municipal year.

In some cases the work had been completed, but there were delays with some of the work that required significant resources – eg: Review of Member/Officer protocol. In some cases, those resources had been diverted away from this work by other ethical standards matters such as dealing with referral and review sub-committees and co-ordinating local investigations. In relation to item 12 on the work programme, it was reported that the Committee's recommendation to establish a Dispensations Sub-Committee had been approved by the Council Constitution Committee for approval by full

Council. A further report would be presented to the Committee at the end of the current municipal year.

In response to a question about progress on providing Code of Conduct training for all Borough and Town & Parish Members, the Group Solicitor advised that there had been some delay in organising the training, but it was now expected to take place around February/March 2010. An external trainer and general format for the training had been agreed. In response to a question concerning progress on joint working with other authorities, it was reported that the Combined Fire Authority had no objection to the principle of a Joint Standards Committee, but had asked for further details. Informal enquiries had been made with Shropshire Council, but it appeared that this was not something they were looking to do at the moment.

RESOLVED – that the report be noted.

ST-22 ANNUAL REVIEW OF STANDARDS COMMITTEE TERMS OF REFERENCE

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which provided details of the Terms of Reference and role and function of the Standards Committee for review by Members.

The terms of reference appeared in the Council's Constitution, and were appended to the report for reference. There had been only one recent change relating to the introduction of a sub-committee to consider dispensations, subject to full Council approval. The system for local assessment of Code of Conduct complaints had now been in place for about 18 months, and as most members of the Committee had now taken part in assessing complaints, any comments on the procedures and criteria were invited. Members expressed the view that the process was working quite well. However, for clarity, it was suggested that additional wording be added to the second paragraph of the terms of reference of the Review Sub-Committee to state that the members of the Review Sub-Committee should be different to the members on the Referrals Sub-Committee who made the initial assessment.

RESOLVED – that the Terms of Reference be confirmed, with the addition of wording to the second paragraph of the Review Sub-Committee's terms of reference to make clear that the membership of the Review Sub-Committee must be different to the membership of the Referrals Sub-Committee who made the initial assessment.

ST-23 REVIEW OF PUBLICITY AND GUIDANCE DOCUMENTS FOR CODE OF CONDUCT COMPLAINTS

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which provided details of the proposed changes to documentation used to publicise the local code of conduct complaints system.

Documentation relating to the local system for filtering code of conduct complaints was initially prepared based on guidance set out by Standards for England. These documents had now been reviewed and updated for consideration by the Committee. Attached at Appendix 1 of the report was an updated version of the Public Notice providing basic details of the complaints system for display on public noticeboards and on the Council's website. Attached at Appendix 2 of the report was a new guidance document which included an updated complaint form – which incorporated the comments from Members earlier in the year. The guidance document included a significant amount of information, but it was considered that it would anticipate the many questions that the public may have about the system, and provide a full picture of all the processes involved in dealing with Code of Conduct complaints.

During the ensuing discussion, Members made a number of comments and suggestions on the new documentation, including:

- that in the Public Notice, the e-mail/web links should be underlined;
- that the new complaint form should include a space where the date of receipt could be stamped;
- it was considered that the Guidance on Complaints document was too large a document for the public to understand, and it was proposed that the complaint form be provided separately, with the detailed information provided in an accompanying booklet format.
- an amendment to the wording in Appendix 6 – frequently asked questions - relating to making a complaint about an ex-councillor, in order to clarify the situation where a councillor may have resigned, but was then subsequently re-elected;
- remove the wording “de novo” from paragraph 8(a) of the assessment and review criteria for Initial Assessment of Standards Complaints

RESOLVED – that the new documentation attached to the report be approved, subject to inclusion of the amendments shown above.

ST-24 UPDATE TO LOCAL INVESTIGATIONS AND HEARINGS PROCEDURE

The Group Solicitor: Standards & Regulatory presented the report of the Head of Legal Services & Monitoring Officer which sought approval for an updated procedure for local investigation of code of conduct complaints and local hearings following local investigations.

The existing procedures required updating following the introduction of new provisions contained in the Local Government and Public Involvement in Health Act 2007 coupled with subsequent guidance from Standards for England. The revised local investigation procedure, which was more concise than the previous version, was shown at Appendix 1 of the report, and the revised hearing procedure was set out at Appendix 2. Members were also being recommended to give delegated authority to the Monitoring Officer to amend the procedure or depart from it when considered necessary to do so. This was to take account of circumstances when there was either a scenario

during an investigation or hearing which was not previously envisaged and /or when minor amendments were required to reflect changes in statute, guidance or case law. During the ensuing discussion, Members proposed an amendment to this recommendation so that any amendments or changes made by the Monitoring Officer under delegated powers were done so in consultation with the Chairman.

It was also suggested that as Regulation 16 of the Standards Committee (England) Regulations 2008 was referred to in the procedures, the full wording or explanation of this regulation could be included for clarity.

RESOLVED –

- (a) that the local investigations and hearings procedures, as shown at Appendix 1 and 2 respectively of the report, be approved, subject to the amendment to append Regulation 16 of the Standards Committee (England) Regulations 2008.**
- (b) that delegated authority be given to the Monitoring Officer, in consultation with the Chairman, to amend or depart from the procedures when it is necessary to do so.**

The meeting ended at 7.09 pm

Chairman:

Date: