

## **BOROUGH OF TELFORD & WREKIN**

### **Minutes of a meeting of the Borough of Telford & Wrekin held on Thursday, 24 June, 2010 at 6.30 p.m. at the Civic Offices, Telford.**

#### **PRESENT:**

Councillors I.T.W. Fletcher (Speaker & Mayor), D.G. Allen, G. Ashcroft, D.W.D. Ashley, R.K. Austin, R. Aveley, S. Bentley, K.T. Blundell, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, E.A. Clare, N.A. Dugmore, J.A. Dixon, A.J. Eade (Leader), V.A. Fletcher, J.A. Francis, G.M. Green, E.J. Greenaway, Y.C. Hicks, P.A.E. Homer, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, A. Lawrence, L. Lomax, C.N. Mason, A.D. McClements, A.A. Meredith, C.P.R. Mollett, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, J.M. Seymour, C.F. Smith, M.J. Smith, A.J. Stanton, E.M. Swift, K.L. Tomlinson, W.L. Tomlinson, V. Tonks, R.M. Tyler, H.J. Unwin, D.R.W. White, A.G.P. Williams, H.J. Williams and D.G. Wright

#### **20. PRAYERS**

Father Bill Fitzgerald, Priest of Our Lady of the Rosary Parish, Donnington, led Members in prayer.

#### **21. MINUTES OF THE COUNCIL**

**RESOLVED** – that the minutes of the meeting of the Annual Council held on 20 May 2010, be confirmed and signed by the Speaker.

#### **22. APOLOGIES FOR ABSENCE**

Councillors R.E. Groom, R.T. Kiernan, A.A. Mackenzie and J.C. Minor.

#### **23. DECLARATIONS OF INTEREST**

Councillors R.K. Austin, S. Bentley, S.P. Burrell, N.A. Dugmore, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, E.J. Greenaway, M.B. Hosken, C.N. Mason, C.P.R. Mollett, H. Rhodes, K.S. Sahota, C.F. Smith, A. Stanton, K.L. Tomlinson and H.J. Unwin declared a personal interest in agenda item 8 (i), Appendix IV, Financial Out Turn Report 2009/10.

Councillors E.A. Clare and C.N. Mason declared a personal interest in agenda item 10, Change of Name of Lilleshall & Donnington Parish Council. Councillor D.R.W. White declared a personal and prejudicial interest in agenda item 10, Change of Name of Lilleshall & Donnington Parish Council.

#### **24. ANNOUNCEMENTS**

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

The Mayor briefly updated Members on his recent engagements. He particularly drew attention to his attendance at the Freedom of the Borough Ceremony on 29 May. Despite the weather it had been a magnificent day for the Borough.

**(b) Presentations/Awards**

i) The Mayor invited Miss Zoe Wales to speak to Members about the Children in Care Pledge. Speaking on behalf of herself and of other young people in care, she told Members that she was very appreciative of the Children in Care Pledge and in particular the commitment to listen to young people's views. She hoped that the pledge would help to further improve the lives of young people in care.

Councillor S.P. Burrell, Cabinet Member: Children & Young People, told Members that the pledge had been put together by the young people themselves. He looked forward to working with all those involved in order to help improve outcomes and prospects for children in care.

**25. REPORT OF LEADER**

Councillor A.J. Eade, Leader of the Council, told Members that, following reductions to the Revenue Support Grant, additional savings were required from the current year's budget. He told Members that the Council's savings package would include Members' allowances. A report had been commissioned and would be undergoing further scrutiny by the controlling group before a decision was made. Members' allowances would be discussed at an additional Council meeting which would look at the overall implementation of savings.

The South Staffordshire and Shropshire Healthcare NHS Foundation Trust and the Telford & Wrekin Primary Care Trust were due to commence a consultation on the future provision of mental health services for Telford & Wrekin in July. The construction of modern in-patient facilities was welcomed, however, the model of service delivery, and in particular the reduction of available beds would need to be both safe and sustainable. Any consultation would need to be comprehensive and address all the concerns raised by this Council and not result in increased demand and consequent costs for the Council.

A seminar had recently been held, illustrating how the Telford Railfreight facility worked. The Leader, together with Councillor E.J. Carter, Cabinet Member: Housing, Regeneration & Prosperity, had outlined the benefits of using the facility for local companies. As a result, Makita Manufacturing had subsequently agreed to ship out a consignment of over 2,000 power tools from the new facility at the end of June.

A letter had been received from the Secretary of State for Communities and Local Government confirming that the Corporate Area Assessment work would cease immediately. The Leader told Members that this would save

money on the cost of inspections and also on the significant officer time that went in to preparing for such inspections.

**26. 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 29 April, 2010.

**27. FINANCIAL MANAGEMENT OUT-TURN REPORTS 2009/10**

**(I) Financial Out-Turn Report 2009/10**

Councillor S.M. Kelly, Cabinet Member: Efficient, Community Focussed Council, presented the report of the Head of Finance. The report sought Members' approval for the Revenue outturn position together with related virements, the capital outturn position and related supplementary estimates and slippage. The report also asked Members to note performance against income targets. He told Members that gross revenue budget for 2009/10 was £386m, the net budget, for reporting purposes, was just over £125m. The revenue outturn position was within budget with a final net underspend of £0.332m, which was a small improvement from the last monitoring report. Council Tax. Business Rates and Sales Ledger Income all ended the year with collection rates ahead of target. A question was addressed to the Leader of the Council, asking that consideration be given to deferring or cancelling some of the planned capital expenditure in the face of severe budget restrictions and an uncertain economic outlook. Councillor A.J. Eade, Leader of the Council told Members that capital expenditure was continually reviewed. He told Members that his administration was committed to doing all they could to deliver capital investment in to the Borough.

**RESOLVED:**

- a) that Members approve the Revenue outturn position and related virements in Appendix III for 2009/10 which is subject to audit by the Council's external auditors;**
- b) that Members approve the Capital outturn position and related supplementary estimates and slippage in Appendix IV as summarised in the report;**
- c) that Members note performance against income targets.**

**(ii) Treasury Management – 2009/10 Out-Turn and 2010/11 to date**

Councillor S.M. Kelly, Cabinet Member: Efficient, Community Focussed Council, presented the report of the Head of Finance. The report asked Members to note the contents of the report, the Council's response to the economic climate and performance against prudential indicators. Councillor Kelly asked Members to note that there was a typographical error in the

report, the figure for net indebtedness at 31 March 2010 as shown in the table on page 2 should have read (49.265) The corrected Treasury Management table is shown below:

	<u>31 March 2010</u>		<u>31 March 2009</u>	
	<u>Principal</u>	<u>Rate</u>	<u>Principal</u>	<u>Rate</u>
	<u>£m</u>	<u>%</u>	<u>£m</u>	<u>%</u>
Borrowing	<u>123.076</u>	3.86	<u>189.123</u>	4.03
<b>Total Debt</b>	<b><u>123.076</u></b>	<b>3.86</b>	<b><u>189.123</u></b>	<b>4.03</b>
Investments - in-house	54.000	4.51	84.507	6.02
- with external managers	<u>19.811</u>	1.27	<u>58.397</u>	6.24
<b>Total Investments</b>	<b><u>73.811</u></b>	<b>3.64</b>	<b><u>142.904</u></b>	<b>6.11</b>
<b>Net Indebtedness</b>	<b><u>(49.265)</u></b>		<b><u>(46.219)</u></b>	

**RESOLVED:**

- a) that Members note the contents of the report;
- b) that Members note the Council's response to the economic climate;
- c) that Members note the performance against prudential indicators

**28. NEW SCRUTINY ARRANGEMENTS/POLITICAL BALANCE**

The Leader of the Council presented the report of the Head of Governance. The report sought approval for new Scrutiny arrangements and the necessary changes to the Council's constitution. The report also sought the appointment of Members, Chairmen and Vice-Chairman to seven Scrutiny Committees and the appointment of a Chairman of the Scrutiny Assembly.

Councillor C.F. Smith, under section 12 (l) of the Council Procedure Rules, moved that the debate be adjourned as Members had only recently received the report. Councillor R.K. Austin seconded the motion. Following a vote the motion to adjourn the debate was defeated.

Councillor C.F. Smith moved an amendment to recommendation 2.1 of the report, which dealt with the number of Members for each of the proposed Committees. The proposed amendment to the recommendation read as follows:

*'That the membership of each of the 7 Council Priority Scrutiny Committees be as recommended by the Interim Scrutiny Committee on 8 June 2010.'*

Councillor R.K. Austin seconded the amendment. A robust debate followed and a recorded vote was requested. The votes were as follows:

For: (24)

Councillors D.G. Allen, G. Ashcroft, R.K. Austin, K.T. Blundell, E.A. Clare, G.M. Green, Y.C. Hicks, P.A.E. Homer, L. Lomax, C.N. Mason, A.D. McClements, R.A. Overton, F.R. Picken, H. Rhodes, K.S. Sahota, C.F. Smith, M.J. Smith, E.M. Swift, K.L. Tomlinson, W.L. Tomlinson, V. Tonks, D.R.W. White, A.G.P. Williams, H.J. Williams.

Against: (26)

Councillors D.W.D. Ashley, R. Aveley, S. Bentley, S.P. Burrell, E.J. Carter, D.R. Chaplin, R.G. Chaplin, N.A. Dugmore, A.J. Eade, J.A. Dixon, I.T.W. Fletcher, V.A. Fletcher, J.A. Francis, E.J. Greenaway, T.J. Hope, M.B. Hosken, G.P. Hossell, S.M. Kelly, A. Lawrence, A.A. Meredith, C.R.P. Mollett, J.M. Seymour, A. Stanton, R.M. Tyler, H.J. Unwin, D.G. Wright.

The amendment to recommendation 2.1 in the report (Appendix F) was defeated. A debate then followed on the proposed new Scrutiny arrangements. A number of Members expressed reservations over whether the proposals would make Scrutiny more effective. A number of Members were strongly in favour of the proposals, noting that they considered Scrutiny would operate more effectively than it had done previously. The recommendations were voted upon and it was:

**RESOLVED:**

- a) **That the membership of each of the 7 Council Priority Scrutiny Committees have a maximum membership of 6 members;**
- b) **that the nominations for the membership of each of the 7 Scrutiny Committees be approved, as set out in Appendix 1 to these minutes;**
- c) **that the Chairman of each of the 7 Scrutiny Committees be approved, as set out in Appendix 2 to these minutes, and that Vice Chairmen be appointed at the first meeting of each Scrutiny Committee;**
- d) **that Councillor V.A. Fletcher be appointed Chairman of the Scrutiny Assembly;**
- e) **that the proposed changes to Part 4 – Overview & Scrutiny Procedure Rules, as shown at Annex C of the report, be approved;**
- f) **that the consequential changes to the Constitution arising from the new Scrutiny arrangements, as shown at Annex D of the report, be approved;**
- g) **that responsibility for the Statutory Health Scrutiny function, including the appointment of members and co-optees to any Joint Health Scrutiny arrangements be moved from the Adult Care & Support Scrutiny Committee to the Active Lifestyles – Leisure &**

**Culture Scrutiny Committee and paragraph 2.7 of Part 4 – Overview & Scrutiny Procedure Rules be amended accordingly;**

- h) that the voting scheme for co-opted members of the Joint Health & Overview Scrutiny Committee, as set out in Annex E of the report, be confirmed.**

**29. CHANGE OF NAME OF LILLESHALL & DONNINGTON PARISH COUNCIL**

The Speaker presented the report of the Head of Governance which sought approval for the proposed change of Parish name to Lilleshall, Donnington & Muxton Parish Council. The Licensing Committee had approved publication of final proposals in April following the Community Governance Review of Lilleshall & Donnington.

**RESOLVED -**

- a) that delegated authority was granted to the Head of Governance to prepare and seal the required Re-organisation Order to affect the change in the current name of Lilleshall & Donnington Parish Council to Lilleshall, Donnington & Muxton Parish Council in accordance with Section 75, Local Government Act 1972;**
- b) that the Council published notification of the change of the Parish name and sent notification to the Secretary of State, to the Director General of the Ordnance Survey and to the Registrar General.**

**30. RECOMMENDATIONS FROM BOARDS & COMMITTEES**

- i) Changes to Financial Regulations and Contract Procedure Rules**

The Speaker presented the report (attached at Appendix H) of the Head of Governance which sought approval for a number of changes to the Financial Regulations and Contract Procedure Rules within the Constitution. The recommendations contained within the report had been approved by Council Constitution Committee on 8 June 2010.

**RESOLVED –**

- a) that the changes to Part 4 – Section 6 (Financial Regulations) as shown in Annex A of the report be approved;**
- b) that the changes to Part 4 – Section 7 (Contract Procedure Rules) as set out in Annex B of the report be approved subject to the addition of the words “and Finance Manager” within the section in relation to the Special Exemptions from the Contract Procedure Rules for contracts between £5,000 and 50,000.**

### **31. MINUTES OF BOARDS AND COMMITTEES**

Council noted the resolved minutes of the Plans Board for 21 April and 12 May 2010, of the Audit Committee of 30 March 2010, of the Licensing Committee of 30 March, 1 April, 15 April and 5 May 2010 and of the Standards Board of 25 March 2010.

### **32. QUESTIONS**

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

1. Councillor H. Rhodes had submitted the following question:

“Could the Cabinet Member for Active Lifestyles please inform me what the take-up was for free swimming for under 19s and Over 60s in Telford and Wrekin and is he disappointed by the coalition government’s recent decision to cut this funding?”

Councillor S. Bentley, Cabinet Member: Active Lifestyles – Leisure & Culture agreed to provide a written answer.

2. Councillor C.F. Smith had submitted the following question:

Since April 2009 what has been the cost of the temporary repairs and pothole filling in Wombridge Road Trench?

Councillor A. Lawrence told Members that £5,500 had been spent since 2009 on that particular road.

In response, Councillor Smith asked if the work could be brought forward as the road was in poor condition and was a busy bus route.

Councillor A. Lawrence, Cabinet Member: Environment & Rural Area, said that he would discuss with the relevant officers and respond to Councillor Smith.

3. Councillor C.F. Smith had submitted the following question:

“In the 2010 General Highway Improvement Plan (Patching Lining and Signing). What works are proposed for the Wrockwardine Wood and Trench ward?”

Councillor A. Lawrence, Cabinet Member: Environment & Rural Area provided a written response to Councillor Smith.

4. Councillor R.K Austin had submitted the following question:

“Can the Leader confirm when we can expect the report of the 'Remuneration Panel' for consideration by Council, given that it should have been on the agenda at this Council meeting?”

Councillor A.J. Eade, Leader of the Council, stated that this would be on the agenda of an additional Council meeting in July which would deal with the overall implementation of savings.

In response, Councillor R.K. Austin asked whether the Leader would accept the findings of the Remuneration Report when it came before Council.

Councillor Eade replied that a view would be taken after careful consideration by the controlling group and a decision would be made at that time.

5. Councillor A.D. McClements had submitted the following question:

“Could the Cabinet Member for Children & Young People please confirm the figure that this coalition government is making in cuts to Children’s Services at Telford and Wrekin and the specific areas where these cuts are being made?”

Councillor S.P. Burrell, Cabinet Member: Children & Young People, agreed to provide a written answer.

In response, Councillor McClements asked whether the Cabinet Member would condemn the government’s cuts of £1.492 m

Councillor Burrell replied that the coalition government was taking necessary steps to reduce borrowing and he would not condemn this.

6. Councillor R.K Austin had submitted the following question:

“Can the Cabinet Member for CYP confirm that the BSF funding for Telford and Wrekin is assured for all the secondary schools in Telford & Wrekin?”

Councillor S.P. Burrell, Cabinet Member: Children & Young People, said that no budget cuts had been made affecting BSF since the change of government.

In response Councillor Austin asked if Councillor Burrell was sure funding for the Phoenix school project was sustainable?

Councillor Burrell said nothing had changed and that the project was both sustainable and deliverable.

**33. NOTICES OF MOTION**

No motions were received.

The meeting ended at 8.49 p.m.

**Speaker:** .....

**Date:** .....

## APPENDIX 1 MEMBERSHIP OF SCRUTINY COMMITTEES

<b>Adult Care &amp; Support Scrutiny Committee</b>	
Cllr R.G.Chaplin Cllr N.G. Dugmore Cllr V.A. Fletcher Cllr K.S. Sahota Cllr M.J. Smith Cllr K.L. Tomlinson	Conservative Conservative Conservative Labour Labour Lib Dem/Independent
<b>Efficient &amp; Community Focussed Council Scrutiny Committee</b>	
Cllr D.R. Chaplin Cllr L. Lomax Cllr A.D. McClements Cllr A.A. Meredith Cllr C.P.R. Mollett Cllr W.L. Tomlinson	Conservative Labour Labour Conservative Conservative Lib Dem/Independent
<b>Community Protection &amp; Cohesion Scrutiny Committee</b>	
Cllr D.G. Allen Cllr R.T. Kiernan Cllr A.A. Mackenzie Cllr A.A. Meredith Cllr K.L. Tomlinson Cllr H.J. Unwin	TAWPA Conservative Labour Conservative Lib Dem/Independent Conservative
<b>Housing, Regeneration &amp; Prosperity Scrutiny Committee</b>	
Cllr T.J. Hope Cllr R.A. Overton Cllr R.M.Tyler Cllr H.J. Unwin Cllr D.R.W. White Cllr H.J. Williams	Conservative Labour Conservative Conservative Labour TAWPA
<b>Active Lifestyles, Leisure &amp; Culture Scrutiny Committee</b>	
Cllr K.T. Blundell Cllr R.G.Chaplin Cllr V.A. Fletcher Cllr J.A. Francis Cllr C.N. Mason Cllr F.R. Picken	Lib Dem/Independent Conservative Conservative Conservative Labour Labour

### **Environment & Rural Areas Scrutiny Committee**

Cllr R. Aveley	Conservative
Cllr R.E. Groom	Lib Dem/Independent
Cllr T.J. Hope	Conservative
Cllr R.T. Kiernan	Conservative
Cllr C.F. Smith	Labour
Cllr E.M. Swift	Labour

### **Children & Young People Scrutiny Committee**

Cllr E.A. Clare	Labour
Cllr J.A. Dixon	Conservative
Cllr G.M. Green	Lib Dem/Independent
Cllr Y.C. Hicks	Labour
Cllr C.P.R. Mollett	Conservative
Cllr A.J. Stanton	Conservative

## APPENDIX 2 CHAIRMEN OF SCRUTINY COMMITTEES & ASSEMBLY

<b>Scrutiny Assembly</b>
Cllr V.A. Fletcher
<b>Adult Care &amp; Support Scrutiny Committee</b>
Cllr R.G. Chaplin
<b>Efficient &amp; Community Focussed Council Scrutiny Committee</b>
Cllr C.P.R. Mollett
<b>Community Protection &amp; Cohesion Scrutiny Committee</b>
Cllr A.A. Meredith
<b>Housing, Regeneration &amp; Prosperity Scrutiny Committee</b>
Cllr H.J. Unwin
<b>Active Lifestyles, Leisure &amp; Culture Scrutiny Committee</b>
Cllr V.A. Fletcher
<b>Environment &amp; Rural Areas Scrutiny Committee</b>
Cllr T.J. Hope
<b>Children &amp; Young People Scrutiny Committee</b>
Cllr A.J. Stanton

**MAYORAL ENGAGEMENTS**  
**17<sup>TH</sup> JUNE, 2010 – 29<sup>TH</sup> SEPTEMBER, 2010**

<b>June</b>	<b>16<sup>th</sup></b>	<b>M</b>	Official Opening of Lena's Art Gallery, Maws Craft Centre, Jackfield
	<b>17<sup>th</sup></b>	<b>DM</b>	Scout Association AGM at The Abbey, Shrewsbury
	<b>19<sup>th</sup></b>	<b>M</b>	Shropshire Prayer Breakfast, Prostar Stadium, Shrewsbury
		<b>M</b>	Family Fun Day, Telford International Centre
		<b>M</b>	British Gas ASA Synchronised Swimming Masters Championships at Thomas Telford School
			Installation of Curate at All Saints Parish Church, Stirchley
	<b>20<sup>th</sup></b>	<b>M</b>	Oswestry Town Council Civic Service at St Oswald's Parish Church, Oswestry
		<b>DM</b>	Wolverhampton Council Civic Service at St Peter's Church, Wolverhampton
	<b>23<sup>rd</sup></b>	<b>DM</b>	Citizenship Ceremonies at Civic Offices
	<b>27<sup>th</sup></b>	<b>M</b>	Newport Town Council Civic Sunday at St Nicholas' Church, Newport
<b>M</b>		Armed Forces Day at Royal British Legion, Dawley	
<b>July</b>	<b>3<sup>rd</sup></b>	<b>DM</b>	Opening of Brookside Community Celebration Day, Windmill School, Brookside
		<b>DM</b>	Opening of Dawley Day, Dawley Park, Dawley
	<b>4<sup>th</sup></b>	<b>DM</b>	Cadet 150 <sup>th</sup> Anniversary Parade and Reception at St Chad's Church, Shrewsbury & Shrewsbury Castle
	<b>8<sup>th</sup></b>	<b>DM</b>	Mayor's Fund Grant Awards Ceremony, Civic Offices
		<b>M</b>	Varied Voice – Same Song Celebration of Difference & Diversity at The Place, Oakengates

- 11<sup>th</sup> DM** Hollinswood and Randlay Parish Council Fun Day at the Pavilion, Hollinswood
- M** Royal British Legion Wellington & Oakengates Annual Parade at All Saints Church, Wellington
- 14<sup>th</sup> M** BME Conference at Hadley Learning Community
- 15<sup>th</sup> M** Wolverhampton Council Charity Concert, Orpheus Male Voice Choir at Civic Centre, Wolverhampton
- 16<sup>th</sup> M** Army Benevolent Fund Regimental Ladies Dinner at The Officer's Mess, Donnington
- 17<sup>th</sup> M** "The Wizard of Oz" performed by Theatre of Gifted Youth at the Centenary Theatre, Wellington
- 18<sup>th</sup> M** Mayor's Civic Service at St Peter's Church, Priorslee
- M** Opening of the Dilraj Restaurant at Market Square, Oakengates
- M** Tour of Oakengates with Oakengates Town Mayor
- 20<sup>th</sup> M** Film Premiere & Celebration of Achievement at Holmer Lake Primary School, Brookside
- 21<sup>st</sup> M** Citizenship Ceremonies at Civic Offices
- M** Connecting Communities Group (Telford & Wrekin) formal Launch at AFC Telford Learning Centre, Wellington
- 23<sup>rd</sup> M** Speech Day at Adams Grammar, Newport
- 24<sup>th</sup> M** Culturefest Event, Telford Town Park
- 26<sup>th</sup> M** Opening of the BMX Track at the rear of Little Theatre, Donnington
- 30<sup>th</sup> DM** Opening of Sheer Elegance Salon and Training Academy at High Street, Dawley
- August 5<sup>th</sup> DM** AGM/Exhibition/Trustee Awards at Princess Royal Hospital, Wellington

- M** Performance of “Seussical” by Oakengates Theatre Youth Summer School at The Place, Oakengates
- 6<sup>th</sup>** **M** “At Home” with the Mayor of Walsall Council, Mayor’s Parlour, Walsall Town Hall
- 8<sup>th</sup>** **M** Gay Pride Event at The Three Furnaces, Madeley
- 15<sup>th</sup>** **M** Shrewsbury Town Council Charity Launch at The Quarry, Shrewsbury
- 16<sup>th</sup>** **M** Oath of Allegiance at Army Recruitment Office, Telford
- 18<sup>th</sup>** **M** Launch of Pengwern Book – “Come on Eileen” at Market Hall, Shrewsbury
- M** Citizenship Ceremonies, Civic Offices
- 26<sup>th</sup>** **M** Towers Above Art Exhibition, Tracey Square, Telford Town Centre
- September**
- 2<sup>nd</sup>** **DM** 70<sup>th</sup> Anniversary of the Battle of Britain Annual Reception at RAF Shawbury
- 4<sup>th</sup>** **DM** Park Live, Telford Town Park
- 9<sup>th</sup>** **M** RAF Cosford Annual Reception at the Warrant Officers’ and Sergeants’ Mess, Cosford
- 11<sup>th</sup>** **M** Chairman of Shropshire Council Gala Dinner at RAF Cosford Cold War Museum, Cosford
- 13<sup>th</sup>** **M** Home Start 21<sup>st</sup> AGM at Salvation Army, Lion Street, Oakengates
- 14<sup>th</sup>** **M** Community Foundation AGM at Hadley Park House Hotel
- DM** Telford Race Equality & Diversity AGM at TCAT, Wellington
- 15<sup>th</sup>** **M** Tour of Halfpenny Green Vineyards, Bobbington, Staffordshire
- 17<sup>th</sup>** **DM** Re-Opening of The Forresters at Madeley
- M** Mayor’s Charity Launch at St George’s Sports & Social Club, St Georges

- 18<sup>th</sup>**    **M**    Dawley Heritage Project Launch at Dawley Christian Centre, Dawley
- M**    “Strictly Caring” Telford and Wrekin Care Awards at The Park Inn, Telford
- DM**    Telfordaires Barbershop Show at Theatre Severn, Shrewsbury
- 22<sup>nd</sup>**    **M**    Citizenship Ceremonies, Civic Offices
- DM**    Madeley Rest Room Annual Party at Church Street, Madeley
- M**    National Housing Federation official Launch of West Midlands Supported Housing Month at ICC, Birmingham
- 24<sup>th</sup>**    **M**    Official Opening of PC World and Currys 2 in 1 Store at Telford Bridge Retail Park
- M**    Presentation of the Queen’s Telegram to Molly Preece at her 100<sup>th</sup> Birthday Celebration at Woodcote Hall Nursing Home
- DM**    Graduation Ceremony at West Midlands Regional Food Academy, Harper Adams, Newport
- M**    High Sheriff of Shropshire’s Reception at Alington Hall, Shrewsbury School
- 25<sup>th</sup>**    **M**    Opening of the World Heritage Festival at The Square, Ironbridge
- M**    Launch of the Cultural Strategy at Merrythought, Ironbridge
- DM**    Attendance at the Help the Heroes Event, Telford
- M**    Action for Children re-naming to STARS, at Shawbirch, Telford
- 26<sup>th</sup>**    **M**    Attendance at the Lord Lieutenant’s Champagne Reception and Lunch at Hodnet Hall
- DM**    Launch of Wellington Walkers are Welcome Group and Local Maps at Civic Centre, Wellington

- M** Attendance at the RAFA Battle of Britain Service, St Georges Parish Church, St Georges
- 27<sup>th</sup>** **M** Attendance at the National Cold War Exhibition at RAF Cosford Museum
- 28<sup>th</sup>** **M** Opening of the first ever “Bed Show” at Telford International Centre
- M** Opening of the Grange Park Primary School, Stirchley
- 29<sup>th</sup>** **M** Garden and Allotment Presentations at Grays Hotel, Telford

**TELFORD & WREKIN COUNCIL**

**COUNCIL – 7 OCTOBER, 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 13 July, 10 August, and 14 September, 2010

**2.0 CABINET BUSINESS**

Matters that have been determined by Cabinet are listed below:

**2.1 13 July, 2010**

- 2.1.1 Scrutiny Review – Developing Skills for Business
- 2.1.2 Value for Money Efficiencies
- 2.1.3 Building a Stronger Working Relationship with the Voluntary Sector
- 2.1.4 Health and Safety
- 2.1.5 Transport Service Efficiency Review (Exempt)

**2.2 10 August, 2010**

- 2.2.1 Outcome of CQC Inspection of Safeguarding Adults & Increased Choice and Control for Older People
- 2.2.2 Scrutiny Review – Waste Management & Bulk Collections
- 2.2.3 Service & Financial Planning 2010/11 update and Medium Term Outlook
- 2.2.4 Council Plan 2010/11
- 2.2.5 Revised Environmental Policy
- 2.2.6 Planning Of School Places: Borough Towns Initiative – Sports & Learning Community - Accommodation For 200 Post-16 Places At Madeley Academy
- 2.2.7 Transparency in Local Government
- 2.2.8 Horsehay Village Golf Centre
- 2.2.9 Appointment to Outside Bodies
- 2.2.10 Woodside Regeneration Project – North Woodside Phase 1 & Woodside Local Centre (exempt)
- 2.2.11 New College Application for Approval to Borrow (exempt)
- 2.2.12 ICT Service Review (exempt)

### 2.3 14 September, 2010

- 2.3.1 Local Enterprise Partnership for Herefordshire, Shropshire, Telford & Wrekin (Marches Enterprise Partnership)
- 2.3.2 Highways Maintenance – Winter Service Review
- 2.3.3 Telford Town Centre – Civic Offices
- 2.3.4 Representation on Outside Bodies 2010/11

### 2.4 28 September, 2010

- 2.4.1 Telford Town Park – Boundary
- 2.4.2 Council Response to the Health Reform White Paper “Equity & Excellence: Liberating the NHS”
- 2.4.2 Anti-Social Behaviour Reporting Line
- 2.4.3 Public Realm Improvements in Telford
- 2.4.4. Strategic Risk Register – September 2010
- 2.4.5 Engineering & Technical Services Contract (exempt)

## 3.0 **DELEGATION OF POWERS GRANTED BY THE CABINET**

REPORT HEADING	DELEGATION GRANTED TO	DETAIL OF DELEGATION GRANTED
<b>Building a Stronger Working Relationship with the Voluntary Sector</b>	Head of Economic Development, in consultation with the relevant Cabinet Member,	(a) to develop and sign a Third Sector Strategy (and a refreshed local Compact Agreement) in order to clarify the strategic relationship between the Council and the Third Sector;  (b) to establish a Third Sector Chief Executive Forum and a Third Sector Assembly, and to agree and sign Terms of Reference for each of these bodies
<b>Transport Service Efficiency Review</b>	Head of Environmental Services after consultation with the Head of Governance	To sign the necessary documentation
<b>Revised Environmental Policy</b>	Head of Planning & Environment in consultation with the Cabinet Member for the Environment & Rural Affairs	To agree minor future amendments required to meet changes in legislation and best practice

<b>Woodside Regeneration Project - North Woodside Phase 1 &amp; Woodside Local Centre</b>	Strategic Housing Manager	To negotiate and if appropriate to sign non legally binding Heads of Terms in connection with negotiations over disposal of land in Woodside to Wrekin Housing Trust (“WHT”).
<b>Telford Town Centre – Civic Offices</b>	Chief Executive in consultation with the Leader.  Chief Executive in consultation with the Leader	To approve the details of the reserved matters planning application.  To award all contracts necessary for the continued implementation of the scheme, in accordance with the Contract Procedure Rules.
<b>Council Response to the Health Reform White Paper “Equity &amp; Excellence: Liberating the NHS”</b>	Corporate Director responsible for Adult Care and Support, in consultation with the lead Cabinet Member and Chair of the Health Overview Scrutiny Committee	To prepare and submit the Council’s detailed response to the consultation
<b>LEGAL COMMENT FINANCIAL COMMENT LINKS WITH CORPORATE PRIORITIES RISKS AND OPPORTUNITIES ENVIRONMENTAL IMPACT EQUALITY &amp; DIVERSITY WARD IMPLICATIONS</b>	As described in each report considered by Cabinet. Copies of all reports have been previously circulated to all Members of the Council	

**TELFORD & WREKIN COUNCIL**

**AUDIT COMMITTEE - 21<sup>ST</sup> SEPTEMBER 2010  
COUNCIL – 7<sup>TH</sup> OCTOBER 2010**

**AUDIT COMMITTEE ANNUAL REPORT 2009/10**

**REPORT OF THE HEAD OF GOVERNANCE**

**1.0 PURPOSE**

- 1.1 To present to the Council an Annual Report on the operation of the Audit Committee during 2009/10.

**2.0 RECOMMENDATION**

- 2.1 **That Members of the Council note the contents of the annual report 2009/10.**

**3.0 SUMMARY**

- 3.1 The Audit Committee has been a standalone committee for two years following separation from the Standards and Audit Committee in May 2008. The key benefits of the Audit Committee are:
- ✓ raising awareness on the need for governance and internal control including the implementation of both internal and external audit recommendations.
  - ✓ increasing public confidence in the objectivity and fairness of financial and other reporting.
  - ✓ reinforcing the importance and independence of internal and external audit.
  - ✓ providing additional assurance through a process of independent and objective review by a cross party group of elected members including challenging Cabinet Members and Senior Officers.
- 3.2 As the key assurance Committee of the Council it is accepted best practice that an Annual Report is presented to the Council on the operations of the Committee during the municipal year. This is the second report to Council on the operations of the Audit Committee and is structured based on the terms of reference (attached as Appendix A and operational during the year). Appendix B (attached) provides a summary of the business conducted by the Committee during the period under each section of the terms of reference.

3.3 There were 7 meetings of the Audit Committee in 2009/10 compared to 6 in 2008/09. This was due to new responsibilities in respect to Treasury Management – see paragraph 5.5.

#### **4.0 PREVIOUS MINUTES**

4.1 Audit Committee 23<sup>rd</sup> September 2009  
Council 30<sup>th</sup> September 2009

#### **5.0 INFORMATION – AUDIT COMMITTEE 2009/10**

##### **5.1 Internal Audit**

5.1.1 The Internal Audit team has continued to provide the Committee with reports as outlined in the CIPFA Code of practice and Constitution, highlighting any areas requiring attention by members.

5.1.2 As a result the Committee invited the Head of Regeneration & Housing to provide assurance and an update on the school catering systems and controls. The Cabinet Member Community-Focussed Efficient Council was also asked to attend to update the Committee on Use of Resources.

5.1.3 The Internal Audit Plan and Strategy for 2010/11 was presented and approved by the Committee at the March 2010 meeting.

##### **5.2 External Audit**

5.2.1 The External Auditors – KPMG were required to provide an additional report to the Committee this year – the Financial Statement Audit Plan which was presented to the Committee at the March 2010 meeting.

##### **5.3 Risk Management**

5.3.1 The Committee, in addition, to the regular updates and annual report sought assurance from the Cabinet Assistant: Adult & Consumer Care & HOS - Prevention & Protection on Business Continuity /Emergency Planning risks. Further work was then undertaken by Internal on the specific Business Continuity Plans for the LEA support for Schools and Revenues and benefits in respect to Swine Flu. The Cabinet Member and HOS were due to report back to the March 2010 meeting but this was deferred to 2010/11 due to the impacts of organisational change.

##### **5.4 Governance**

5.4.1 The Annual Governance Statement 2008/09 was approved after consideration of the supporting information.

- 5.4.2 Members of the Committee completed a skills audit during Summer 2009 and specific follow up training was provided in November 2009.
- 5.4.3 The Committee also reviewed and commented on the findings of the Scrutiny Review and proposed changes.
- 5.4.4 The first Annual Report was produced and considered at the September 2009 Council meeting.

## **5.5 Treasury Management**

- 5.5.1 The Committee's terms of reference were updated by Council on 30<sup>th</sup> September 2009 to include reviewing the Council's Treasury Management arrangements to meet the requirements of guidance from the Audit Commission. Training was provided to the Committee by the Council's External Treasury advisors and then from Council officers on the draft strategy. Due to the Committee's developing knowledge an additional meeting was held in February 2010 in order for them to properly comment on the draft strategy.

## **5.6 Statement of Accounts 2008/09**

- 5.6.1 The Statement of Accounts approved by the Committee following a change to the Committee's terms of reference (previously approved by Council). As previously the approval meeting was preceded by a session with key Finance staff who explained the statements and the changes that had occurred during 2008/09.

## **5.7 Anti-Fraud & Corruption**

- 5.7.1 The annual report on the Anti-Fraud & Corruption Policy was received in July 2009.
- 5.7.2 Monitoring by the Committee of the Speak Up policy activity 2009 was reported at the March 2010 meeting.

## **5.8 Complaints**

- 5.7.1 The Committee reviewed the 2008/09 Annual Complaints report in July 2009.

## **5.9 General**

- 5.9.1 The Committee reviewed its Terms of Reference in September 2009 and incorporated responsibilities in respect to Treasury Management. They had been updated in June 2009 to include approval of the statement of accounts and were further updated to enable the Committee to review and "monitor" the Treasury management arrangements.

5.9.2 The Committee had a vacancy for a part of 2009/10 but the Committee is now properly populated and the new members have been offered and received induction training.

## **5.10 Conclusions for 2009/10 and the future 2010/11**

5.10.1 The Committee has had a productive year and sought assurance for Members and the Community on the audit, governance, risk management, financial statements, Treasury Management, complaints and anti-fraud and corruption arrangements of the Council.

5.10.2 Having a dedicated Audit Committee has allowed the committee members to get to know the processes across the Council. This more detailed insight has enabled the committee to challenge and provide assurance.

5.10.3 The Committee is not complacent and understands that the Council is experiencing some significant challenges and that it must continue to seek and provide appropriate assurance during 2010/11. Most notable are the changes in central Government and legislation/regulatory regime, organisational changes, significant reductions in resources, the International Financial Reporting Standards and the Committee's revised role in monitoring the Treasury Management activities of the Council.

5.10.4 The Committee will continue to seek assurances from strategic risk owners and Heads of Service in respect to governance and the control environment.

## **6.0 OTHER CONSIDERATIONS**

<b>AREA</b>	<b>COMMENTS</b>
Equality & Diversity	Internal reports to the Committee consider any appropriate equalities/diversity issues. If raised during the meeting they would be referred to the appropriate officer and if required cabinet member.
Environmental Impact	Internal reports to the Committee consider any appropriate sustainability issues. If raised during the meeting they would be referred to the appropriate officer and if required cabinet member.
Legal Implications	Although Audit Committees are not a legal requirement they are good practice as defined by CIPFA and the Audit Commission.
Links with Corporate Priorities	The Audit Committee contributes to Priority 7 Community Focussed Efficient Council.
Risks and Opportunities	The Audit Committee has an assurance role in the management of the Council's risks and opportunities.  The Chairman of the Committee is responsible for the management of the risks and opportunities associated with the committee but supported by appropriate officers.

Financial Implications	There are no financial implications arising from this report. The Audit Committee and support arrangements are fully funded within existing budgets.
Ward Implications	The operations of the Audit Committee encompass all Council activities and all Council locations. Therefore all Council Wards are affected by its operations.

## 7.0 **BACKGROUND PAPERS**

Audit Committee Papers 2009/10 (including minutes)

Constitution

Constitution Committee, Full Council – appropriate agenda's, papers and minutes

Report by Jenny Marriott, Audit & Risk Manager 383101

**TERMS OF REFERENCE OF AUDIT COMMITTEE 2009/10**

**Internal Audit**

1. The approval (but not direction) of, and monitoring of progress against, the internal audit strategy and plan.
2. Review summary internal audit reports and the main issues arising and seek assurance that action has been taken where necessary.
3. To be able to call senior officers and appropriate members to account for relevant issues within the remit of the Committee – governance, internal audit, risk management, statement of accounts and external audit.
4. The Committee will not receive detailed information on investigations relating to individuals. The general governance principles and control issues may be discussed, in confidential session if applicable, at an appropriate time, to protect the identity of individuals and so as not to prejudice any action being taken by the Council.

**External Audit**

5. Review and agree the External Auditors annual plan, including the annual audit fee and receive regular update reports on progress.
6. To consider the reports of external auditor.
7. Meet privately with the external auditor once a year, if required.
8. Ensure that there are effective relationships between external and internal audit that the value of the combined internal and external audit process is maximised.

**Risk Management**

Recognising that Risk Management is a Cabinet function, the Committee should:-

9. Seek assurances that the authority's risk management arrangements are effective and operating within Council policy and review the Annual Risk Management report to Council.
10. Seek assurances that action is being taken on risk related issues identified by auditors and inspectors.

## **Governance**

11. Be responsible for the review and approval of the authority's Annual Governance Statement ensuring that it properly reflects the risk environment and any actions required to improve it. Following approval, it should recommend its inclusion in the Accounts.
12. Consider the effectiveness of the control environment including reviewing the Council's Code of Corporate Governance and other corporate governance arrangements to ensure compliance with best practice.

## **Treasury Management**

13. To review and monitor the Council's Treasury Management arrangements including Treasury policies, procedures and the management of the associated risks and make recommendations to the Cabinet as appropriate.

## **Statement of Accounts**

14. Review and approve the Statement of Accounts, external auditor's opinion and reports on them to members and monitor management action in response to the issues raised by external audit.

## **Fraud & Corruption**

15. To approve the Anti-Fraud and Corruption Policy for adoption by the Council, and to review it at least once every 2 years.
16. To approve the Speak Up Policy ('*whistle blowing*') for adoption by the Council, and to monitor its operation. This policy will be reviewed at least once every two years.

## **Complaints**

Recognising that Complaints/Compliments are a Cabinet function, the Committee should:-

17. Review the Annual Complaints Report and seek assurances that the Council is improving in response to complaints raised.

## **General**

18. The meetings will follow the principles of scrutiny, i.e. no party whip will be applied and a constructive, evidence based approach will be used.

19. To ensure that adequate training is received by the members of the committee on the areas covered by the terms of reference 1 – 16 above.
20. To ensure that any sensitive or confidential information obtained as a result of membership of the Committee is treated as confidential.
21. Annually review their effectiveness and their terms of reference.

## AUDIT COMMITTEE ACTIVITY 2009/10

Area	Activity
<b>Internal Audit</b>	Annual Report 2008/09 Quarter 4 2008/09 Update report Quarter 1 2009/10 Update report Quarter 2 2009/10 Update report Quarter 3 2009/10 Update report National Fraud Initiative 2008/09 update Internal Audit Plan and Strategy 2010/11 CIPFA Internal Audit Benchmarking results and analysis 2009  Update on Schools Catering – Head of Regeneration & Housing Update on Use of Resources from the Cabinet Member – Efficient Community Focussed Council
<b>External Audit</b>	Annual Audit Fee Letter 2009/10 Interim Report on 2008/09 final accounts work Annual Governance Report (ISA 260) 2008/09 Annual External Audit Letter 2008/09 Financial Statements Audit Plan – March 2010
<b>Risk Management</b>	Review of the Key Strategic Risk Register May 09 Risk Management Annual Report 2008/09 Risk Management Update February 2010  Discussion with risk owners Cabinet Assistant: Adult & Consumer Care & HOS Prevention & Protection on Business Continuity /Emergency Planning risks
<b>Governance</b>	Annual Governance Statement (AGS) 2008/09 November 2009 – half yearly progress on the consolidated governance action plan 2008/09 Review of the Effectiveness of the System of Internal Audit Review of the Effectiveness of the Audit Committee Skills audit for Audit Committee members Review of the Draft Revised Scrutiny arrangements  Audit Committee Annual Report 2008/09
<b>Treasury Management</b>	Internal Audit Review against the Audit Commission “Risk or Return” report Follow Up of Internal Audit Review against the Audit Commission “Risk or Return” report Discussed links between Audit Committee and Value for Money

	Scrutiny Committee in respect to Treasury Management Review of Draft Treasury Management Strategy (2 meetings)
<b>Statement of Accounts</b>	Review of Statement of Accounts 2008/09

**APPENDIX B (continued)**

<b>Area</b>	<b>Activity</b>
<b>Fraud &amp; Corruption</b>	2008/09 Annual Report on Anti-Fraud & Corruption Policy Update on the Speak Up Policy Activity 2009
<b>Complaints</b>	Annual report 2008/09
<b>General</b>	Terms of Reference reviewed September 2009

# **Telford and Wrekin Council**

## **Review of Members Allowances**

### Report of the Independent Remuneration Panel June 2010

#### Introduction

- 1.1 In May 2010, a meeting of the Independent Remuneration Panel for Telford and Wrekin Council was convened. Steve Leach, Professor of Local Government at De Montfort University, Leicester was appointed as its chair. Richard Sheehan, Patronage Director of Shropshire Chamber of Commerce and Enterprise, and Mick Lloyd Manager of Telford and Wrekin CVS, were appointed as the other panel members.
  
- 1.2 The panel met on May 27<sup>th</sup> 2010. It received verbal evidence from five councillors including the leader of the council, the group leaders of the other three parties, and four officers including the Chief Executive and the Head of Governance. An e-mail was submitted by one other councillor. The panel is grateful to all those who provided it with evidence, and to Emma Price for organising the day so effectively, and for providing valuable background information.
  
- 1.3 The panel recognised that what was expected of it was a selective, rather than a comprehensive review. The last review took place in 2008 and ‘major reviews’ are typically scheduled at four or five year intervals. The panel studied the report of its predecessor and was impressed by the rigour of the arguments

presented. It took the view that it would concentrate its attention on the material changes which had taken place since 2008, in particular:

- ❖ the impact of the recession and the constrained budgetary circumstances facing all local authorities in the 2010-14 period (and possibly beyond)
- ❖ the structural changes introduced in Telford and Wrekin since 2008, in particular
  - the changes in the arrangements for dealing with overview and scrutiny (May 2010)
  - the discontinuation of the designation of ‘cabinet assistants’ which had been introduced in 2008
  - the proposal to discontinue the role of the ‘speaker’ in December 2010

1.4 Although the panel did consider other issues, if those making representations to it raised them, it did not do so if it received no evidence of dissatisfaction with particular allowances. Thus no-one raised questions about the level of the basic allowance, the basis for the annual updating of allowances or the basis for recompensing travel, subsistence and carer expenses. If no evidence or opinions were presented to it, the panel did not make recommendations. In that sense, it was a selective review of members’ allowances.

1.5 In relation to the recession, and its impact on Telford and Wrekin’s financial situation, the panel was of the view, supported by all those who gave evidence to it, that in the current circumstances, no net increase in the overall level of allowances should be recommended. Furthermore, if it proved possible to

recommend a reduction in the budget for members' allowances, whilst accepting the need to continue to provide a fair system which recognised the nature of various responsibilities concerned, then such an opportunity should be taken. To do so would send an important message to the residents of Telford and Wrekin, that councillors were prepared to take their share of the cuts in income which many residents are already experiencing.

1.6 Some of the structural changes already introduced – e.g. the termination of the 'cabinet assistants' positions – have provided opportunities for recommending an overall reduction in members allowances which contributes to this aim.

1.7 The legal basis for the work of Independent Remuneration panels, and the guidance as to how they should operate has not changed since the report of the previous panel in 2008. A helpful summary of this legal and procedural background is provided on pp7-8 of their report.

1.8 The report submitted herewith represents the considered and unanimous views of all three panel members. We commend it to the council.

## Basic and Special Responsibility Allowances

### 2.1 Basic Allowance

No representations were received by the panel that the Basic Allowance, currently set at £7,583, should be either increased or decreased. Given that the level of Telford and Wrekin's basic allowance is also close to the average paid by authorities in its CIPFA Family Group the panel saw no reason to amend it. It recommends that the Basic Allowance be confirmed at £7,583, subject to the current annual basis of indexation.

## 2.2 SRA for the Council Leader and Deputy

The panel next considered the SRA allocated to the leader of the council (who is also leader of the Conservative group, which currently holds 50% of council seats). The scope of the council leadership role has clearly increased in recent years, particularly in relation to building relationships with other agencies (local, regional and central) which can contribute to the social economic and environmental well-being of the council. A greater emphasis on individual leadership has also resulted from various provisions of the 2007 Local Government Act. In less fraught financial and economic circumstances, the panel would have been predisposed to recommend an increase in the council leader's SRA, to reflect these changes. However given the view expressed by all those interviewed (and the panels own perceptions) that in general increases would not be appropriate in the current economic climate, the panel is not recommending such an increase. If economic circumstances changed, this recommendation would need to be reviewed. The panel noted that the SRA for the deputy leader (£15,898) was significantly higher than that of other cabinet members (£11,805), which is not the case in many other authorities. This SRA,

which the panel is happy to continue to recommend, does provide the scope for the delegation of some leadership responsibilities to the deputy leader.

### 2.3 Leaders of Opposition Groups

Currently there is one relatively large opposition group (Labour with 17 councillors) and two relatively small opposition groups (Liberal Democrat/Independent with 6 and TAWPA with 4). In these circumstances it is reasonable that the Labour leader (the dominant opposition group) should receive a relatively high SRA compared with the others. The panel is happy to support an SRA at its current level (£9,837).

2.4 In relation to the other two smaller groups, there were a range of different views expressed. Some interviewees felt that SRA's should not be allocated to the leaders of these two groups. Others, however, acknowledged that in terms of the time pressure involved (attending leaders briefings, cabinet meetings, and those occasions where the council's interests were best served by the attendance of all group leaders) there was little difference between the demands placed upon all of the opposition group leaders. The panel had a sympathy with this latter view.

2.5 The panel was also uneasy about the current specification (resulting from the 2008 panel's report) that a minimum of five group members is required before a group leader qualifies for an SRA. This provision is out of line with practice in most other authorities (where leaders of groups as small as 2-3 may qualify for an SRA). There is also an element of arbitrariness in the fact the Liberal

Democrat Independent group (with 6 members) qualifies for a leaders SRA, whereas TAWPA (with 4 members) does not. The panel recommends that the leaders of both groups should qualify for a SRA, and that the SRA should in each case be increased to £3,664.\* In an authority as finely balanced as Telford and Wrekin currently is, it is important for reasons of democratic credibility that the role of **all** party (or independent) groups is recognised. If group leaders choose not to accept such allowances, that is up to them. It is the principle which is important.

2.6 The panel was of the view that current disparity between the SRAs for the largest opposition group (£9,837) and the smaller opposition groups (£3,664 under our proposal) was (on balance) justifiable given their disparities in size, but that it would not be so, were there a different pattern of relative sizes. For example if the pattern of opposition representation became 10/9/8 (as opposed to 17/6/4) the disparity in SRA's would become untenable. If changes of this nature were to develop, the panel would wish to review this particular recommendation.

## 2.7 The Overview and Scrutiny Function

The panel noted with interest the changes that had been made in the arrangements for the overview and scrutiny function. The 2009-10 structure which involved a Scrutiny Leadership Board of six members, each of whom had a leadership role for a particular topic. The chair (who was the acknowledged 'scrutiny lead member') received an SRA of £10,624, whilst the other five

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\* £3,664 is a point midway between the existing SRA level (£2,616) and the remuneration band above it (£4,772)

members received SRA's of £7,870. Four scrutiny panels operated in conjunction with the Scrutiny Leadership Board. The total allocation for the scrutiny function was thus £49,974, divided between 6 individuals.

2.8 In principle it would be relatively straightforward to reallocate this overall sum amongst the chairs of seven new scrutiny panels which are currently being established following a council decision earlier in May 2010. However the panel felt there were good reasons for not recommending straightforward transitional arrangements of this nature. First, on the basis of the information provided to it, the panel concluded that the strong leadership role for the chair of the Scrutiny Commission, which operated in the previous structure, was not to be replicated in the new structure. The new collective body was intended to have a more limited coordinative role. There is thus no longer a convincing case for replicating the higher SRA for the chair of the collective body.

2.9 Subject to paragraph 2.11 below the panel recommends that the existing total SRA for scrutiny (£49,974) is shared equally amongst the seven chairs who would each receive an SRA of £7,139.

2.10 However, the panel was made aware that whilst the scrutiny lead roles (and hence the SRAs) had previously been allocated in a balanced way between members of the party forming the administration and opposition parties, there was a possibility (to be debated at the June 24<sup>th</sup> council meeting and since confirmed) that all seven positions of responsibility for scrutiny would be allocated to members of the administration. If this change were to take place,

the panel had some concerns that this arrangement, which although not unique, is now unusual and not regarded as ‘best practice’ could affect the role and priorities of scrutiny. The panel recognised that this arrangement may well facilitate the value of the contribution of in-depth projects aimed at helping the executive develop policies which help achieve the council’s seven priorities (indeed the remits of the seven new panels have been defined to reflect these priorities). However the panel was concerned that the crucial role – that of holding the executive to account – could be affected. In particular the possibility of a decision being reached in a scrutiny committee to support a call-in requested by an opposition member would become remote.

2.11 In these circumstances, the Panel felt that there was a risk that the **overall** role of scrutiny could be diminished, and the responsibility attached to each position of responsibility in scrutiny would be correspondingly lessened. However the Panel received an assurance from the Leader of the Council that he accepted the importance of both identified roles for scrutiny, and that he would encourage all scrutiny members to undertake their roles robustly, and, whatever their political affiliation to exercise their responsibility to hold the executive to account where there was a case for doing so. Without such an assurance, the Panel felt, that, if this proposal were to be implemented, a lower level of SRA for chairs would be appropriate. The panel would recommend a reduction from £7,870 to £6,296\*. The Panel was prepared to accept the Leader’s assurance. However in the circumstances, it felt it was appropriate that it should review in a year’s time (May 2011) the way in which the new scrutiny arrangements had operated, with

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\* £6,296 is a point midway between the existing SRA level (£7,870 and the remuneration band below it (£4,722)

a view to satisfying itself that the requisite degrees of challenge and ‘holding to account’ had indeed taken place.

2.12 There would be a further anomaly to consider in these circumstances. The panel became convinced, on the basis of evidence presented to it, of the direct responsibilities of the Planning and Licensing Committees (and in particular the Chairs of these Committees) for decisions which profoundly affect the well-being of the area, and in particular their ability to influence its economic regeneration. In other circumstances, the panel would consider increases in SRAs for these positions. Such recommendations would not be appropriate in the current financial circumstances. However the disparity between these responsibilities and those involved in the new scrutiny arrangements if they became dominated by one party became increasingly apparent to the panel, for reasons set out in 2.10 and 2.11.

### 2.13 SRAs for Other Council Functions

The panel then considered the appropriateness of the level of SRAs allocated to the following chairs; Plans Board, Licensing Audit, Appeals and Standards.

2.14 As noted earlier (2.11), the panel acknowledged that the responsibilities and workload of the Plans Board and the Licensing Committee more than justified the current level of SRA allocated, and that in different financial circumstances, an increase in SRA might be appropriate. The panel was told of possible introduction of sub-committees in relation to the licensing function. If this change took place, and if the chair of one (or more) of the sub-committees was

not the existing chair of licensing, then re-assessment of SRAs for this function would become necessary, and should be referred to the panel.

2.15 The responsibilities and workload of the Audit Committee have increased over the past two years, and include the performance monitoring function which in many other authorities is the responsibility of overview and scrutiny. Although the level of SRA allocated to this function in Telford and Wrekin is much higher than in comparable authorities, the panel felt that on balance, the current level of SRA was justified, given the committee's range of functions, although it acknowledged that there were those who did not share this view.

2.16 The Appeals Committee has not met at all over the past six months or so. However it may need to do so in the future as and when the appeals procedure is invoked. The panel thought that it was right to retain an SRA for this position, at the current relatively modest level. However if during the course of a municipal year the Appeals Committee does not meet all, then the SRA should not be claimed in the following year. The role of this Committee, and the case for an SRA should be kept under review.

2.17 The SRA allocated to the independent Chair of the Standards Committee is also much higher in Telford and Wrekin than in comparable authorities, where typically it is set at around half the Telford and Wrekin level. Although this is an important position, the evidence presented to the panel suggested that it had previously been over-valued in SRA terms, and that a reduction to the average

in this authority's family group was appropriate. The panel recommends that it should be decreased to £3,935 (half its current level).

#### 2.18 Other Issues

It was reported to the panel that there was a proposal to appoint a co-optee to the Audit Committee (a job description is currently being drafted). When this post is confirmed, it is appropriate that the co-optees concerned should receive an annual payment (£200) similar to that received by scrutiny co-optees.

2.19 The panel was also minded to endorse a proposal to amend the list of approved duties in the following ways

- (1) to read 'Meetings of the full Council including call-in, and including any other Members who have been invited to attend the call-in'
- (2) to read 'Attendance at any other meeting or duty authorised by the Council, Cabinet, Committee or Commission, for example site visits, ceremonies and official visitations as representatives of the council.'
- (3) to read 'Political meetings involving more than one political group, for example Members briefings, Group Leaders meetings .

#### Summary and Conclusions

3.1 The full list of recommendations is set out in 3.3 below. If implemented, it would have the following repercussions

- ❖ the total number of SRA's payable would reduce from **27** to **23**

- ❖ the total expenditure on members allowances (excluding expenses and the mayoral allowance) would be reduced by approximately £23,000 – or around 3% of the current members allowances budget

3.2 The panel felt that the recommendation of this set of proposals would provide an opportunity for the council to demonstrate its awareness of the impact of the recession in Telford and Wrekin, by agreeing a significant net reduction in the overall level of members' allowances. The proposals are however based on an objective re-assessment of the changes in roles and responsibilities of the positions involved\*, rather than an arbitrary across-the-board decrease, which would not in the panel's view, be appropriate.

### 3.3 Summary of recommendations

1 The Basic Allowance should continue at its current level of £7,870.

2 The following SRAs should continue unchanged

Leader of the Council	£23,768
Deputy Leader of the Council	£15,898
Cabinet Members	£11,805*
Main Opposition Leader	£ 9,837
Chair of Plan Board	£ 7,870
Chair of Licensing Committee	£ 7,870
Chair of Audit Committee	£ 7,870

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\* It is noted that the size of the cabinet has been increased from 8 to 9

Chair of Appeals Committee

£ 2,361

- 3 The SRA for the Chair of the Scrutiny Leadership Board should be discontinued\*
- 4 The SRAs for Scrutiny Chairs should be reduced from £7,870 to £7,139. The operation of the new scrutiny system and the justification for the SRAs recommended should be reviewed by the Panel in May 2011.
- 5 The SRA for the Chair of the Standards Board should be reduced from £7,870 to £3,935
- 6 The following SRAs should be increased  
Leaders of the Opposition Groups £2,606 to £3,664
- 7 The size of group qualifying for a leader allowance should be reduced to 4.
- 8 Any co-optees appointed to the Audit Committee (or any other committee) should be paid an allowance of £260.
- 9 Minor changes to the list of approved duties should be made as set out in Para 2.19.
- 10 All other elements of the current allowances scheme should be continued including
  - i. travel and subsistence for approved duties
  - ii. carers allowance
  - iii. basis for indexing allowances annually

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\* The SRAs for cabinet assistants and the speaker cease to be payable because the positions have ceased to operate, or will do so in December 2010.

**TELFORD & WREKIN COUNCIL**

**COUNCIL – 7 OCTOBER 2010**

**MEMBERS' ALLOWANCES**

**REPORT OF THE CHIEF EXECUTIVE**

**1.0 PURPOSE**

- 1.1 To consider the report of the Independent Remuneration Panel and to agree changes to the Members' Allowances Scheme.

**2.0 RECOMMENDATIONS**

- 2.1 That the members of the Independent Remuneration Panel be thanked for the production of their report;
- 2.2 That the Council consider the recommendations set out in the report of the Independent Remuneration Panel as summarised in paragraph 3.3 of the report;
- 2.3 That members agree that any remuneration scheme that they agree will become effective from the 21<sup>st</sup> May 2010 (with the exception of proposed scrutiny allowances which become effective from 25<sup>th</sup> June 2010);

**3.0 SUMMARY**

- 3.1 The Council is obliged under the Local Authorities (Members Allowance) (England) Regulations 2003 and subsequent amendments to set up and maintain an advisory Independent Remuneration Panel to review and provide advice on Members Allowances.
- 3.2 At its meeting on the 29<sup>th</sup> April 2010 the Council agreed, in the light of changing economic conditions and proposed changes to scrutiny and the discontinuance of the use of cabinet assistants that the Independent Remuneration Panel be convened to consider the Members' Allowances Scheme. A copy of the Independent Remuneration Panel Report is attached at Appendix 1.
- 3.3 The Council has discretion whether to accept the report of the Independent Remuneration Panel in its entirety, in part or to reject it. The Council must also decide the effective date for implementation of the recommendations.

## 4.0 **INFORMATION**

- 4.1 Major reviews are typically scheduled at four or five year intervals, the last one being in 2008 so this review was a selective, rather than comprehensive review.

A summary of the main proposals is detailed in paragraph 3.3 of the report. The main changes are detailed below:-

**Special Responsibility Allowance** - the proposed changes to allowances are as follows:-

Chairmen of Scrutiny Committees (Reduced from £7,870)	7	£7,139
Minority Opposition Group Leaders (minimum size of group is 4 members) (increased from £2,606)	2	£3,664
Speaker * Proposed constitutional changes may, if agreed by Council, lead to the abolition of the role of Speaker in the new Council from May 2011.	1	£2,606 (for 2011/12)

### **Co-optee's Allowance**

Independent Chairman Standards Committee (reduced from £7,583)	1	£3,935
Co-optees appointed to Audit Committee or any other Committee		£260

**Discontinued Allowances** - The Panel have recommended that the following Special Responsibility Allowance be discontinued:-

Chairman of Scrutiny Leadership Board	1	£10,624
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- 4.2 Members should note that it is not possible to pay more than 50% of the members of the Council a Special Responsibility Allowance. The proposals will lead to the payment of no more than 24 allowances. Members should also note that in some cases the same Member holds more than one position entitled to a Special Responsibility Allowance. In this case only one allowance is payable.

## **5.0 IMPLEMENTATION**

- 5.1 If the Council agrees changes to the existing scheme then they should consider when these allowances are payable from. Particularly in relation to the scrutiny arrangements that were introduced with effect from 25<sup>th</sup> June 2010.

## **6.0 LEGAL COMMENT**

- 6.1 The Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003. These regulations (which arise out of provisions in the Local Government Act 2000) require local authorities to set up and maintain an advisory Independent Remuneration Panel, to review and provide advice on Members' allowances. The Council is required to convene the Panel and seek its advice before making any changes or amendments to the allowances scheme and must have regard to the recommendations of the Panel.

## **7.0 FINANCIAL COMMENT**

- 7.1 The Council's overall spending of over £500m is overseen by 54 councillors whose allowances total just under £0.75m. Within this total, the current total cost of special responsibility allowances is £236k. A saving of £23.6k against this cost is achieved through deletion of the Cabinet Assistant SRAs. The other amendments to SRAs as detailed in this report then lead to an overall net saving of £21.3k. However members should note that the number of ordinary Cabinet members was increased from 6 to 7 in 2010/11. The overall net saving for 2010/11 municipal year is £13.5k with a £9.5k saving ongoing. The saving is higher in 2010/11 due to the implementation of Scrutiny allowances from 25 June 2010.

## **8.0 WARD IMPLICATIONS**

Borough wide.

## **9.0 EQUALITY & DIVERSITY**

No specific equalities issues arising.

## **10.0 LINKS TO CORPORATE PRIORITIES**

Ensuring value for money as part of a Community Focussed, Efficient Council.

## **11.0 ENVIRONMENTAL IMPACT**

No specific environmental issues arising.

## **12.0 BACKGROUND PAPERS**

Report of the Independent Remuneration Panel 2008  
Report of the Remuneration Panel 2010.

Report prepared by Phil Griffiths, Democratic Services Manager  
Telephone (01952) 383210.

## **Independent Remuneration Panel:**

### **Review of Allowances**

#### **For**

### **Telford & Wrekin Council**

#### **The Regulatory Context and Terms of Reference**

1. This report is a synopsis of the proceedings and recommendations made by the Independent Remuneration Panel (IRP) reconvened by Telford & Wrekin Council to advise the Council on its current Members' allowances scheme.
2. The Panel was convened under *The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021)*. These regulations, which arise out of the relevant provisions in the *Local Government Act 2000*, require all local authorities to set up and maintain an advisory Independent [Members] Remuneration Panel to review and provide advice on Members' allowances. All Councils are required to convene their Remuneration Panel and seek its advice before they make any changes or amendments to their allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.
3. Specifically, the Panel was convened on this occasion to make recommendations to the Council on the applicability of the indexation of allowances for the next four years. Regulation 10(5) states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.

4. The Council is fulfilling its statutory responsibility by undertaking this review under Regulation 10(5) of the 2003 Members' Allowances Regulations to seek fresh authority for the indexation of allowances.

#### **Terms of Reference**

5. With the statutory requirement to reconvene the Panel the Council took the opportunity to present the Panel with a general terms of reference, namely to make recommendations to Telford & Wrekin Council on the following:
- To review the Borough of Telford & Wrekin's existing allowance scheme, in particular:
    - a) The amount of Basic Allowance that should be payable to its elected Members
    - b) The categories of Members who should receive a special responsibility allowance
    - c) Expected time inputs for Members in their various roles
    - d) The travel and subsistence allowance and clarification on definition of approved duties
    - e) The co-optees' allowance
    - f) The care of children and dependants allowance
    - g) The back-dating the payment of allowance to the beginning of the municipal year in the event of the scheme being amended
    - h) Annual adjustments of allowance levels
    - i) Refresh authority for membership of Local Government Pension Scheme (LGPS)

### **The Panel**

6. Telford & Wrekin Council reconvened its Independent Remuneration Panel and the following Panel Members carried out its independent review; namely:
- Dr. Declan Hall, Chair of the Panel, Institute of Local Government, The University of Birmingham, an academic specialising in the field of Members' allowances
  - Mick Lloyd, Manager Telford & Wrekin CVS, and a social worker by professional background
  - Derek Peden, FCMA, retired MD of a major local aluminium rolling and converting company. Currently Non-Executive Chair of Board of Directors, Bridgnorth Aluminium LTD and accountant by profession. He is also a Director of Shropshire Chamber of Commerce and a resident of the County.
  - Steve Vale, an HR consultant who has extensive experience of member allowances reviews, and is an expert on public service remuneration and pension issues.

## **TELFORD & WREKIN COUNCIL**

### **COUNCIL CONSTITUTION COMMITTEE - 14<sup>TH</sup> SEPTEMBER, 2010**

#### **LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 – EXECUTIVE ARRANGEMENTS**

#### **REPORT OF THE HEAD OF GOVERNANCE**

### **1.0 PURPOSE**

1.1 For Members to recommend to Council a preferred option for Executive Arrangements following the recent consultation process. Following a further consultation period the Council will then be required to adopt one of the following forms of executive:

- The Mayor and Cabinet model
- The Leader and Cabinet Model

### **2.0 RECOMMENDATIONS**

**Members recommend to Council that:**

**2.1 The Leader and Cabinet model be the preferred option for Executive Arrangements;**

**2.2 Further consultation, as set out in Appendix 1, take place on the preferred option.**

### **3.0 SUMMARY**

3.1 On the 29<sup>th</sup> April 2010 full Council approved a proposed timetable for ensuring that, as required, it could consider the final proposals before the end of this calendar year. Attached at Appendix 1 is an amended proposed timetable that will enable final proposals to be considered by Council without the requirement for an additional Council meeting in December.

3.2 Council also delegated the power to this Committee to review and approve the final consultation documents and approved an overview of those to be consulted.

3.3 Attached at Appendix 2 is the information on the differences between the two models as outlined at the previous meeting of this Committee.

- 3.4 Attached at Appendix 3 is a copy of the consultation responses. To date, a total of seven responses have been received. Four responses are from Parish Councils and were received by e-mail. One of these responses does not state a preference but states that the item will be discussed at a Parish Council meeting in September. Three responses have been received from members of the public via the Council's website. The responses are summarised below:

	Leader & Cabinet Model	Mayor & Cabinet Model
Parish Councils	2	1
Public via Website	2	1
<b>Total</b>	<b>4</b>	<b>2</b>

#### **4.0 PREVIOUS MINUTES**

Council's Constitution Committee – 13 April 2010 (Minute No. CCC-15)

Council - 29 April 2010 (Minute No. 106)

Council Constitution Committee 25 May 2010 (Minute No. CCC-4)

#### **5.0 INFORMATION**

- 5.1 Members, during the debate at both the Council Constitution Committee and full Council gave a very clear steer to officers that, whilst they accepted that this was a legal requirement and consultation was a crucial element of the process, the nature and level of consultation needed to be planned to be proportionate to the issue to ensure that resources diverted from delivery of Council priorities was kept as low as reasonably possible.
- 5.2 There have been very few responses to the consultation so far. The responses received show a majority in favour of the Leader and Cabinet model. At least two Parish Council's have indicated that they will be submitting responses in early September.
- 5.3 The first stage of the consultation process ended on 31<sup>st</sup> August, 2010.
- 5.3.1 There has been a very limited response to the consultation, this might indicate that there is relatively little public interest in the issue. The Authority must now draw up formal proposals. The proposals must be the subject of a Notice in a local newspaper and on the Council's Website describing the proposals and where information about them is available.
- 5.3.2 In drawing up the proposals, the Authority must consider the extent to which, if implemented, the proposals are likely to assist in securing continuous improvements in the way in which its functions are exercised and having regard to the economy, efficiency and effectiveness of the same.

5.3.4 A Resolution of the Council will be required by the end of December 2010 to implement the change to the Council's Governance arrangements.

5.3.5 Following the passing of the Resolution, a further Notice must be placed in a local newspaper with the relevant details.

5.4 A preferred solution will be identified and agreed by Council on 7<sup>th</sup> October and the same consultees will be notified of this preferred option during the period 11<sup>th</sup> October to 19<sup>th</sup> November 2010. Those who have specifically made representations will be contacted separately. The existing form of Leader and Cabinet model of governance will continue in force until after Borough elections in May 2011.

## 6.0 **OTHER INFORMATION**

<b>Equality &amp; Diversity</b>	The consultation process will be designed to integrate equality and diversity issues.
<b>Environmental Impact</b>	None arising directly from this report.
<b>Legal Comment</b>	The legal comment is set out within the main body of this report.
<b>Links with Corporate Priorities</b>	The Council seeks to deliver its objectives of providing leadership, accountability and high standards in local democracy.
<b>Opportunities &amp; Risks</b>	The opportunities and risks associated with this process have been assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.
<b>Financial Implications</b>	There will be marginal costs of making changes to the existing Constitution to accommodate the move from the existing Leader and Cabinet Model to the new Leader and Cabinet Model. However, there will be substantially more costs of moving to any Elected Mayor and Cabinet Model from the existing Leader and Cabinet Model. Such costs are difficult to quantify, at present, or justify on value for money or in terms of any objectively quantified economy, efficiency or effectiveness of service improvement grounds. A fundamental review of the Constitution will, of course, be necessary to reflect any Elected Mayor arrangements, plus the costs associated with running an election for an Elected Mayor in May 2011, if the Council resolved to adopt, in December 2010, the Elected Mayor Model of Governance.
<b>Ward Implications</b>	Borough wide

## **7.0 BACKGROUND PAPERS**

Council Constitution

Local Government Public Involvement in Health Act 2007

Report prepared by Jonathan Eatough, Head of Governance, telephone 01952 383200

## Appendix 1

### Timetable for Process to consider options and agree changes to the Council's Executive Governance arrangements

<b>Date</b>	<b>Committee/action</b>	<b>Purpose</b>
07/10/10	COUNCIL	Council Constitution Committee recommendation of preferred option
08/10/10 - 01/11/10 (3 weeks)	Further period of consultation on preferred option	To all previous consultees but particularly to those who made a comment.
07/11/10	Council's Constitution Committee (CCC)	Recommendations to Council.
25/11/10	COUNCIL	To approve future arrangements
29/11/10 to 31/12/10	Update Constitution to reflect approved arrangements	Governance
11/01/11 or 22/02/11	Council's Constitution Committee (CCC)	Review amendments to the Constitution to reflect approved arrangements
03/03/11	COUNCIL	Approve changes to the constitution to reflect the approved arrangements

## Appendix 2

### Leader and Cabinet Executives compared with Elected Mayor and Cabinet Executives

	<b>Leader and Cabinet</b>	<b>Elected Mayor and Cabinet</b>
<b>Status</b>	As now, the leader would be elected by the Council in May 2011	The mayor is not a councillor but is directly elected by voters.
<b>Term of office</b>	The leader's term of office would start on the day of his or her election as leader and ends four years later on the day of the post-election annual Council meeting.	The term of office of an elected mayor is expressly said to be four years.
<b>Discharge of functions</b>	The leader may discharge executive functions or may arrange for their discharge by: the cabinet, a member of the cabinet, a committee of the cabinet or an employee of the Council.	The mayor may discharge executive functions or may arrange for their discharge by: the cabinet, a member of the cabinet, a committee of the cabinet or an officer of the authority.
<b>Appointment of Cabinet</b>	The Council's constitution must provide for the leader to determine the number of councillors appointed to the Cabinet but this must be no less than two and no more than ten.	The constitution must provide for the mayor to determine the number of councillors appointed to the Cabinet but this must be no less than two and no more than ten.
<b>Deputy</b>	The leader must appoint a deputy leader, who will hold office as such until the end of the leader's term of office unless he or she resigns as deputy leader, ceases to be a member of the Council, or is removed by the leader. If the office of deputy leader is vacant, the leader must appoint one.	The mayor must appoint a deputy mayor, who will hold office as such until the end of the mayor's term of office unless he or she resigns as deputy mayor, ceases to be a member of the authority, or is removed by the elected mayor. If the office of deputy mayor is vacant, the mayor must appoint one.

	<b>Leader and Cabinet</b>	<b>Elected Mayor and Cabinet</b>
<b>Provisions if unable to act</b>	If the leader is unable to act or the office of leader is vacant, the deputy leader must act in his or her place. If neither the leader nor the deputy leader is able to act, the cabinet must act in the leader's place or arrange for a member of the cabinet to do so. .	If the elected mayor is unable to act or the office of elected mayor is vacant, the deputy mayor must act in his or her place. If neither the mayor nor the deputy mayor is able to act, the cabinet must act in the mayor's place or arrange for a member of the cabinet to do so.
<b>Removal</b>	A local authority's constitution may provide for the council to remove the leader by resolution at any time during the term.	No provision for removal during the mayor's term of office.
<b>Appointment of assistants</b>	In the Leader and Cabinet model, there is not a direct equivalent to the power for the Secretary of State to provide for the appointment of a person to provide assistance to an elected mayor. However, the Local Government and Housing Act 1989 contains provisions for the appointment of assistants by political groups.	The Secretary of State may by regulations make provision for or in connection with the appointment of a person to provide assistance to an elected mayor. The (Elected Mayor and Mayor's Assistant) (England) Regulations 2002 have been made to provide for this.

	<b>Leader and Cabinet</b>	<b>Elected Mayor and Cabinet</b>
<b>Civic and ceremonial duties</b>	The Council would be entitled to retain a civic and ceremonial Mayor who would also chair meetings of the full Council.	<p>Only the directly elected Mayor could use the title of "Mayor".</p> <p>A councillor would have to be appointed to chair Council meetings if the traditional position of civic and ceremonial Mayor was disestablished.</p> <p>The Council could decide to disestablish the position of a civic and ceremonial Mayor. In which case the directly elected Mayor would decide to what extent he or she would wish to perform civic and ceremonial functions.</p>

## Consultation Documents

Consultee	Response
Little Wenlock Parish Council	Strong Leader and Cabinet Option
Church Aston Parish Council	Strong Leader and Cabinet Option
The Gorge Parish Council	To be discussed at parish council meeting on 6 September, 2010
Rodington Parish Council	Directly Elected Mayor and Cabinet Option
On-Line Responses from members of the public	2 for Strong Leader and Cabinet 1 for Directly Elected Mayor and Cabinet

# How do you want Telford & Wrekin Council to be run?

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Please read the following instructions carefully before completing the questionnaire:

- Please select a box to indicate your answer
  - Please answer all questions unless asked otherwise
  - The personal information you provide to us will be treated in **STRICTEST CONFIDENCE** and in line with the **Data Protection Act**.
- 

Please answer the following questions.

**Q1 Preferred option:**

Strong Leader	2 (67%)
Directly Elected Mayor	1 (33%)

**Q2 Please provide one or more reasons for your choice of model and any further comments you would like to make:**

3 (100%)

## Monitoring Information

Please complete the following information. All responses will remain **strictly confidential** and will be securely disposed of once the Council decision has been made.

### Q3 Do you live in the Borough?

Yes	3 (100%)
No	0 (0%)

All of the following marked with \* are required for validation purposes.

**Q4 \* Name:**  
3 (100%)

**Q5 \* Address:**  
3 (100%)

**Q6 \* Postcode:**  
3 (100%)

**Q7 \* Telephone No:**  
3 (100%)

**Q8 \* Email address:**  
3 (100%)

If you have any questions relating to this consultation please contact Democratic Services on (01952) 383211 or [democraticservices@telford.gov.uk](mailto:democraticservices@telford.gov.uk)

**TELFORD & WREKIN COUNCIL**

**LICENSING COMMITTEE – 8TH SEPTEMBER 2010  
COUNCIL – 7TH OCTOBER 2010**

**POLICING AND CRIME ACT 2009**

**REPORT OF: SERVICE DELIVERY MANAGER - PUBLIC PROTECTION**

**1. Purpose**

- 1.1 For Members to consider if Telford & Wrekin Council should adopt Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by s27 of the Policing and Crime Act 2009.

**2. Recommendations**

- 2.1. It is recommended that Members :
- 2.1.1 Determine to recommend to Full Council that the Borough of Telford and Wrekin adopt the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 to come into effect on 1st January 2011 throughout the whole of administrative area of the Borough of Telford and Wrekin.
- 2.1.2 Determine to recommend to Full Council that the responsibilities of the above be delegated to the Licensing Committee under Section 101 of the Local Government Act 1972.

**3. Summary**

- 3.1 Since introduction of the Licensing Act 2003, lap dancing clubs have been licensed under the 2003 Act. Section 27 of the Policing and Crime Act 2009 reclassifies lap dancing clubs as sexual entertainment venues and gives local authorities in England and Wales the power to regulate such venues as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.
- 3.2 These new measures, took effect on 6th April 2010 in England and if adopted by local authorities, give local people a greater say over where and how many lap dancing clubs may open and operate in their neighbourhoods.

#### **4. Previous Minutes**

4.1 None

#### **5 Information**

##### **5.1 Background**

5.1.1 In 1982 the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) introduced the licensing of sex shops and sex cinemas.

5.1.2 In 1995 the Council adopted the Local Government (Miscellaneous Provisions) Act 1982 granting powers to require licences to open sex establishments in the district of Telford & Wrekin. The Act defines a sex establishment as either a 'sex cinema' or a 'sex shop'.

5.1.3 Section 27 of the Policing and Crime Act 2009 introduces a new category of sex establishment called 'sexual entertainment venue', which will allow local authorities to regulate lap dancing clubs and similar venues under Schedule 3.

5.1.4 Whilst there is not a perceived problem with this type of premises in Telford & Wrekin, this report recommends the adoption of the new regulatory powers as a preventative measure.

5.1.5 If Members choose not to adopt the new powers the Council will continue to rely solely on the Licensing Act 2003 to control such premises. The Licensing Act 2003 permits representations to be made which relate to one of the licensing objectives:-

- the prevention of crime and disorder,
- public safety,
- the prevention of public nuisance; and
- the protection of children from harm.

It does not allow objections to be made on the grounds of the number of premises in the area, character of the area, suitability of premises for the activity, the suitability of the management or use of premises in the area.

5.1.6 Section 27 gives local authorities more powers to control the number and location of lap dancing clubs and similar venues in their area. These powers are not mandatory and will only apply where they are adopted by local authorities. Where adopted, these provisions will allow local authorities to refuse an application on potentially wider grounds than is permitted under the 2003 Act and will give local people a greater say over the regulation of lap dancing clubs and similar venues in their area.

5.1.7 Paragraph 2A of Schedule 3 as inserted by section 27 sets out the meaning of a 'sexual entertainment venue' and 'relevant entertainment' for the purposes

of these provisions. A sexual entertainment venue is defined as “*any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer.*”

5.1.8 The meaning of ‘relevant entertainment’ is “*any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means).*” An audience can consist of just one person (e.g. where the entertainment takes place in private booths).

5.1.9 While local authorities should judge each case on its merits, it is expected that the definition of relevant entertainment would apply to the following forms of entertainment as they are commonly understood:

- Lap dancing
- Pole dancing
- Table dancing
- Strip shows
- Peep shows
- Live sex shows

5.1.10 Adoption of schedule 3 also allows councils to set conditions and fees for the grant, renewal, transfer and variation of such licences and the number of licences that may be issued in the area.

5.1.11 Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 was adopted by Full Council in 1995. Section 2 of the LGMPA enables an authority to adopt the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

5.1.12 To adopt the amendments, firstly, the local authority must pass a resolution specifying that the amendments made by section 27 of the Policing and Crime Act 2009, shall apply to their area and the day on which it shall come into force in the area. The specified day must be more than one month after the day on which the resolution was passed. The local authority shall publish a notice that they have passed a resolution for two consecutive weeks in a local newspaper. The first publication shall not be later than 28 days before the day specified in the resolution for the provisions to come into force. If Members accept the recommendation to this report, the proposed timetable is as follows:

- a. Adoption of Resolution – 7th October 2010;
- b. Adverts detailing general effect of Resolution during weeks of 18th and 25th October 2010
- c. Resolution Comes Into Force – 1st January 2011.

5.1.13 If a local authority adopts the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3, a premises in the district, where licensable

activities as defined under the Licensing Act 2003 take place, shall still require to be licensed under the 2003 Act. In practice, this will mean that the vast majority of lap dancing clubs and similar venues will require both a sexual entertainment venue licence for the provision of 'relevant entertainment', and a premises licence or club premises certificate for the sale of alcohol or provision of other types of regulated entertainment.

5.1.14 If a local authority has not made a resolution to adopt the provisions introduced by section 27 of the Policing and Crime Act 2009 within one year of it coming into force it must, as soon as is reasonably practicable, consult local people about whether they should make such a resolution.

## **5.2 Equal Opportunities**

5.2.1 This Report adheres to the Council's Equality and Diversity Scheme and does not discriminate on the grounds of race, gender, disability, age, religion or belief or sexual orientation.

5.2.2 The Sex Discrimination Act 1975 obliges local authorities, in carrying out their functions, to have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity between men and women.

5.2.3 Gender equality may be relevant in sex licensing in relation to:

- Harassment/victimisation/exploitation of performers
- Exclusion of single women from clubs
- Fear of women using the vicinity of clubs

## **5.3 Environmental Impact**

5.3.1 Not applicable for the purposes of this report.

## **5.4 Legal Comment**

5.4.1 Section 27 of the Policing and Crime Act 2009 amends Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982. The effects of the amendment and the considerations in relation to the same are set out in the body of the report.

## **5.5 Links with Corporate Priorities**

5.5.1 This report has links to community protection and cohesion.

## **5.6 Financial Comment**

5.6.1 As the Act reclassifies the establishments it is anticipated that adopting the amendments will lead to an increase in officer time in processing this type of application. As a result these establishments will be required to provide the relevant application fee applicable at the time for a sex establishment in

addition to the premises license fee. The number of such applications is deemed to be insignificant and therefore will be absorbed within the existing resource of the team.

## **5.7 Risks and Opportunities**

5.7.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.7.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

Should the Council resolve not to adopt the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 there may be a risk of legal challenge.

## **6. Ward Implications**

6.1 This report has Borough wide Implications

## **7. Background Papers**

7.1 Local Government (Miscellaneous Provisions) Act 1982

7.2 Licensing Act 2003

7.3 Policing and Crime Act 2009

7.4 Home Office Sexual Entertainment Venues Guidance for England and Wales

**Report prepared by**, Suzanne Fisher, Licensing Services, Darby House - For further information please telephone 01952-383261 or email [Licensing@telford.gov.uk](mailto:Licensing@telford.gov.uk)

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 2<sup>nd</sup> June, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore (Chairman), R. Aveley (substitute for Councillor D.R. Chaplin), J.A. Francis, R.T. Kiernan, G.M. Green, F.R. Picken, H. Rhodes and M.J. Smith

**ALSO PRESENT:** Councillor A.J. Eade (for planning application W2009/1023)

#### **PB-1 CHAIRMAN'S ANNOUNCEMENT**

The Chairman welcomed Councillor R.T. Kiernan, Vice-Chairman, to his first meeting of the Board and said that he looked forward to working with him and to the experience he would bring to the Board.

The Chairman also wished to record the Board's thanks to Councillor R.G. Chaplin for her sterling service whilst a member of the Board and to Councillor I.T.W. Fletcher as Chairman of the Board.

#### **PB-2 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on the 12<sup>th</sup> May, 2010 be confirmed and signed by the Chairman.

#### **PB-3 APOLOGY FOR ABSENCE**

Councillor D.R. Chaplin

#### **PB-4 DECLARATIONS OF INTEREST**

Councillor R. Aveley declared a personal and prejudicial interest in planning application W2010/0146 and stated his intention to leave the room during determination thereof.

#### **PB-5 TREE PRESERVATION ORDER 2009**

The report of the Head of Governance informed the Board that, on the 26<sup>th</sup> November, 2009, a provisional Tree Preservation Order was made in respect of an Oak tree, designated as T1 on the map included in the Order.

A letter of objection, dated 11 December, 2009 was received from the occupier of 76 Hadley Park Road, Leegomery, Telford and on the 21<sup>st</sup> December, 2009 an objection was received to the Order from the owners of 74 Hadley Park Road, Leegomery.

The report set out the objections submitted by the owners of 74 Hadley Park Road. When purchasing the property, the solicitors acting for the vendor had confirmed that the tree was owned by and the responsibility of the Highways Department and since purchasing the property the owners believed that the tree had been maintained by

the Council, as they have removed branches from it on several occasions. In addition, following damage to the property caused by a falling branch, the Council had instructed its insurers to deal with the matter.

In response the Arboricultural Officer had stated that it had been confirmed by the Council's Geographical Information System and the Adopted Highways that the tree was not within the ownership of Telford & Wrekin Council but it had been confirmed by the Land Registry that the tree was within the curtilage of 74 Hadley Park Road. The Arboricultural Officer had issued a provisional Tree Preservation Order in response to what he considered was a perceived threat that it might be felled.

The report detailed the objections received from the occupier of 76 Hadley Park, Leegomery, Telford. They were of the opinion that the tree had been excessively cut back several times leaving it as an eyesore which was now not worth preserving for its visual amenity value. In addition, they considered that it had no significant impact on its surroundings. In response the Arboricultural Officer explained that the tree had been cut back previously at the expense of the Council following requests from residents of neighbouring properties. However, it was now starting to make a full recovery as could be seen from the pictures attached at Appendix B of the report. Whilst the tree has no significant impact on the local surroundings because its original appearance had been lost, it clearly had an impact on the visual amenity and bio-diversity of the area having reached an age of around 150-200 years, thereby offering both cultural history and an established wildlife habitat. The pruning carried out to tree would prolong its life as it had lessened the sail area of the canopy and shortened the lever arms of the branches making wind throw and branch breakage less likely. Given its species type, cared for correctly the tree could survive into the next century and beyond. When heading north from Leegate Avenue down Hadley Park Road, the Oak was the first prominent street tree and when travelling south down Hadley Park road from Okehampton Road, the tree was the third prominent Oak, the other two being under the ownership of the Council.

Member' attention was drawn to the point that the ownership of the land on which the tree was located was not a material matter when issuing or considering the confirmation of a Tree Preservation Order.

Councillor M.J. Smith stated that this was a prominent tree within its location and, as an English Oak growing alongside a road, was worthy of retention.

**RESOLVED** – that the Borough of Telford & Wrekin (74 Hadley Park Road, Leegomery, Telford, Shropshire) Tree Preservation Order 2009 be confirmed without modification.

#### **PB-5            PLANNING APPLICATIONS FOR DETERMINATION**

(a)    W2009/0905 – Land at Mere Park, Stafford Road, Newport, Shropshire

The chairman informed the Board that this application had been withdrawn by the applicant.

- (b) W2009/0934 – 5 Audley Avenue Retail Park, Audley Avenue, Newport, Shropshire

The Chairman informed the Board that this application had been withdrawn by the applicant.

- (c) W2009/1023 – Land at Mere Park, A41, Stafford Road, Newport, Shropshire

This was an outline application for the construction of a new unit of 1,556sqm gross on land east of and fronting the Newport By Pass (A41). The net retail floorspace would be 1,286sqm plus 270sqm given to offices, storage and staff accommodation. There would also be a dedicated car park for the retail unit to accommodate 90 vehicles. Access would be off the spine road that led to the Mere Park Garden Centre from the A41 by-pass, which, in turn, connected to the Stafford Road (A518). There was no occupier specified for the retail unit, but the applicant had assessed the proposal as for a “*discount retail food store*”, which would include the likes of Netto, Aldi or Lidl.

The Design & Access Statement indicated that the proposed unit would be a modern, single storey building with an overall height in the order of 7.5m. The design and its energy credentials could be considered in any reserved matters application, should planning permission be granted.

The applicant, Growing Enterprises Ltd, had appealed against the non-determination of this planning application within the prescribed 13 weeks, which expired on 2<sup>nd</sup> March 2010. A Public Inquiry was scheduled to commence on 10<sup>th</sup> August 2010 and it was necessary for the Local Planning Authority to determine what its position would have been if the appeal had not been made. The report before Members asked them to consider the application and make a recommendation on the basis that the Authority still had the powers to determine the application. This was necessary in order to inform the stance that officers would adopt in respect of the appeal. The applicant had also submitted a duplicate of this appealed application (W2010/0185) and, if Members were minded to resolve that they would have granted permission for the appealed application, it would facilitate an appropriate decision on that duplicate application at a subsequent Plans Board meeting.

The applicant had requested the current application be considered at the same time as a similar food store proposal (W2009/0934) via a S73 application at the Classic Furniture/Parkland House sites at Audley Avenue, Newport, to vary condition 21 of W2009/0312 to allow the sale of food with ancillary non-food goods from one of two retail buildings (1,394sqm gross) that had been granted outline planning permission. This application had been withdrawn prior to the meeting of the Board but the applicant had submitted a duplicate application for determination by a later Plans Board.

The Board’s attention was drawn to the current planning history of the Mere Park site, as detailed in the report, including a number of applications yet to be determined and several units that had planning permission but had not yet been built.

The consultation responses received, including objections from the Council's Highways Engineers, Newport and District Civic Society, Newport Town Council, the Ward Member (Councillor A.A. Meredith), Chetwynd Aston Parish Council, and two local residents were detailed in the report. A letter of objection had also been received from the applicants of the Classic Furniture food store proposal at Audley Avenue. Eight letters of support from local residents had been received, as summarised in the report.

Regional Planning Policy acknowledged that markets towns, such as Newport, had an important role and that new shopping development should be located within the centres but, if no sites existed, then advice in national guidance should apply (i.e. PPS4). At the local level, the Council's adopted Core Strategy also sought to support the regeneration of Newport and its role as a market town with specific policies CS6 (Newport) and CS8 (Regeneration).

When the application was submitted the relevant national retail policy was contained within PPS6 but this was cancelled with the publication of PPS4 in December 2009. This new policy removed the requirement that retail development outside town centres had to meet a "retail need" test. However, other tests remained, in particular, the sequential assessment of alternative sites with preference given first for existing centre sites followed by edge-of-centre. A further test was that relating to impacts on town centre considerations. Policy was to support town centres and to seek to avoid adverse impacts, as set out in the report, from development which was outside the town centre and PPS4 permitted other local town centre impacts to be identified. In the context of Newport, with its town centre conservation area and a number of listed shop buildings on the High Street, impact on these heritage assets would seem a relevant issue.

The Development Plan provided a similar policy basis for making decisions but PPS4 was an important material consideration affecting the weight that could be given to some policies that might conflict with its approach. However, in terms of the local dimension, most Local Plan and Core Strategy policies remained relevant. Both regional and local planning policy recognised market towns as playing a key role in providing services and other facilities to both the town and their rural hinterlands. Regional Policy RR3 expected retail proposals to be located within the town centre where sites existed and, where sites did not exist, it expected the development to meet the sequential site selection tests as set out in PPG6 (now PPS4).

One of the Council's long-term development visions was to support and strengthen the role of Newport as a market town acting as a service centre for the town and its rural hinterland, as endorsed by Core Strategy Policies CS6 and CS8. Improving the six Borough towns (including Newport) was a key priority for the Council and funding had been secured in Newport to improve the public realm through the Borough Towns Initiative. This would help to realise one of Newport's regeneration strategies of improving the town's shopping environment to make it safer and a more attractive experience for shoppers and visitors, to increase the vibrancy of Newport's retail core, increase the viability of a number of small retailers which in turn would help improve the vitality of Newport's retail sector to retain Newport's position within the sub-regional retail hierarchy.

Because of the specialist assessment required, the Council had taken advice from an independent retail planning consultant and his report had reviewed the application against all of the PPS4 tests. In the context of a full review of local planning policy in both the Local Plan and Core Strategy, the Consultant's assessment of the health of Newport town centre had identified a number of key threats, namely:

- The limited stock of available premises;
- The size and shape of available premises;
- The cost of maintaining retail premises in a heritage asset;
- The relative lack of multiple retailers;
- The inertia in bringing forward potential development opportunities;
- The lack of recent private sector investment, and
- The risk of an ineffective "return" for the Council in terms of investment in public realm improvements.

His report then considered the retailing characteristics of the proposed development and identified how Newport town centre currently provided for the food discounter function. His analysis of the retail provision in Newport found that there was "*variety and choice of discount and other retailers selling goods at lower or value prices, often alongside respected brands. Our review indicates that a justification for the proposal on qualitative grounds, i.e. extending choice and/or competition, is therefore limited*". The report also identified the prospect that a much greater proportion of the proposed store's trade would be diverted from the town centre than was suggested in the applicant's Retail Impact Assessment. The Council's Consultant had relied upon the survey information which informed the Telford & Wrekin Retail and Leisure Study, 2007 (TWRLS) to identify limited use of existing food discounter stores in Telford and Wellington by residents of Newport and its catchment area. By considering the extent that such residents currently relied on town centre supermarkets, he was able to estimate a circa 10% impact on the turnover of existing convenience goods shops, as a whole, within the core part of the centre's shopping area, i.e. the area focused on the High Street.

Taken in the context of the fragility of the town centre identified in the Consultant's report and also considering the reliance on discount retailing (either in part or whole) that many town centre retailers relied upon; the generally high level of accessibility enjoyed by the town centre; the return that the Council's current public realm investment should be permitted to achieve (including helping to bring the prospect of other town centre or edge of centre sites forward) and the potential importance of protecting and enhancing the town centre's heritage assets, he had come to the conclusion that the food retail proposal at Mere Park would cause a "*significantly adverse impact*" on a range of important town centre considerations. The advice in PPS4 was that with such an impact, "*permission should be refused*".

The Council's consultant did not dispute that the proposal would bring some qualitative benefits relating to extended retail choice and competition to Newport. However, the additional choice provided would not be substantial bearing in mind the existing availability of discounted ranges across a number of stores and shops in Newport and within the market hall. The benefits of competition need to be weighed against the negative impacts on existing retailers and the importance of maintaining an effective and vital town centre. He had further advised that the applicant's Retail

Impact Assessment substantially overestimated the ability of the proposed store to claw back expenditure from Newport area residents that currently went to the Asda at Donnington Wood and other large superstores in Telford and Wellington and, in particular, had overestimated their use of the existing discounter food stores in Telford and Wellington.

The applicant's analysis had suggested that only £0.48m of trade was diverted from Newport's town centre food or convenience goods shops and stores out of a total estimated turnover of £22.5m, which represented only a 2% diversion of trade. This was a much lower impact than the Council's Consultant's figure of circa 10%, although that was based on different assumptions. Using the TWRLS survey information he had found that, because food discounters had a relatively local influence, more trade would be diverted from the Somerfield store in the town centre and other discount retailers, such as B&M Bargains as well as independent shops and market traders.

As advised by the Council's Consultant, it was not just the amount of loss of trade that the existing stores would suffer, in particular Somerfield as it had a more central location, but the loss of the number of people/shoppers frequenting this and other stores and hence a loss of people visiting other shops in the high street either on purpose or incidentally while passing. This would reduce the number of people making use of the retail offer in Newport as a whole, which would have an adverse impact on the town centre. The proposed development would be located in an out-of-centre and out-of-town location at Mere Park where it would be less able to offer linked trips, choice and competition with the town centre, even with the subsidised bus service between Mere Park and the bus station. Therefore, the proposed discount food store in an out-of-town location would adversely impact on the existing discount retail sectors in Newport and affect the town's overall viability by removing them from an accessible town centre. This would disadvantage many with consequential social exclusion issues which Council Policy CS9 sought to avoid.

With regard to the sequential site test, PPS4 required a sequential assessment to be done to fully explore alternative sites closer to the town centre, as set out in the report. If no town centre sites existed, preference should then be given to edge of centre sites and should look at site availability, viability and suitability. In looking at the sequential search the Council had also sought legal opinion in response to the applicant's concern that out-of-town sites had been wrongly discounted by the Council last summer when considering the Mere Park and Audley Avenue comparison retail applications. Legal advice had confirmed that it could not automatically be concluded that a site which was out of town was less preferable to one which was within the urban area.

With regards to alternative, more central sites on which the proposed development might be located, the applicant had considered 22 sites. The Council's Consultant had reviewed all the sites assessed and suggested that only two need detailed scrutiny, namely site 5, the concrete batching plant at Avenue Road, and site 22, Land off Water Lane.

The concrete batching plant had a Council resolution to grant outline planning permission for residential development dating from March 2009 subject to completion

of a S106 agreement. The applicant for this site now wished to progress the site having apparently found a developer but the likelihood of it being developed for residential purposes was currently unclear. The land off Water Lane could have scope for a retail development in a potentially mixed use scheme on what was an edge-of-centre location close to the centre of Newport, the public car park and the bus station. The Council had a desire to re-develop this area to help accord with its policy objectives of regenerating Newport to strengthen its role as a market town and had produced a Planning Statement indicating very broad mixed development aspirations. However, the land was in multiple ownerships that could make land assembly more difficult without owner co-operation.

In the context of the relatively fragile health of Newport town centre, the limited qualitative needs or benefits that supported the proposal and the prejudice that allowing the proposal could have on bringing forward part of this area for retail use, the Council's consultant considered it reasonable to adopt a longer term view of the site's availability beyond the usual 3-5 years given that the town centre was not strong. Therefore, the Council would conclude that there were other sites closer to the town centre that were available and sequentially preferable to the proposed site at Mere Park.

With regard to accessibility, shopping for food was an essential and more frequent activity than shopping for comparison goods and required a relatively high degree of accessibility particularly to those without access to a car. Whilst the site might benefit from a half hour inter urban bus service with a subsidy currently providing free travel between the garden centre and Newport bus station between the hours of 09:30 a.m. and 15:30 p.m., the majority of Newport's residential area was not particularly accessible by bus. In addition, access for pedestrians and cyclists was poor compared to the town centre. Even though there were pavement links from end of Stafford Street to Mere Park, pedestrians and cyclists would need to cross the busy A41 by-pass or negotiate the roundabout at the A41/A518 junction, which was particularly poor for the mobility impaired.

With regard to other relevant issues, the proposal would not achieve any local regeneration but would have adverse economic effects on the town centre. PPS4 recognised that job creation was economic development and, according to the applicant's Retail Statement, the new store would create approximately 25 new jobs. However, after allowing for related local job losses arising from retail impacts on existing outlets, the increase in jobs was likely to be modest and not significant.

The site fell outside the urban area of Newport being in the rural area. Core Strategy Policy CS7 limited development in the rural area to that which was necessary to meet the needs of the rural area. Whilst there might be some qualitative benefits associated with the proposal these were not seen as constituting the kind of needs that the Core Strategy intended in consolidating market town centres. The proposal was, therefore, an unnecessary extension into the countryside and beyond the curtilage of the garden centre. Granting permission would also consolidate a mixed use development in the rural area which would be undesirable as it would create an alternative focus to Newport's town centre.

In conclusion, in the context of the fragile health of Newport town centre, and the role that discount retailing played there, significant adverse impacts on the centre had been identified, concerning:

- prejudice to existing and future planned investment;
- effects on retail vitality, viability and diversity;
- a high level of trade draw, and
- risk of harm to the centre's heritage assets.

This would adversely affect efforts to regenerate Newport and strengthen its role as a market town and hence would be contrary to WMRSS Policy RR3, Core Strategy Policies CS6 and CS8 and WLP S1. Assessment of the sequentially preferable sites had identified prospects to accommodate the proposed development but permitting this retail development would thus reduce the prospects of addressing the need to enhance and regenerate the town centre. It would, therefore, be contrary to WMRSS Policy RR3, Core Strategy Policies CS6 and CS8 and WLP1.

The site was not accessible to the extent required to support food retail development. Discount food retail outlets ought to be easily accessible to most sectors of society, particularly those who did not have access to a car. The proposed development, therefore, conflicted with Core Strategy Policy CS9. Finally, the development site lay outside the built up area and did not comply with the Rural Area policy CS7 of the Core Strategy.

The Ward Member, Councillor A.J. Eade, was invited to address the Board. He said that he wished to reinforce the detailed officer report and its focussed conclusions before Members, and supported the recommendation that if the Board had been able to determine this application it should refuse planning permission. Councillor Eade wanted a clear message to be sent out that the regeneration of the Borough Towns was a key issue for the Borough and considerable work had already been done within Newport such as the improvements to Victoria Park and the repaving and additional car parking which aided shoppers and which was due to start that month. The impact of this proposal on existing food retail outlets would be detrimental and result in empty sites. Newport was a key market town which was just coming out of recession and the impact of the proposal and on the rural hinterland would be considerable. He felt that creation of 25 new jobs would not be a great lure and might not even be taken up by people from Newport. A further key issue was the fact that the Council did not wish to see development on greenfield, rural sites, as set out in Policy CS7.

The Council's Retail Consultant, Martin Robeson, was also invited to speak to the Board and reiterated the comments made in the report regarding the new guidance provided by PPS4 whereby quantitative need was no longer a key consideration. He accepted that increased choice and competition were still key but they were not sufficient to merit granting planning permission. He made reference to the sequential approach, which was a somewhat intangible concept, and advised that the permission should not be given in order to solve a short term issue which could prejudice the prospective of the right site adjacent to the town centre which could form part of the politically driven regeneration of Newport.

Members supported the recommendation as they were of the view that the existing businesses in Newport town centre needed to be protected. Councillor Green added that not all shoppers in Newport would be able to travel by car to Mere Park. Councillor Aveley added that, if approved, this proposal would result in Newport losing its niche market at a time when the Borough Towns Initiative was working to return these areas to what they once were.

**RESOLVED** – that had the Council jurisdiction to determine this application, it would refuse it for the following reasons:

1. **The proposed development would have a significant adverse impact on Newport Town Centre and threaten its role as a market town and undermine its position in the retail hierarchy of the Borough and hence was contrary to PPS4, Regional Spatial Strategy policy RR3, Core Strategy policies CS6 and CS8 and Wrekin Local Plan policy S1;**
  2. **The proposed development was capable of being accommodated on a sequentially preferable site and hence the proposal was contrary to PPS4;**
  3. **Notwithstanding the bus service close to the site, the location performed poorly (particularly compared with the town centre) in terms of access by a choice of means of transport. The proposed location was not reasonably accessible for food retailing, where good access for those without a car was key and where social exclusion issues were to be avoided. The proposed development was, therefore, contrary to PPS4, Regional Spatial Strategy policy RR3 and Core Strategy policies CS7 and CS9;**
  4. **The proposed development would not meet needs limited to the Rural Area and where development is strictly controlled. It would therefore be contrary to Core Strategy Policy CS7;**
  5. **There were insufficient material considerations in favour of the proposal to overcome the identified significant adverse impacts and breaches of development plan policy.**
- (d) W2010/0066 – Holmer Lake County Primary School, Brookside Avenue, Brookside, Telford, Shropshire

This is a retrospective application by Telford & Wrekin Council for a new boundary fence which had been erected to improve security in the school grounds. It was of a metal palisade type, 2.4 metres in height and finished in dark green.

The school grounds were situated within the Green Network and the main issue related to the visual impact of the fence in the surrounding area. It was unobtrusive and had little impact on the existing vegetation and planting which surrounded the school. There was existing green-painted 2.4 metre metal fencing and security gates at the school entrance. The siting of the fence accorded with the general objectives of Green Network policy.

The fence was considered an acceptable boundary treatment for the school site and provided increased security. It was of a satisfactory appearance and did not adversely affect the amenities of the surrounding area and had little effect on the public footpath to the west of the school site.

**RESOLVED** – that with regard to planning application W2010/0066 planning permission be granted subject to the conditions as set out in the report.

(e) W2010/0137 – John Randall County Primary School, Queen Street, Madeley, Telford, Shropshire

This application by Telford & Wrekin Council was for the erection of a single storey flat roofed extension to the rear of the building. It would be sited between the two projecting wings and would provide a conference room and additional teaching space. The proposed extension was of a relatively small size in comparison to the main site measuring approximately 6m by 8m with a height of approximately 3m. It would be entirely at the rear of the property and therefore be of a subservient nature to the main building and would not dominate the surrounding area.

The proposed development would retain the form of the existing building with a flat roof to a similar height and be constructed from rendered walls painted alongside grey trespa panels. Although this did not match that of the existing building, it would be sympathetic to that of the main building and the proposed development would, therefore, be in keeping with the character and appearance of the main building and surrounding area.

The proposed development would be over 50m away from the nearest neighbouring property. As the proposal was single storey and would be well screened by the existing building, it was not considered to be of detriment to the amenities of neighbouring properties. The school had extensive playground area and, therefore, the small extension would leave an adequate area of play.

The update sheet tabled at the meeting informed Members that comments had now been received from Madeley Parish Council. It had no objections to the application subject to any comments from Environmental Health relating to the loss of natural light and ventilation to the school kitchen adjacent to the extension. Informal preliminary discussions with the Environmental Health Officer had suggested that there were no concerns and the Building Control Officer had stated that this point would be assessed within a building regulations application.

Therefore as the scheme is considered to comply with planning policy and the issues are controlled under other legislation, the officer recommendation has not changed.

**RESOLVED** – that with regard to planning application W2010/0137 planning permission be granted subject to the conditions as set out in the report.

(Councillor R. Aveley having declared an interest in the following application left the room during determination thereof.)

(f) W2010/0146 – Telford College of Arts & Technology, Haybridge Road, Wellington, Telford, Shropshire

This proposal was for the change of use of landscape buffer land to college use, construction of a full size 3G artificial football pitch and security fencing together with the erection of a new retaining wall, boundary fence and outdoor lighting. The application was part of a wider joint scheme between TCAT and AFC Telford for a new sports hall, artificial pitch and five a side football complex, for which funding from Sport England was being sought. Sport England had no objection in principle and considered that the proposed development had the potential to deliver significant benefits to sports participation which would outweigh any likely detriment to sport that would occur from the playing field loss. Whilst Football associations continued to prefer natural turf grass, artificial grass facilities did provide durable and flexible provision. The facility would also be for the college and wider community.

The Plans Board had previously resolved in October 2009 to grant planning permission subject to a prior Section 106 Obligation for significant development but this had failed to secure Government funding and the Section 106 remained unsigned and the planning permission had not yet been issued. However, it was reasonable to conclude that the principle of sports pitch development at this site had been largely established by the previous application. The application site was located within the Green Network but officers considered that the proposal would not significantly affect its function and would be compatible with the aims of Policy OL5 as the proposed pitches would increase the ability for recreational participation.

The proposal included the change of use of land currently forming part of the landscape planting buffer along Whitchurch Drive to enable the creation of the 3G pitch. This would require the removal of some semi mature trees and other planting but this was acceptable provided a programme of replacement was agreed and was a condition of the consent. A landscaping strip would be retained with Whitchurch Drive to create a buffer with this busy highway route.

The proposed pitches would be available for the wider public along with the College use and would add to the wider provision of sports and recreation facilities within the borough. The location of the site close to Wellington District Centre and with public transport links adjacent to the site comprises a sustainable location for additional community facilities in accordance with policy CS10 of the LDF core strategy and saved policy LR1 of the Wrekin Local Plan.

The design of the pitches, fencing and lighting were standard designs for these types of development and would be in keeping with existing characteristics of the site and reinforce the character of the area thereby satisfying the design requirements of policy CS15 of the LDF Core Strategy and saved policy UD2 of the Wrekin Local Plan. The proposal would create a formal artificial floodlit pitch for use in the day and evenings but it would be located in excess of 130 metres from the nearest residential property, therefore issues of light pollution were not anticipated. An informative to ensure that installation resulted in no glare would be attached to the Notice of Permission. It was not anticipated that the proposal would result in adverse noise given its location and screening by other college buildings and,

therefore, it was considered that the proposed development would not have an adverse impact on the amenities of nearby residential properties.

It was not anticipated to increase usage at peak times during the day. There was adequate parking provision within the site and a current arrangement with AFC Telford United that permitted use of the Bucks Head car park by students etc. which it was believed would continue. Therefore, the proposed development would not have any highway implications.

In response to a question from Councillor H. Rhodes regarding the proximity of the proposed 3G pitch to Whitchurch Drive and concerns about balls being kicked onto the road, the planning officer confirmed that the proposed fencing between the two would be 4.5m in height.

**RESOLVED** – that with regard to planning application W2010/0146 planning permission be granted subject to the conditions as set out in the report.

(Councillor R. Aveley returned to the meeting).

**PB-6            SITE VISITS**

None.

The meeting ended at 6.40 p.m.

**Chairman:** .....

**Date:** .....

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 23<sup>rd</sup> June, 2010 at 6.00 p.m. at the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore (Chairman), D.G. Chaplin, J.A. Francis, G.M. Green, R.T. Kiernan, F.R. Picken, H. Rhodes and M.J. Smith

**ALSO PRESENT:** Councillor C.P.R. Mollett (for planning application W2010/0056)

#### **PB-7            MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on the 2<sup>nd</sup> June, 2010 be confirmed and signed by the Chairman.

#### **PB-8            APOLOGIES FOR ABSENCE**

None.

#### **PB-9            DECLARATIONS OF INTEREST**

None.

#### **PB-10          INTRODUCTION OF SPEAKING AT PLANS BOARD**

The Chairman introduced the Scheme for Public Speaking at Plans Board and briefly explained the procedure to be followed.

#### **PB-11          PLANNING APPLICATIONS FOR DETERMINATION**

(a)    W2010/0036 – Dawley Regeneration, Dawley, Telford, Shropshire

This was an outline planning application by Telford & Wrekin Council for a mixed used development with all matters reserved for later determination. The development was split into two phases and a masterplan had been submitted to illustrate a potential layout of development which would include the following as Phase 1:

- 3.2ha retail to include 0.17 ha of retail units comprising one supermarket and 3 smaller units, public realm, parking, planting and roads
- 10.77ha Phoenix secondary school to include building, hard and soft landscaping playing pitches and BMX track, parking 144 spaces and roads planting and wildlife habitat
- 0.8 footpath and junction works

The school was to be located on the western edge of Phase 1 and sited to create a link to the High Street. The building would be a maximum of 3 storeys with a variety of sports facilities including football, rugby, hockey and cricket pitches, athletics track, games courts and BMX track. The BMX track would

also be available for public and competition use. The supermarket would be located opposite the school, on the northern side of the new access road and, together with 3 new retail units, would be linked to and complement provision within the High Street. A car parking area was proposed to the east of the store.

Phase 2 would comprise:

- 9.28ha hard landscaping to include housing, parking, gardens and roads, to include 342 dwellings comprising of 56 x 2 bed, 228 x 3 bed, 44 x 4 bed and 44 x 5 bed houses.
- 11.24ha soft landscaping to include 4.29ha ecology park, buffer planting, open space and ponds

The residential development was for 20% affordable dwellings with a split of social rented and intermediate properties together with 80% open market dwellings. The housing was split into four character areas, Dawley Green, Dawley Lanes, Hinkshay Edge and Malinslee Mount, with two density levels proposed, as set out in the report. The ecology park was designed to function as both habitat for species and as passive recreation open space.

The proposal aimed to remediate and regenerate this area and Dawley and would provide a mixed use scheme to encourage growth and investment. It was proposed to create a sustainable neighbourhood with the use of a school to support and influence local regeneration. In addition it would improve links between Dawley and the Town Park and provide a mix of new dwellings consistent with Telford Growth Point objectives.

The application was subject to an Environmental Impact Assessment (EIA) and was accompanied by the supporting information listed in the report. The application had been advertised in the local press and on site as an application subject to an EIA and of major significance. In addition 450 immediate neighbours had been notified of the planning application and a Statement of Community Involvement had submitted.

With regard to the issues of ground gas, spontaneous combustion, material management plan, land contamination, dust mitigation and floodlighting, the information submitted was considered sufficient to understand their environmental impacts the Council's Environmental Health Officer had offered no objections subject to conditions relating to land contamination, dust management plans, lighting management plan and informative relating to need for permits under separate legislation.

The Council's Strategic Housing Officer considered that, whilst the proposal for 20% affordable housing was below policy requirements, it was supported by a housing viability study. However, given that the economic conditions could change over the length of the 10 year consent, he recommended that viability be reassessed and higher percentages sought if appropriate up to 38% in line with policy. The tenure mix of 80% social rented and 20% intermediate housing to include shared ownership was deemed acceptable.

The Council's Ecology Officer stated that there was a high botanical diversity across the site, as set out in the report, and a programme of off-site habitat creation restoration and enhancement was required to off-set the impacts of the development. The Council's Highways Engineers, after consideration and amendment of the plans to ensure that there was adequate land available for alterations to Portley Corner, had no objection to the proposal subject to appropriate conditions.

The Highways Agency had directed that planning permission should not be granted at this time, as insufficient information had been provided to ensure that the M54 trunk road continued to serve its purpose. Following the submission of additional information to the Agency, it had agreed that no further assessments were required at junctions 4 and 6 but that further capacity assessments be undertaken at Junction 5.

Great Dawley Parish Council had concerns over the loss of the footpath that ran from the bottom of the High Street to Langley Fold and had suggested a footpath be created across the school grounds. One letter of support had been received from the British Cycling Organisation stating that the standard of the proposed BMX track would enable it to be used for national and regional competition; a facility that was currently not available either within the Borough or the West Midlands region. Two letters of objection had been received local residents, as summarised in the report

Three additional letters of objection, a further letter of objection received from NJL Consulting on behalf of the Co-operative Group, and a letter of support had been received from Montagu Evans, as summarised in the update report tabled at the meeting. In response, the Planning Officer had commented that sufficient evidence had been provided by the applicants to adequately assess the retail impacts on the proposal on Dawley and other local centres. The update report also detailed the contribution of £85,278.13 sought by the Highways Engineer towards highway improvements in and around Telford Town Centre as the result of the 49 peak afternoon trips generated by the residential and retail elements of the development. Following the consideration of this additional information, an amended recommendation was set out in the update report.

The majority of the site was designated as Green Network and currently had informal open space and recreational uses, which this development sought to formalise and manage. Whilst, during redevelopment and construction work, there would be a loss of Green Network, the nature of the proposed development was largely consistent with its function with the retention of 23.05ha of the site as open space in a variety of uses, sports pitches, Ecology Park, buffer planting etc. The remainder of the development for the school building, retail and housing was of a community and economic benefit to regenerate Dawley District Centre and Malinslee and, thus, accorded with the exceptions policy for development within the Green Network.

An EIA had been undertaken and the proposed impacts of the development were described in the report. Officers considered that an appropriate level of mitigation both on and off site was proposed and would be controlled through

conditions. In addition a financial contribution was required for the creation and management of the Ecology Park and its long term monitoring.

The proposal would provide 0.72ha of soft informal and social space and 0.78ha of hard informal and social space in Phase 1, with 5.83ha of public open space including an Ecology Park and a NEAP in Phase 2 in line with the Wrekin Local Plan.

The report detailed the geotechnical issues arising from the site's former industrial uses which had left issues of land contamination. These activities disused mineshafts and some steep slopes, particularly around the perimeter of the site. The Council's Geotechnical Engineer and Environmental Engineers had considered the information submitted in the EIA Statement and were satisfied that these impacts could be adequately mitigated through the use of conditions to provide a safe and stable platform for future development. The proposed layout on the masterplan would ensure that there was adequate consideration given to the constraints of the site, i.e. mineshaft locations.

The proposal, as indicated on the masterplan, included the re-opening of a direct north-south link along New Street, the creation of a new link across the site from New Street to Oxford Road to the north as a major route for the school and supermarket. There would also be a number of smaller roads developed within the new housing development. The proposed school, supermarket and other retail uses, along with the opening up of New Street, would have impacts on the existing junction at Portley corner and the proposal included a scheme of improvements and re-alignment to improve the design and safety of this important junction, the exact details of which would be conditioned. They would also be required prior to the first operation of either the school, supermarket or housing, to ensure that the junction improvements were fully implemented before any part of the development, which would trigger more trip movements, was in use.

There were a number of existing formal and informal routes across the site, for pedestrians, cycles and horses. During construction work there would be minor adverse impact on users but these would be mitigated through the sign posting of alternative routes. The proposal would also include a number of footpaths, cycle ways and bridle ways, creating connections within the site and out to the wider area. However the footway link from High Street to Langley fold would not be retained. Whilst the route was well used, due to its steepness it was unsuitable for wheel chair and pushchair access and a new route was proposed around the athletics track and linking to the existing footpath to the rear of properties in New Street. It was proposed that the new school would occupy the site that this footway currently crossed and, whilst the building would have a wider community usage, access would be restricted at times for pupil safety, which would be incompatible with a footpath link.

The retail assessment undertaken had identified that Dawley was largely used for top-up shopping but there was sufficient growth potential arising from available expenditure capacity on the one hand, coupled with a need for improvements in Dawley to prevent further decline on the other, to justify this

proposal. A sequential test was required to be undertaken for new retail floor space in excess of 200 sq.m. in such an edge of centre location, as detailed in the report. The proposed retail development would contribute to social inclusion and improve choice and the supermarket would generate employment opportunities and reduce requirements for travelling further afield for regular shopping requirements. Officers were satisfied that the evidence provided by the applicant and supported by the Council's retail study, suggested that the proposal would not harm the vitality and viability of Dawley District Centre in terms of retail impact and accorded with local and national planning policy relating to retail planning considerations. The site was in close proximity to bus, pedestrian and cycle routes, and close to residential areas and would offer qualitative improvements to those living close by. Moreover, it would help deliver one of the Councils key objectives to regenerate Borough Towns, of which Dawley was one.

As the application was for outline planning permission, only the issue of the principles of design could be considered at this stage. There were four main facets to the proposal, housing, retail, school and open space. The Design and Access Statement sets out the design principles for each element as described in the report. Accordingly, it was considered that sufficient attention had been given to the development proposal from a design perspective and a design principles document would be secured via condition.

There were no significant sources of air pollution near the site and the road network did not experience significant traffic congestion. However, the excavation of soils on site was likely to generate dust, dependent on weather conditions and the affected area could extend to 200m. Given that residential properties were located within 50m of the excavation sites, a scheme of management was required to mitigate and manage the issue, which would involve measures of sprinklers and hoses, road and haul route cleaning, and wheel washing with monitoring before and during construction.

Background noise levels had been measured and were typical of residential areas. The site remediation works would require the excavation and capping of mineshafts and excavation and compaction of soils and, without mitigation, it was likely that noise levels would significantly breach acceptable levels for significant periods of time. This would be undertaken following best practicable means with stringent noise targets. A key part of this would be the setting of hours of operation to achieve a balance between the needs of residents and those of the developer and would be controlled through planning conditions.

This application was large scale and was intended for completion in two phases. Phase 1 was to start in 2010 but works on `Phase 2 would not be expected to start until after 2013 to allow for off-site ecological mitigation sites to be well established and for economic uncertainty. An extension of the timescale for 10 years would ensure that all reserved matters could be submitted without the outline expiring. Officers considered that this length of timescale was acceptable for the scale of development and, therefore, recommended a 10 year timescale.

The Board noted that the Council, as land owner, could not enter into a Section 106 Agreement with itself with regard to the planning obligations created by this development. Therefore, a memorandum of intention from the Head of Property & Design, setting out the financial and legal agreements, would be appropriate. The report set out the details for each phase and the contributions required, which had been subject to consultation and negotiation with relevant parties.

Mrs. M. Hall (member of the public) spoke against the application and James Dunn (Surveyor, Telford & Wrekin Council) spoke in favour of the application. In particular, Mrs. Hall expressed concern at the loss of the trees and the footpath on Paddock Mount and made reference to the money spent in recent years on improving the Phoenix School, which would be demolished as part of this proposal. James Dunn stressed the importance of the application in setting the building blocks for future generations of Dawley residents to live, play and be educated. In response to Mrs. Hall, he said that the recent science block would be retained within any new development.

Cllr G.M. Green sought clarification for the public that this was only an outline planning application and that the detailed design stage would be undertaken in conjunction with user groups. The Head of Planning & Transport responded that the Council, in seeking to reverse the decline of Dawley, had worked with the Dawley Regeneration Partnership and consulted local residents to develop sustainable regeneration for the future.

**RESOLVED – that with respect to planning application W2010/0036 the Head of Planning & Transport be authorised to grant outline planning permission subject to the withdrawal of the Highways Agency Holding Direction, the Council as landowner agreeing that the land would be bound by the following obligations: 20% affordable housing (subject to phased or periodic viability review up to a maximum contribution of 38%), £500,000 highways improvements to Portley Corner and £85,278.13 for highways contributions in and around Telford Town Centre, Public Art contribution of a maximum of £50,000, £15,000 for monitoring and enforcement of conditions and obligations, £172,000 for NEAP, £502,984 for primary education provision and sums of monies (exact figures to be determined on receipt of detailed schemes) for environmental contributions for maintenance of open space and off-site receptor site works and maintenance of new LEAP facility (all financial contributions subject to indexation) and subject to the 35 conditions and 9 informatives as set out in the main report.**

(b) W2010/0037 – Dawley Regeneration, Dawley, Telford, Shropshire

This was a full planning application by Telford & Wrekin Council for earthworks, drainage and infrastructure, as enabling works for the previous application, W2010/0036. The earthworks comprised the excavation of the spoil mounds and re-compacting to form a safe and stable development platform to facilitate future development and would include a cut and fill balance to minimise the requirement to dispose of materials off-site to landfill.

The Portley Corner mount was to be reduced in height by approximately 11m. and the Paddock Mount area was to be reduced in height by between 5.5 to 6m in height. The dip to the rear of the Lord Hill Public House was to be raised by approximately 2m, which would create a level development platform adjacent to Dawley High Street, with a gentle slope of 2m over approximately 80m. The area of land between Oxford Road and Langley fold to the east of Phase 1 currently had a natural dip and a slope from north to south. This was to have an infill of between 5 and 11m. which would result in a shallow slope rising from north with a development plateau and then a steeper slope with a level change of 13m over a length of 50m.

The proposal also included the creation of the 0.55km spine road which would be the principal route through the development connecting High Street and New Street with Oxford Road and would also be used for access during engineering works. A detailed planting schedule and habitat creation was also included in the proposal to be delivered following completion of the earthworks engineering.

Due to the nature of previous land uses of the site works were required to prepare the site before development could occur. This land reclamation included treatment of mineshafts, contaminated land and compaction to create suitably stable ground for future development. For the purposes of assessment against local plan policies, officers considered that, whilst the site was largely designated as Green Network, the long term benefit of these works in creating land which was ready for development purposes, were an exception on the basis of the associated environmental and community benefits.

The consultation responses and key issues and planning considerations relating to this application were as set out in (a) W2010/0036 above.

With regard to the dust issues, Members emphasised the importance of a Management Plan and the need for monitoring and adherence to the agreed working hours on the site.

**RESOLVED - that with respect to planning application W2010/0037 full planning permission be granted subject to the conditions as set out in the report.**

- (c) W2010/0056 – Greenhurst, 14 St. Luke's Road, Doseley, Telford, Shropshire

This application sought outline planning permission for the erection of three detached dwellings within the existing side garden land of Greenhurst. It was a resubmission of application W2007/1277, an extant outline planning permission with all matters except access reserved for a further application. Approval of the current application would enable the time limit for implementation of the scheme to be extended beyond November 2010. This application was a replacement of the extant W2007/1277 and included an indicative layout of the dwellings and garages and the position of a central vehicular access from St. Luke's Road to serve both the new development and

the existing property. Councillor C.P.R. Mollett had requested that the application be determined by the Plans Board.

In response to the 2007 application a Tree Preservation Order was made to protect a number of trees along the eastern boundary of the site. This application, although outline, indicated detached garages positioned well within the Root Protection Area (RPA) of these trees within the red edge of the site, and, therefore, the Arboricultural Officer required that there should be no soil level alterations, service installations, or material storage within the RPA.

One neighbour letter of objection had been received raising concerns that the proposal would adversely affect the character of the existing property and the area, lead to a loss of privacy, loss of wildlife, and damage to the root system of trees protected by TPO. In addition the vehicular access would mean the original boundary wall having to be removed and the additional traffic would be detrimental to highway safety.

The previous application was considered acceptable as the frontage development would be characteristic of the existing linear form of development so reinforcing the local distinctiveness, character and appearance of the area. The indicative layout demonstrated that three dwellings could be accommodated on the site without being detrimental to the protected trees. Furthermore, the site could be adequately drained with a suitable access whilst maintaining the character and appearance of the area.

The Highways Engineer had agreed the central position for the new access to serve the existing and proposed dwellings.

It was considered that the proposal accorded with the relevant national and local planning policies and the principle of residential development had been approved in 2007. The site was large enough to accommodate the properties and associated parking and amenity space and would not have a detrimental impact on adjoining residential amenities, highway safety or trees. Whilst the Arboricultural Officer had raised concerns, the layout was indicative and, therefore, this issue could be resolved at the reserved matters stage. The proposed residential development would be in keeping with the context of the area and of an appropriate scale and density.

Councillor C.P.R. Mollett, speaking on behalf of local residents, referred to the narrowness of St. Luke's Road and the dangers to road users, which would be exacerbated by this proposal. In addition, the density of the proposed development represented a substantial change to the extant planning permission. Three houses would be inserted on a single plot which, given the amount of development in Horsehay & Lightmoor, would not be to the benefit of local residents. Finally, he said that the character of the proposed development would be inconsistent with the existing properties.

Mrs. L. Butler (member of the public) restated the objections set out in the report and added that the existing boundary wall of Greenhurst was built of Broseley brick and should, therefore, be retained.

Mr. R. Field (the applicant) spoke in support of the proposal, in particular the extant planning permission for the site, which showed that the principle of development had already been accepted.

**RESOLVED** – that with respect to planning application W2010/0056 planning permission be granted subject to the conditions as set out in the report.

(d) W2010/0095 – 69 King Street, Wellington, Telford, Shropshire

The application sought planning permission for change of use from Public House (Use Class A4) to a Residential Institution (C3) with associated Café (A3) open to the public. There would be an integral kitchen, serving bar and seating area leading out on to the courtyard area to the rear. The residential institution would comprise 4no. en-suite bedrooms at ground and first floor level with communal kitchen and lounge facilities. This was an amendment to the previous planning permission (W2009/032) for change of use from Public House to Residential Institution. Councillor D.R. Chaplin, Ward Councillor had requested that the application be determined by the Plans Board.

Wellington Town Council had objected to the proposal on the basis that the property had no suitable parking facilities for delivery vehicles and clients of the proposed cafeteria. It considered that the historic use of the building as a public house had dwindled recently, in part because of the lack of client parking.

The change of use to residential accommodation would provide a 'stepping stone' from care provision to independent living with the applicants providing support from their property on the opposite side of King Street. The only change to the previous application was the incorporation of a café and alterations to the internal layout to accommodate the café facilities, along with the addition of external doors from King Street and the courtyard to the café area. The public house (A4 use class) could be converted to a café (A3) without the need for planning permission. The improved exterior of the building would have a positive impact on the character and appearance of the streetscene and the area and a potential improvement on residential amenity.

With regard to Wellington Town Council's concerns, the proposed use had to be considered in relation to the extant use of the building. Its previous use as a public house would have had delivery vehicles at the property and it was considered that the proposed café facilities would not exacerbate these and the Highways Engineer had raised no objections to the proposal. The scale of the business would be relatively modest forming a complementary function to the main use of the building as a residential institution and would provide the residents with the opportunity to utilise their cookery skills and interact with members of the public.

Whilst there was limited parking provision in the locality, the property was located within walking distance of the District Centre, public car parks, the railway and bus stations. Furthermore, the applicants hoped that much of the potential custom would be from students at New College together with residents

of nearby properties and, thus, it was not considered that the proposal would have an adverse impact on highway safety.

No hours of opening had been indicated on the application forms, therefore officers had suggested 8 a.m. to 6 p.m. with no restriction on days of the week, having regard to the previous use of the property as a public house.

Councillor D. Duce spoke on behalf of Wellington Town Council and reiterated its concerns, as set out in the report. Mr. P. McCarthy (applicant) addressed these concerns and explained that the community cafe would only be open at lunchtimes when there were not a lot of parked vehicles in the vicinity. The cafe would be low key with its main purpose being to provide employment and training opportunities rather than to make a profit. In addition, there would be no delivery vehicles as most of the provisions would be purchased by him and his wife. With regard to the loss of the Public House, he said that it had closed down due to the smoking ban and anti-social behaviour and local residents had signed a petition seeking its closure. In conclusion, he said that he saw his proposal as part of the regeneration of Wellington and would provide a useful social outcomes for vulnerable people.

Members welcomed the proposal, which was an innovative use of a redundant public house.

**RESOLVED** – that with regard to planning application W2010/0095 planning permission be granted subject to the conditions as set out in the report.

(e) W2010/0097 – 27-31 High Street, Wellington, Telford, Shropshire

This was an application to renew extant planning permission W2007/0536 which was a full application for the demolition of vacant shops, conversion of one building and erection of new buildings to create 12 residential units, including 4no. 1-bed units, 7no. 2-bed units and 1no. 3-bed unit. The proposal also included the provision of 12 parking spaces, cycle store and bin storage.

The scheme would retain no. 27, which was a three-storey building, whilst demolishing nos. 29 and 31, which were two storey buildings and would be replaced by three storey buildings on the same footprint. The design of this front extension continued the rhythm and proportions of the adjacent Locally Listed Building and was proportionate to the building, adjacent buildings and the surrounding character of the area.

The proposal also sought to construct a two-storey rear extension along the eastern boundary of the site. Following previous negotiations regarding the design of the block, the proposal now incorporated many of the features and proportions of the front block, to create a building which included many traditional features associated with Shropshire vernacular. It was, therefore, considered by officers that the design of the proposed scheme reinforced local distinctiveness and complied with Policies, UD2 and H6 of the Local Plan and CS15 of the Core Strategy.

The design of the rear extension would be blind backed development with no windows in close proximity to the flue of the adjacent hot food takeaway and no adverse issues of odour should affect future occupier's amenities. The scheme would also create small individual private gardens or balconies, which would provide more usable space and an acceptable level of amenity for future occupiers. As the site was adjoined by non-residential units to the north and west, there were no issues of overlooking or loss of privacy from windows or balconies.

The proposal would provide 2 on-site car parking spaces and, given the proximity of the site to the district centre, bus and train stations, and the ability for visitor parking on street, it was considered that the parking was acceptable and complied with Policy H6 of the Wrekin Local Plan.

Wellington Town Council had no objection subject to the provision of lay-by parking along the frontage by reducing the footpath width and the Council's Outdoor Recreational Officer had no objections subject to a suitable contribution for off-site recreational facilities.

The update report tabled at the meeting set out an amended recommendation to clarify the S106 Agreement.

Councillor H. Rhodes requested information as to which off-site recreational facilities would benefit from the S106 contribution and the Planning Officer explained that it would those situated in Victoria Road. Members welcomed the application as part of the regeneration of Wellington.

**RESOLVED – that with regard to planning application W2010/0097 the Head of Planning & Transport be authorised to grant full planning permission subject to the applicant entering into a Section 106 Agreement to provide financial contributions of £500 per dwelling (for 2+ bed units) towards the provision of off-site recreational facilities and subject to the 12 conditions and 5 informatives detailed in the main report.**

(f) W2010/0120 – Land north of Brookside Primary School, Beaconsfield, Brookside, Telford, Shropshire

This was an application by Telford & Wrekin Council for residential development with all matters reserved for later consideration. A zoning plan had been submitted which identified the maximum area for built development and that for access, parking and gardens. This plan showed an indicative layout with 8 properties with a mix of scale, size and style. There was a mix of parking arrangements demonstrated with on plot parking, garaging and a parking court adjacent to properties, providing at least 24 car parking spaces, which could be accommodated on this scale of development. The proposal was the first phase of a joint venture between the Council and the Homes & Communities Agency to bring forward sites for 100% affordable housing to meet local housing needs.

Brookside & Stirchley Parish Council had objected to the application, stating that the proposal was inappropriate for the area in terms of over-development, poor existing road infrastructure, parking pressures, road safety issues, restricted access for emergency vehicles, loss of open space and visual amenity. The Parish Council appreciated the need for housing but believed efforts should be directed towards the re-use of existing vacant properties. In addition, 22 letters of objection and a petition of 147 signatures had been submitted, as summarised in the report.

The site was designated as 'white' land within the Wrekin Local Plan, where development was permitted in principle. Policy H6 related to residential development within the built up area, which was to be supported if issues of access, parking, drainage, land contamination and stability, impact on adjacent properties, and design could be adequately addressed. Each of these issues was considered in the report to determine if the principle of residential development was acceptable.

With regard to Highways, the site currently included a car park with 9 spaces for the school and residents, which was well used especially for peak school periods. The Council's Highways Engineer had raised concerns that loss of this parking would have a detrimental impact on highway safety at peak school periods due to increased on-street parking. However, if the consent was restricted with a condition to ensure that at least 9 spaces were retained in any proposed layout, this would be sufficient to overcome these concerns. The master plan submitted with the proposal demonstrated that an acceptable layout of development could be accommodated on the site with adequate levels of parking provision and retention of the 9 existing spaces. Officers, therefore, recommended a condition for provision of at least 9 visitor spaces over and above the provision for new dwellings.

The site was an area of open space for informal play as well as car parking and objections had been raised over loss of play space. However, the play space, including MUGA, Skate Park, and playground adjacent to the school, was within the Green Network and this afforded sufficient protection to ensure that there was adequate long term play provision without the retention of this site.

The masterplan indicated that all of the trees on site would be removed. This was a matter of concern and a replacement planting scheme, to be secured by condition, would ensure that there was no long term adverse impact on ecology, and would soften the visual appearance of the site. The development, therefore, accorded with Policy CS11 of the Core Strategy and Policy OL11 of the Wrekin Local Plan

The masterplan indicated two development zones on the east and west of the site which would continue the building lines of the development of the surrounding area. The main difference from the surrounding Radburn estate was that this development had principal elevations facing out on to the road and footpaths to give natural surveillance of public spaces, rather than private spaces. Rear gardens could be located back to back to give clearly defined private spaces. This configuration would allow for a wide variety of affordable

housing types, of a scale which respected the character and appearance of the surrounding area. The location of the development zones would ensure that there was sufficient separation from existing and proposed dwellings to preserve residential amenities. The proposal accorded with Policy UD2 of the Wrekin Local Plan and CS15 of the Core Strategy.

The Council, as land owner, could not enter into a Section 106 Agreement with itself with regard to the planning obligations created by this development. Therefore, the provision of 100% affordable dwellings would be secured through a memorandum of intention. However, the sale of the land would require the new owners to enter into a Section 106 agreement. In addition to the affordable housing, there was to be a financial contribution of £600 per dwelling for maintenance and improvement of local leisure facilities and £1000 per dwelling contributions for local primary school education.

Gillian Bailey, Deputy Clerk of Stirchley & Brookside Parish Council reiterated the concerns summarised in the report. She requested that stringent controls be placed on the permitted hours of work and the delivery and heavy plant vehicles.

Mr. S. Parr (member of the public) said that not all the residents of Brookside had been informed of the process required to speak at Plans Board meetings and asked that determination of the item be deferred to allow all residents to attend. The Chairman responded that only one member of the public who objected to the proposal would have been allowed to speak on behalf of all the objectors. The Head of Planning & Transport said that the appropriate procedures had been followed but that these would be waived in this one instance to allow Mr. Parr to speak. At this point it was proposed by Councillor H. Rhodes and seconded by Councillor M.J. Smith that determination of the application be deferred. The subsequent vote was tied and the Chairman exercised his casting vote to reject the motion. The Council's Solicitor advised the Board that they could reconsider this decision once they had heard all the presentations.

Mr. Parr said that this was the last remaining green space in Brookside, and one that was adjacent to Brookside Primary School. He referred to the potential for anti-social behaviour from the proposed alley ways, the inadequate parking facilities, and the increase in housing density.

Mr. A.R.H. England requested that he be allowed to speak, as he had sent in an e-mail to that effect. The Chairman agreed to exercise his discretion and allow him to speak. Mr. England said that the principle of high density development, which had been current when Brookside was first developed, was no longer considered appropriate. Therefore, further high density development should not be approved and would not assist the regeneration of the area. There was a need for greater areas of open space to improve the quality of life of the local residents.

James Dunn, Surveyor for Telford & Wrekin Council, concluded the public speaking. He noted the concerns that had been raised regarding the anticipated

loss of car parking spaces but asked the Board to note that the masterplan submitted in support of the application showed a total of 22 spaces, 13 of which would be allocated to the proposed dwellings with the other 9 being available for public use, as was the current provision. In addition, to offset the loss of the green space, a contribution of £4,500 was sought to improve the NEAPs in the immediate vicinity. Finally, in response to the concerns raised regarding the proximity of the development site to the Primary School, the developers would be obliged to comply with all the relevant safety laws and regulations and the Council, as applicant, would accept restrictions on the hours of working. In conclusion, he said that the application would meet a much needed demand for affordable housing.

The Planning Officer added that the design of the proposal would provide improved surveillance and so reduce both actual and perceived opportunities for crime. Appropriate conditions relating to the hours of operation and management of the site could be added to the planning permission, if approved, to meet the objections put forward by the Parish Council.

Councillor H. Rhodes moved, seconded by Councillor G.M. Green that a site visit be made before the application was determined and this was unanimously agreed by the Board.

**RESOLVED – that determination of planning application W2010/0120 be deferred to allow the members of the Plans Board to make a site visit prior to the next meeting of the 14<sup>th</sup> July, 2010.**

(g) W2010/0129 – 234 The Tuckies, Jackfield, Telford, Shropshire

The application sought full planning permission for the erection of a detached house with a detached garage/studio and vehicular access on land adjacent to the above property on the site of the former Duke of Wellington Public House. The site was located within the Severn Gorge Conservation Area, Ironbridge Gorge World Heritage Site, and designated within the Green Network in the Wrekin Local Plan. The site, which was substantial, and had been cleared and the cellar of the former Public House uncovered and excavated; this would be retained and utilised as part of the proposal.

The Council's Highways Engineer had no objection in principle to the proposal subject to appropriate conditions. The Geotechnical Engineer's comments had been received and the update report tabled at the meeting listed the recommended conditions/informatives. In addition, the update report confirmed that the Ward Councillor, Councillor Louise Lomax, was supportive of development on this site.

Planning application W2008/0867 was refused on four grounds, as set out in the report. Subsequent discussions had taken place with the applicant to resolve these issues and further consideration had been given to the constraint created by the existing cellar structure which to some degree had limited the form of the footprint available

The design of the proposed building had been revised taking into account the previous objections regarding scale, massing, proportions and detailing. Whilst the building was still rather elongated due to the presence of the existing cellar and appeared prominent adjacent to the existing cottages due to its elevated position; the amended proposal had addressed the majority of the planning and conservation concerns and outstanding issues could be resolved by conditions.

With regard to the issue of the substandard visibility of the vehicular access, this had been resolved by repositioning the drive access following advice from the Highways Engineer to ensure the provision of the required visibility splays and other highways issues could be controlled by the imposition of conditions.

The additional information that had been provided with regard to flood risk was also considered to be sufficient and the outstanding drainage requirements could be dealt with by condition.

The Council's Geotechnical Engineer emphasised that the site lay generally within an area where land stability issues had arisen and which would need to be addressed through the imposition of additional conditions and informatives. It was considered that the submitted scheme had overcome the previous reasons for refusal and accorded with the relevant national and local planning policies. The proposed dwelling was considered acceptable in terms of the scale, design and form and would be in keeping with the context of the area and preserve the character and appearance of the Severn Gorge Conservation Area and the Ironbridge Gorge World Heritage Site. It had been demonstrated that the dwelling could be accommodated on the site, which could be adequately accessed with parking provision and private amenity space. In order to ensure proper control over the scale and design of the development and use of the garage/studio, restrictive conditions were proposed.

Mr. A. Williams (Agent for the Applicant) spoke in support of the application and referred to the discussions with the Planning Officers which had resulted in the previous reasons for refusal being overcome.

**RESOLVED – that with regard to planning application W2010/0129 the Head of Planning & Transport be authorised to issue planning permission subject to the conditions as set out in the report and to the imposition of additional conditions and informatives on matters raised in the update report.**

(h) W2010/0174 – Sutton Hill Centre, Sutton Hill, Telford, Shropshire

The proposal by Telford & Wrekin Council sought approval for the demolition of 19 residential dwellings and 26 garages to allow for the realignment of three access routes to create a linked highway network with a central square together with the relocation of some parking provision. In addition it was proposed to erect a supermarket with four residential units over, and a single storey adjoining hot food takeaway. The location of the new units would be on the site of the former Red Admiral public house. The proposal was a first phase application part of a regeneration plan for Sutton Hill, as part of a wider initiative

and partnership between Telford & Wrekin Council, the Homes and Community Agency, and Advantage West Midlands.

Other than the residential units over the shop, no replacement residential units were planned at this stage but it was intended that the layout created by this proposal would create development blocks for future residential development when the next phase came forward once the housing market had picked up. The sites of demolished properties would be cleared, seeded and fenced until future re-development took place. The report set out the consultation responses received.

Local centres provided a pivotal role in the creation of sustainable communities and the proposed construction of two new retail units, whilst being a reduction in the overall number and size of existing facilities, would continue to support the local community. One unit would combine the supermarket and post office with the separate hot food takeaway in the adjacent shop. Although the units would be smaller than the existing provision, the present space was under utilised and there was one vacant unit. The existing units would be retained and occupied during the construction phase to ensure continuity of services and business would be relocated on completion of the new premises.

The design of the new retail building was contemporary to reflect the modern nature of the surrounding development but was of a simple design and would be a focal point within the centre. The first floor would accommodate four self-contained residential units with a clear distinction between the retail element and residential above through the use of public art and window design. The scale and massing of the building was appropriate for this location and the design reinforced the local distinctiveness of the area. The modern design of the whole was further accentuated by use of “interesting” colour, graffiti panels and contemporary fencing design, helping to provide an ‘urban splash’ and interest. Accordingly, the development complied with Policies CS15 of the LDF and UD2 of the Wrekin Local Plan.

The report detailed the proposed highway and parking changes. The Council’s Highways Engineer was satisfied that the details provided were acceptable subject to issues of visibility and detailed design being dealt with through planning conditions.

The proposal would result in the loss of residential properties, which would usually be resisted where no replacements were proposed. However, in this case the majority of the properties were vacant and residents had been relocated into existing housing stock. The demolition was required to facilitate the realignment of the roads to incorporate natural safety features to reduce traffic speeds. In addition, the demolition and redevelopment of car parking provision would allow for future development of the site, for residential properties, in the later phase of regeneration in Sutton Hill. It was, therefore, considered that the short term loss of accommodation was for a wider community benefit and that the development plots created could, once developed, provide for more than adequate numbers of replacement dwellings. Where only part of a terraced row or garage block would be demolished, the

works would include re-facing exposed party walls to ensure that the character and appearance of the new wall was in keeping with the rest of the dwelling or garage. The vacant land created by the demolition of properties and garages which was not to be used for the new highway would be cleared, grassed over and then secured with fencing. The fencing would be 1.8 m in height and of a mesh design to allow visibility through the site whilst creating a secure space.

The new retail/residential development would front onto the existing open space, which was to be refurbished to create a link between the new and existing developments to create a heart to the local centre and reinforce the use of space. A number of attractive semi-mature trees along Stonegate were to be removed to allow for the realignment of the new road and a replacement landscaping scheme was proposed to ensure that visual amenities of the area were retained through appropriate conditions as recommended by the Council's Arboricultural officer.

**RESOLVED** – that with regard to planning application W2010/0174 planning permission be granted subject to the conditions as set out in the report.

**PB-12            SITE VISIT**

**RESOLVED** – that with respect to planning application W2010/0120 a site visit be made at 4.30 p.m. on Wednesday, 14<sup>th</sup> July, 2010.

The meeting ended at 7.40 p.m.

**Chairman:** .....

**Date:** .....

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 14<sup>th</sup> July, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore, J.A. Francis, D.R. Chaplin, G.M. Green, R.T. Kiernan (Vice-Chairman), F.R. Picken, H. Rhodes and M.J. Smith

**ALSO PRESENT:** Councillor S. Bentley (for planning application W2010/0108)

#### **PB-13      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on the 23<sup>rd</sup> June, 2010 be confirmed and signed by the Chairman.

#### **PB-14      APOLOGIES FOR ABSENCE**

None.

#### **PB-15      DECLARATIONS OF INTEREST**

None.

#### **PB-16      DEFERRED/WITHDRAWN APPLICATIONS**

The Chairman informed the Board that officers had requested that planning applications W2010/0133 and W2010/0134 be deferred as further conservation appraisal was being sought.

He further informed the Board that the applicant had withdrawn planning application W2010/0120.

**RESOLVED** – that determination of planning application W2010/0133 and W2010/0134 be deferred.

#### **PB-17      PLANNING APPLICATIONS FOR DETERMINATION**

- (a) W2010/1078 – The Stables Flat, Greenacre Farm, 13 Crudgington Green, Crudgington, Shropshire

The application sought planning permission for the erection of a detached double garage measuring 8m by 6m, 2.4m to the eaves and 5.7m to the ridge of the roof on the site of the former stable block, which had established residential use at first floor with ancillary use/storage at ground floor.

The application had originally been submitted to the Plans Board meeting on 31<sup>st</sup> March, 2010 but, following it being brought to officers' attention that the siting of the proposed garage would not be fully within the domestic curtilage of the property, as indicated on planning permission W2007/0506, the applicant had been requested to

submit a further application for the change of use of the agricultural land to residential in order to accommodate the proposed garage (application W2010/0279, was considered in conjunction with W2010/1078.) The planning considerations and recommendation for approval remained unchanged from March 2010 apart from an additional condition to restrict the use of the garage to parking and storage for The Stable Block and not to be a separate unit of accommodation.

The proposed scheme followed a previous refusal of planning permission for an attached garage with storage above with an archway over a reinstated drive access, as detailed in the report. This resubmission proposed a detached garage set back from the highway adjacent to the stable block with the existing hedgerow being maintained. The repositioning of the garage within the plot had addressed the previous highway objections.

Whilst the garage represented additional built form and was a relatively large structure within the rural area, officers considered, on balance, that the development was acceptable and had addressed the previous reasons for refusal. The development was appropriate in terms of the scale, design and form and reflected the character and appearance of built form within the former farm complex, thus being in keeping with the character of the area and conforming to national and local planning policy. Due to the rural location of the development, it was considered necessary to request samples of materials to ensure that the development was in keeping with the context of the existing buildings and enhanced the character and appearance of the rural area.

The update report tabled at the meeting set out the objections to the proposal made by Waters Upton Parish Council. Parish Councillors had had concerns regarding the development of the site over many years, as outlined in the report and they wished to make the Board aware of the inappropriate overdevelopment of the site. These concerns were reiterated to the Members by Parish Councillor Christopher Turves. Ms. Alison Sergeant of SBC Manby Bowdler spoke in support of the applicant. Officers noted the Parish Council's comments; however the change of use of land and associated application for garaging were considered modest in scale and did not constitute overdevelopment or adversely affect the character of the area.

**RESOLVED – that with regard to planning application W2010/1078 planning permission be granted subject to conditions as set out in the report and to a condition restricting the use of the garage to parking and storage for the Stable Block but not to be a separate unit of accommodation.**

(b) W2010/0201 – Plot 14, Park Court, Hadley, Telford, Shropshire

This was a Tree Preservation Order application for works to a large ash tree situated on this residential development site which was currently nearing completion. The applicants were concerned that, as the ash tree continued to grow, its future health could be put at risk due to its proximity to the dwelling at Plot 14 and, therefore sought approval for works to secure the future of the tree and the amenity it provided.

Hadley & Leegomery Parish Council had objected to the application on the grounds that the proposed significant reduction works could not be justified. They considered

that this matter should have been considered at the design stage of the development and, if necessary, the layout of the site adjusted to ensure that this mature tree could remain undisturbed.

The Council's Arboricultural Officer had inspected the tree and agreed that a maximum crown reduction of 25% would be acceptable rather than the 30% reduction originally proposed. The tree had two limbs that were over extended and growing towards the new dwelling and these could be removed to growth points to 50% of the overall length of the limb. He also recommended that the ivy growing on the tree be removed.

**RESOLVED – that with regard to planning application W2010/0201 Tree Preservation Consent be granted for a reduced amount of crown reduction to the Ash tree (25%) subject to the conditions as set out in the report.**

(c) W2010/0089 – Highfield House, 47 Wrekin Road, Wellington, Telford, Shropshire

The application by Telford & Wrekin Council sought full planning permission for the demolition of the modern flat-roofed extensions to this building, change of use to form 4 residential units, and the erection of 9 new residential units within the grounds together with associated landscaping and infrastructure. The existing vehicular access was to be retained with parking provision of integral garaging and a communal parking area with 12 spaces at the front of Highfield House to serve the flats and terraced properties. A further 3 spaces would be located in the central area of open space to the north of Plot 4.

The Council's Highways Engineer had no objection in principle but had expressed concerns that the proposed layout would not meet the Authority's adoptable road standards. The update report tabled at the meeting informed the Board that additional plans had now been submitted demonstrating the tracking for a refuse vehicle on the proposed layout plan with additional hammerhead areas, which would enable the access road to be adopted. The Highways Engineer had also advised that the standing space in front of the garages for units 10 and 11 should be a minimum of 5.5m; whilst did not appear to be the case on the architect's site plan the correct space was shown on the tracking drawing.

The Arboricultural Officer had also raised concerns that insufficient consideration had been given to the future growth of the trees and to their shading effects on the properties and the update report tabled at the meeting informed Members that he had further advised of concerns regarding the impact of alterations in the soil levels. The extension to the turning head was very close to the base of a large protected tree and it was likely that this could be damaged by large refuse vehicles. However this could be overcome by the installation of a barrier between the kerb edge and the tree stem. The protected trees would be retained and the position of the dwellings and garaging had been dictated by their positions to ensure that their amenity value to the area was maintained. In addition, the removal of permitted development rights would ensure no extensions or outbuildings were located within the Root Protection Area of the trees.

The Council's Parks & Open Space Officer had advised that all new developments should make full provision for the infrastructure/amenities and services which they created and had requested a sum of £600 per property to be provided prior to commencement of the development. The School Organisation Officer had requested that a contribution of £21,254 towards primary school facilities be provided. As the Council, as applicant, could not enter into a Section 106 Agreement with itself, these contributions had been confirmed by means of a memorandum and would be paid following completion of the sale of the site.

The principle of residential development had been accepted in pre-application discussions. Whilst the development did not meet the principles of the Green Network policies in that the site was being developed for market housing, substantial areas of green open space and the majority of trees were to be retained and there would be community benefits in the wider area through the release of funds to enable the redevelopment of the Civic Centre in Wellington.

Neighbour objections had been received relating to the scale of development, access arrangements and volume of traffic, privacy issues and retention of the trees, as set out in the report.

The application site was self-contained and located in a mixed residential area. Therefore, the layout, scale and design of the new properties were considered to be acceptable and materials could be conditioned to ensure the buildings were in keeping with Highfield House and the setting of the area. The principle of residential development was considered acceptable given its sustainable location close to services and facilities in Wellington District Centre. It was considered that the proposal would not have a detrimental impact on the residential amenities of adjoining properties or on highway safety. Furthermore the existing protected trees and majority of open space would be maintained which would preserve the character of the area and meet the aims of the Green Network.

**RESOLVED – that with regard to planning application W2010/0089 the Head of Planning & Transport be authorised to grant planning permission subject to written confirmation from Property & Design to provide financial contributions of £21,254 towards primary school facilities and £6,600 towards the upgrading of community use recreation facilities, to the resolution of the highways and arboricultural issues resulting from the submitted tracking plans, and to the conditions as set out in the update report.**

(d) W2010/0090 – 7 Hartshill Avenue, Oakengates, Telford, Shropshire

This application requested outline planning permission for the erection of a single dwelling on land adjacent to 7 Hartshill Avenue with all matters reserved for consideration at a later date, however, the proposed layout drawing indicated a rectangular footprint which respected the size and the building line of the neighbouring dwellings.

The site was designated as 'whiteland' on the Wrekin Local Plan proposals map and, subsequently, could be considered for residential development in accordance with Policy H6, which stated that housing development would be permitted on land under

0.4 hectares within the Telford built-up area when the site met the criteria set out in the report.

It was considered that a single unit could be accommodated on the site without adversely affecting the existing visual amenity and that adequate private amenity space and car parking could be provided for both the existing and proposed dwelling. The reserved matters application would deal with the design of the dwelling to ensure that it was appropriate in context. Given the separation distances of the existing dwellings and the indicative layout of the proposed dwelling, it was considered that there would be no adverse impact upon the residential amenity.

**RESOLVED** – that with respect to planning application W2010/0090 planning permission be granted subject to the conditions as set out in the report.

(e) W2010/0099 – Burton Borough School, Audley Avenue, Newport, Shropshire

This application by Telford & Wrekin Council sought planning permission for the erection of two sections of fencing and two automated pedestrian and vehicular gates at three points within the grounds of the school.

The proposed fencing comprised 2.1m green mesh steel fencing and a single and double set of automated gates between the front right (northern) corner of the school building and the adjacent cricket ground. In addition, a 2.1m high single gate would be installed between the left hand (southern) corner of the school building and the tennis court, and a 2.4m high section of green mesh fencing between the rear corner of the tennis court and the corner of the sports hall. The automated gates would be linked by intercom to the school reception and staff members would be provided with proximity tags to open the gates.

The green gates and fencing would match the existing boundary treatment at the school and, as such, would not appear out of character and have no adverse impact upon the visual amenity of the area. The proposed development would improve the security of the building and the safety of staff and pupils and have no detrimental effect upon highway safety.

**RESOLVED** – that with respect to planning application W2010/0099 planning permission be granted subject to the conditions as set out in the report.

(f) W2010/0105 – Apley Woods Dovecote, Apley, Telford, Shropshire

This was an application by Telford & Wrekin Council for planning permission to replace the existing door on the Dovecote, which dated back to the early/middle eighteenth century. It was a square brick building, two storeys in height, with a pyramidal plain tile roof surmounted by a lantern dating from the 1980s. The ground floor entrance was a large semi-circular brick arch currently boarded up with a poor quality plywood door. It was noted that unauthorised works had been carried out on to the building prior to application, being principally the re-pointing of the brick arch headers in cement mortar. As this was physically harmful to the building, it would need to be removed and re-pointed with lime mortar. Therefore, an appropriate informative should be attached to any planning approval. A Listed Building Consent

application had also been submitted, which would be determined following determination of this application.

The existing door was wholly inappropriate and detracted from the historic interest and importance of this Listed Building and its replacement would comprise a bespoke steel gate with an oak door behind. It would be hung on the original hinge post with a latch styled on a medieval shoot bolt which respected the appearance of the hinges. The door furniture would be finished in black powder coating and the timber would be treated with linseed oil. This style and design had been discussed with the Council's Conservation Officer prior to the submission of the applications. Whilst the Local Planning Authority accepted that this is not a re-instatement of the original door, the high quality of the design and construction method and the clear improvement to the appearance of the building outweighed any concerns in this respect. Additionally, the works would allow for the active re-use of the structure for the purpose of a general store for the Apley Woods community groups.

**RESOLVED** – that with regard to planning application W2010/0105 planning permission be granted subject to the conditions as set out in the report, and to an appropriate informative.

(g) W2010/0108 – Crescent Farm, Waters Upton, Telford, Shropshire

The application sought planning permission for the erection of a two-bedroom bungalow with a detached garage on a site comprising an existing brick, timber and corrugated outbuilding and small enclosed grassed area, bounded by a listed sandstone wall and metal gate. The application site was accessed from a narrow farm track and was approximately 25m from the main highway, adjacent to the cowsheds to the north and to a Grade II Listed 16<sup>th</sup>/17<sup>th</sup> Century timber framed barn to the west, which was currently being renovated and converted to residential use.

The Conservation Officer had raised no objections following receipt of amended plans, which had addressed and clarified previous concerns, and had requested conditions regarding details to be submitted and sample materials to be agreed, and the retention of the sandstone boundary walls. The Arboricultural Officer had requested conditions should be imposed for a crown lift of the sycamore tree on the site, plans outlining service runs, tree protection and details of the wall reconstruction with regard to mortar types and method adopted. In addition, other trees along the access might require crown lifting to facilitate high sided vehicle access. The Environmental Planner had recommended informatives regarding the trees, bats and birds on the site, as set out in the report.

Whilst the threshold of 170 dwellings in the rural area had already been exceeded, Waters Upton was one of the key service centres in the rural area identified to receive new housing. It was also noted that housing numbers specified for the Borough within the West Midlands Regional Spatial Strategy no longer held any weight in decision making following the Government's statement of 27<sup>th</sup> May 2010. The site was considered to be a suitable infill plot within the centre of the village within an existing built up frontage and would be large enough to accommodate the proposed modest bungalow. There would be sufficient amenity space and parking provision to the property and the proposal would not have an adverse impact on

adjoining residential amenity. The site could also be adequately drained and accessed without prejudicing the safety of highway users.

Whilst it was noted that the Parish Council have raised concerns regarding the original design, amended plans had been submitted following discussions between the Agent and the Conservation Officer. The amendments included simplified fenestration, reduction in the size of windows, the addition of a lantern detail to provide natural ventilation and light, and the use of local red sandstone. In addition, the applicant intended to retain and make good the existing stone wall. Therefore, the proposal was considered appropriate to the character and appearance of the area and would not affect the setting of the adjoining listed buildings and other historic properties.

With regard to the Arboricultural Officer's concerns, whilst the proposal would lead to the loss of a tree and the position of the tree to be retained was closer to the boundary wall than indicated on the site layout, the proposed tree works and tree protection methods, etc. could adequately be controlled by condition.

Councillor S. Bentley, Ward Member, spoke in support of the application and assured the Board that the applicant would adhere to all requirements of the planning permission.

**RESOLVED** – that with regard to planning application W2010/0108 planning permission be granted subject to the conditions as set out in the report.

- (h) TW2010/0248 – Town Park, Hinkshay Road, Malinslee, Telford, Shropshire  
TW2010/0249 – Mannerly Wood, Rock Road, Ketley, Telford, Shropshire  
TW2010/0250 – Rough Park, Woodside Avenue, Woodside, Telford, Shropshire  
TWC2010/0251 – Land South of M54, Rock Road, Ketley, Telford, Shropshire

These four applications had been submitted by Telford & Wrekin Council following the granting of outline planning permission by the Board at its meeting on 23<sup>rd</sup> June, 2010 for the regeneration works for Dawley and Malinslee. These included substantial earthworks, remediation of the land and treatment of mineshafts, and would have significant impacts on the ecology with the total loss of vegetation and species. The Environmental Impact Assessment which accompanied the outline application had considered options to avoid, reduce or offset these impacts to comply with relevant legislation and would require off site compensation as several species would require translocation to suitable habitats on receptor sites.

Eight suitable receptor sites had been identified but only four required planning permission due to the scale of the earthworks to create ponds and mounds, etc. These receptor sites needed work to be carried out to create new or enhanced habitats which were to be established prior to the loss of the existing habitat.

It was considered that the proposed works would not have an adverse impact on the amenities of occupiers of nearby properties given their distance from the proposed sites and the adequate mitigation of noise or dust impact during the construction works. In the long term their visual amenities would be enhanced through the

development and the schemes would have a positive impact on the area in terms of visual amenity and environmental benefits and accorded with the aims and principles of the Green Network.

#### Town Park, Hinkshay Road, Malinslee, Telford, Shropshire

This application was for the creation of three habitat ponds with maximum measurements of 10m long by 5m wide by 0.9m deep together with four ephemeral ponds roughly round in shape and 3.7m wide with a depth of 0.3m.

Stirchley & Brookside Parish Council had been unable to comment on the application as its Councillors considered that they had not been able to view the application in sufficient detail. The Planning Officer had responded that this was one of four similar applications and other Parish Councils had been able to view and comment on the submitted drawings without difficulty.

Shropshire Wildlife Trust and the Council's Ecology Officer both welcomed the ecological enhancements proposed and felt that, on balance they could compensate for the impacts associated with the development of the Dawley and Malinslee Regeneration Project site. The Wildlife Trust had commented that 20 years as considered the minimum acceptable period for management and monitoring and should be secured through planning obligations. In addition, at least one site should be designated as a Local Nature Reserve and all sites should be included in the Telford & Wrekin Green Infrastructure Strategy. The Planning Officer responded that the management and monitoring of these receptor sites was controlled through conditions and obligations relating to the regeneration scheme TWC/2010/0036, and did not require further control on each individual application. With regards to designations, this could only occur on sites in that use and of a suitable standard, therefore consideration of designation would be undertaken in due course following completion of the works. The Council's Ecology Officer had commented that habitat works should be carried out at the appropriate time of year under supervision from a qualified ecologist and should be managed for biodiversity in accordance with a management plan and protected from future development. The Planning Officer responded that this would be controlled through conditions and obligations attached to the outline consent TWC/2010/0036 but an informative relating to timing, supervision and lined to the outline was considered appropriate to make the decision document transparent. Further comments had been received from statutory consultees who supported the proposal subject to additional conditions and informatives.

#### Mannerly Wood, Rock Road, Ketley, Telford, Shropshire

This application was for the creation of new habitats and a new ephemeral pool roughly round in shape and approximately 3.7m wide, with an overall depth of 0.3m and the import of spoil to re-grade the existing mound changing levels with a maximum increase in 1.5m and to cover some existing hardstanding to create habitat for dingy skippers. The update report tabled at the meeting informed the Board that an amended plan had been received following comments from the Council's Geotechnical Engineer and would ensure that the imported material would be sited to provide a 20m standoff from the unrecorded mineshaft. The

Geotechnical Engineer was satisfied with this amendment and had recommended informatives 16 and 19 relating to minerals areas and land contamination.

The comments from Shropshire Wildlife Trust and the Council's Ecology Officer were as for the Town Park application. The Council's Environmental Health Officer had commented that the proposed development was situated over a former licensed landfill site. 1450m<sup>3</sup> of colliery spoil from the Dawley regeneration site would be imported for use on the site and would need to be chemically tested to ensure its suitability for use. He had also requested that site operations and reporting should be carried out in accordance with relevant guidance and legislation and construction hours of working should be restricted to 08:00 am to 17:00 Monday to Friday in order to prevent noise nuisance at local residential receptors. The Planning Officer had commented that the works were acceptable subject to testing which could be secured through conditions together with hours of working during the construction period. An informative was recommended to cover safety issues whilst working as this was a former landfill site. Further comments had been received from statutory consultees who supported the proposal subject to additional conditions and informatives.

#### Rough Park, Woodside Avenue, Woodside, Telford, Shropshire

This application was for the creation of three habitat ponds with maximum measurements of 13m long by 6m wide by 0.9m deep, 6m wide by 14m long by 0.9m deep, 6m wide by 10m long by 0.9m deep, and four habitat ditches all 2m wide and 0.6m depth, and 24m, 25m, 34m and 35m long respectively. In addition, there would be three ephemeral ponds roughly round in shape and 3.7m wide with a depth of 0.3m.

Madeley Parish Council had indicated its support for the proposal. The comments from the Shropshire Wildlife Trust and the Council's Ecology Officer were as for the previous applications. Further comments had been received from statutory consultees who supported the proposal subject to additional conditions and informatives.

#### (i) Land south of M54, Rock Road, Ketley, Telford, Shropshire

This application was for the creation of three habitat ponds with maximum measurements of 5m wide, 10m long and 0.9m deep, six ephemeral ponds to be roughly round with a width of 3.7m and 2 mounds with a maximum measurements of height of 1.2m, length of 40m and width of 22m to create south facing slopes for dingy skipper habitat using imported spoil from the Dawley site.

Lawley & Overdale Parish Council had queried the kind of spoil to be used, the security fencing during works and timing of works for minimal disruption for local residents, particularly given that Rock Road was to be resurfaced in August. The Planning Officer responded that the imported soil would come from the Dawley site and would be subject to appropriate treatments, the specific details of which were covered under the outline application TWC/2010/0036. This soil would be suitable for the Dingy Skipper habitat.

The comments from the Shropshire Wildlife Trust and the Council's Ecology Officer were as for the previous applications. Further comments had been received from statutory consultees who supported the proposal subject to additional conditions and informatives.

**RESOLVED** – that with regard to planning applications **TWC2010/0248/02480250 and 0251** planning permission be granted subject to the conditions and informatives as set out in the update reports.

- (j) W2010/0258 – Lilleshall County Primary School, Limekiln Lane, Lilleshall, Newport, Shropshire

This planning application by Telford & Wrekin Council was for the erection of a single storey rear extension, the relocation of an existing fence, and the replacement of two existing windows with new double glazed windows. The extension would provide a general purpose classroom, measuring 6.87 metres long by 4.77 metres wide, on a site that was currently part of an open courtyard. External materials would comprise brown bricks and roof tiles that matched the materials used on the existing building. The windows and doors would be aluminium double glazed and powder coated and white in colour. Two single glazed windows in an adjacent existing classroom were to be replaced with aluminium double glazed and powder coated windows, also white in colour. These would be in the same position as the existing windows and of an identical shape and size.

The proposed extension would be located 20 metres from the school's site boundary and 50 metres away from the nearest residential property. The relocated 1m. high picket-style fence would allow the school garden area to be extended and enlarged. It would be moved 3 metres further away from the school building but would not encroach into any existing playing field or sports pitch.

It was considered that the design and appearance of the extension would not be detrimental to the character and appearance of the school building or to the surrounding area. The development would not adversely affect the residential amenities of any dwellings in the vicinity of the school by virtue of any overlooking, loss of light, or any overbearing effect.

**RESOLVED** – that with regard to planning application **W2010/0258** planning permission be granted subject to the conditions as set out in the report.

- (k) W2010/0279 – The Stables Flat, Greenacre Farm, 13 Crudgington Green, Crudgington, Shropshire

This application was considered in conjunction with planning application W2010/1078 (see (a) above).

**RESOLVED** – that with regard to planning application **W2010/0279** planning permission be granted subject to the conditions as set out in the report.

**PB-18**      **SITE VISITS**

None.

**PB-19      URGENCY RESOLUTION – SECTION 100B(4), LOCAL GOVERNMENT ACT 1972**

The Chairman of the meeting made the following statement:

“I am of the opinion that the following items of business should be dealt with as a matter of urgency at this meeting in order to avoid any unnecessary delay.”

**PB-20      PLANNING APPLICATION W2010/0172 – LAND ADJACENT TO 78 WELLINGTON ROAD, LILLESALL, SHROPSHIRE**

This application sought planning permission for a change of use from garden land to provide allotment plots together with the erection of fencing and sheds and the provision of a new vehicular access and 3 parking spaces. 35 allotment plots, 25 measuring approximately 20 x 10m and 10 measuring approximately 10 x 5m, would be provided all with 1.8 x 1.3m timber ship lap sheds. Alterations to the existing gated access included a small area of hedge removal and its replacement with 2m high black vertical bar railings and matching double gates. The drawings indicated a hardstanding access road leading to 3 parking spaces and a possible water stand pipe within the site.

The land was currently under-utilised and the Habitat Survey had concluded that the site was not significant from a biodiversity point of view. However, the creation of allotments could present opportunities to enhance the site for the benefit of wildlife as well as its users. The Habitat Survey had included a list of recommendations including improvements and times when the work should be carried out and the application would be referred to an appropriate condition.

In accordance with the principles of sustainable development community facilities should, preferably, be located within District or Local Centres. However, it was recognised that was not always possible, in which case the applicant needed to demonstrate that a sequential approach to site selection had been followed. The applicant had confirmed that there was a waiting list of 44 potential tenants and had satisfactorily demonstrated that the site was the best/only site available in the area. In addition, the site was on a bus route and, once the allotments were in operation, there would opportunities for car sharing amongst the tenants.

Based upon the submitted application, the Highways Engineer had no objections to the principle of off-road parking and, following peak time traffic counts, meant it was not possible to object on any particular highway safety grounds, as set out in the report. In addition, the Parish Council had advised that the tenancy agreements would contain a clause whereby users' vehicles must not obstruct the properties of adjacent residents or access to the farmer's fields otherwise they might be revoked. The site was well screened by the existing hedge and, therefore, the proposed change of use would have no significant impact upon the visual quality of the area. As a result it was deemed necessary to impose a condition to retain the hedging.

Comments raised by nearby residents had been noted but it was considered that these did not justify a refusal of the application which could be successfully substantiated at a subsequent Appeal.

**RESOLVED** – that with regard to planning application W2010/0172 planning permission be granted subject to the conditions as set out in the report.

**PB-21**            **PLANNING APPLICATION W2010/0235 – THE LORD HILL INN,  
DAWLEY HIGH STREET, DAWLEY, TELFORD, SHROPSHIRE**

This application by Telford & Wrekin Council was for full planning permission for the permanent change of use of the first floor of the Lord Hill Public House from A4 (Drinking Establishment) to C3 (Dwelling Houses) with the creation of a new separate access at the rear of the building.

The redevelopment of the Lord Hill Public House was part of the wider regeneration scheme for Dawley and Malinslee and, at its meeting on 2<sup>nd</sup> June, 2010, the Board had granted outline planning permission for the retention of this Local Interest Building. In addition, at its meeting on 31<sup>st</sup> March, 2010 the Board had granted a temporary change to office use for two years to enable the building to be used as a base from which to manage the regeneration and works to Dawley High Street and the use proposed under the current application was intended for implementation following expiry of the business use in two year's time.

The ground floor of the building, following the end of the temporary use, would revert back to A4 use. The upper floor prior to the temporary consent was residential accommodation but ancillary to the public house use and this proposal for self-contained accommodation would allow a greater flexibility in securing long term occupancy of the building. No external private amenity space was proposed as it could not be integrated with the wider regeneration layout and it was common for properties in centre locations not to have gardens. In the long term the property would benefit from being in short walking distance of the new nature park and recreational and leisure spaces created by the wider regeneration scheme, and there would be no detriment to the occupier in terms of ability to access open space.

There was existing parking associated with the building and the wider master plan indicated 3 small retail units and a public square to the rear of the Lord Hill Public House in place of the current parking provision. New parking was expected to be provided to the rear of the retail units which could be utilised by occupants/users of the Lord Hill Public House. As this use was not expected to be implemented for at least two years, there would be adequate opportunity to provide the new car parking prior to occupation, which would be secured through conditions.

There would be no external alternations to the building and, therefore, no adverse impact on the character and appearance of the building. The proposal would have no adverse impact on the amenities of the adjacent properties. No objections or comments had been received during the consultation period.

**RESOLVED** – that with regard to planning application W2010/0235 planning permission be granted subject to the conditions as set out in the report.

The meeting ended at 6.58 p.m.

**Chairman:** .....

**Date:** .....

## **PLANS BOARD**

### **Minutes of a meeting of the Plans Board held on Wednesday, 25<sup>th</sup> August, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors N.A. Dugmore, R. Aveley (substitute for Councillor R.T. Kiernan), D.R. Chaplin, J.A. Francis, F.R. Picken, C.F. Smith (substitute for Councillor H. Rhodes) and K.L. Tomlinson (substitute for Councillor G.M. Green)

#### **PB-28      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Plans Board held on the 4<sup>th</sup> August, 2010 be confirmed and signed by the Chairman.

#### **PB-29      APOLOGIES FOR ABSENCE**

Councillors G.M. Green, R.T. Kiernan, H. Rhodes and M.J. Smith

#### **PB-30      DECLARATIONS OF INTEREST**

None.

#### **PB-31      DEFERRED/WITHDRAWN APPLICATIONS**

None.

#### **PB-32      SITE VISITS**

None.

#### **PB-33      PLANNING APPLICATIONS FOR DETERMINATION**

##### **(a)      TWC/2010/0133 – Watkins Nursery, Apley Castle, Telford, Shropshire**

This application and the accompanying Listed Building application (TWC/2010/0134), related to the erection of two dwellings and the demolition of a 4.1 metre section of the wall of the former garden of Apley Castle to allow vehicular access. The applications had been submitted to the Board meeting of 14<sup>th</sup> July 2010 but deferred to allow a Conservation Appraisal to be undertaken. Councillor K.L. Blundell, the Ward Member, had requested that the applications be determined by the Plans Board.

The two houses, which would face each other, were identical in design and appearance both being two-storey four-bedroom houses with an attached single garage and additional parking on the driveways. They matched in style and appearance those that had already been approved within the walled garden. Following the comments and objections made regarding the access into the woodland when it was first proposed to erect a 900mm high metal fence along the remainder of the site boundary, it was now proposed that the rear gardens would be

enclosed by 1.8 metre high walls. The stability of the listed wall would be protected by the introduction of piers to the inner face adjacent to the opening and the salvaged bricks from the demolition would be re-used to replace damaged areas of brickwork elsewhere in the wall. Amended plans had been submitted showing a 4.1m wide and 3m high archway.

Councillor Blundell had objected to the application on the grounds that a further breach of the wall would detract from its appearance, affect its character and the view from inside Apley Woods and, as a listed structure, should be afforded protection. Objections had also been submitted by local residents and Hadley & Leegomery Parish Council, as summarised in the report.

The Council's Arboricultural Officer had objected to the application on the grounds that the trees bordering the application site would create heavy shading on the proposed houses with resultant pressures from the residents to prune them. The Council's Environmental Maintenance Officer had objected on the grounds that the application would encourage the use of an area of Apley Woods which people were being discouraged from using for conservation reasons. Shropshire Wildlife Trust had objected to the application on the grounds of the degradation of an area of green space which was already grappling with issues of visitor pressure and considered that the proposals offer any no mitigation measures or enhancements to offset these negative impacts.

The Council's Conservation Officer had commented that the amended scheme was an improvement on the original proposal as the effect on the integrity of the listed wall and enclosure was reduced by a sense of continuation of the upper part of the wall structure. However, she considered that a narrower access through the wall of only one vehicular width rather two would be preferable as that would further reduce any impact and reflect, to a certain degree, the existing pedestrian openings along the wall. Furthermore, she had no objections to the proposed development in terms of its design, appearance, form, scale, massing, proportions, details, and materials.

However, following further research, planning officers had concerns regarding the demolition of 4.1m of the wall. Planning permission and Listed Building Consent had previously been granted for the erection of 18 dwellings within the walled garden (W2010/0011), but with an amended access along the western wall, which had been considered more acceptable, and, on the basis that the scheme was an enabling development, with a condition that the existing listed wall be repaired in order to safeguard it for the future. The Design & Access Statement for the current application made reference to the proposed development enhancing the fabric of the wall whilst retaining and improving its setting but officers considered that the significant physical alteration to the wall, with the new vehicular opening, effectively forming a continuation of the housing development inside the wall. The Listed structure would, therefore, not be enhanced but would lose its integrity as a complete enclosing structure and its intrinsic character would be compromised. As a result, the development of the site could only be supported if an alternative means of access could be provided outside the walls and if all other planning considerations were acceptable.

Subsequent to the publication of the agenda, the applicant had submitted amended plans showing a 2.6m opening with the height of the proposed archway remaining at 3m. This would provide a single car width vehicular link from the approved housing development within the walled garden and sought to allay concerns regarding the creation of an additional incursion into the fabric of the historic wall.

The Conservation Officer considered that the narrower opening to serve the two dwellings went some way towards retaining the overall integrity of the historic wall but had stated that care would be required on the way in which the incursion was executed in terms of materials, workmanship, etc. Whilst approval had been given for access through the listed wall under W2010/011, this had been due to the extent of the physical changes over time to the front of the wall. However, that had left the rear wall as the most important aspect and its retention as a continuous enclosure was considered highly desirable to retain its integrity and historic and conservation value.

Colin Potts, Clerk, detailed the objections of Hadley & Leegomery Parish Council to the applications on the grounds of the proposed demolition of part of the listed wall, the erection of two dwellings, and the unacceptable impact upon the surrounding environment. These views were strongly supported by Councillor Karen Blundell and by Mrs. Dorothy Hughes on behalf of the Apley Castle residents. In support of the application, Howard Thorn on behalf of Shropshire Homes, referred to their record of successful conservation projects within Telford & Wrekin and their close working relationship with Planning and Conservation Officers, as had been the case with these applications. He drew the Board's attention to the amended, narrower access archway, which would much reduce the impact upon the listed wall, and to which the Conservation Officer had raised no objections.

In response the Planning Officer acknowledged that the original recommendations made to the Board at its meeting on 14<sup>th</sup> July, 2010 had been that the applications be approved. However, in view of the issues raised by objectors, consideration of the applications had been deferred to allow a full Conservation Appraisal to be undertaken. In addition, the applicant had sought to minimise the impact on the listed wall by reducing the opening to an archway only 2.6m in width.

He advised the Board that, in determining the application, they needed to be mindful that, as 'white land', residential development was acceptable in principle. In addition, the site was within the Telford boundary and, being under 0.4 hectare, could be classified as a windfall site in accordance with Policy H6 of the Wrekin Local Plan. Therefore, the only grounds for refusal would be that of the demolition of a further stretch of the listed wall, the impact upon the setting of the adjacent listed building, and the need to ensure that the historic character of the wall and surrounding area was safeguarded. He acknowledged that the Conservation Officer was prepared to support the application but drew the Board's attention to the comments in the update report, as cited above, regarding the importance of the rear portion of the listed wall. In addition, he referred to the objections received from the Council's Arboricultural and Environmental Maintenance Officers and the Shropshire Wildlife Trust relating to the additional pressures that this development would place upon Apley Woods. In conclusion, Planning Officers were of the opinion that any further demolition of the

listed wall would compromise its integrity, do little to enhance its conservation value or maintain its original purpose as a continuous enclosure.

Councillor Smith supported the recommendation for refusal as he considered it would be inappropriate to demolish part of a listed wall and the development as a whole would have a detrimental impact on the view from Apley Woods. A number of members of the Board supported his comments. The Head of Planning advised the Board that, while discussions held over a period time had led to this revised submission, in determining the application it was necessary to recognise the Local Planning Authority's duties with regard to preserving the historic character of the listed wall; its retention in forming a continuous enclosure was considered to be an essential part of that character.

**RESOLVED** – that planning application TWC/2010/0133 be refused planning permission on the following grounds:

- 1. The Local Planning Authority considered that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which was a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development was therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.**

(b) TWC/2010/0134 – Watkins Nursery, Apley Castle, Telford, Shropshire

This application for Listed Building Consent was considered in conjunction with planning application TWC/2010/0134.

**RESOLVED** – that planning application TWC/2010/0134 be refused Listed Building Consent on the following grounds:

- 1. The Local Planning Authority considered that the demolition of part of the wall of the former walled garden of Apley Castle to provide vehicular access to the proposed development would have a detrimental impact on the appearance of the wall, which was a Grade II Listed structure, and would have an adverse effect on the prevailing integrity and intrinsic character of the structure. The proposed development was therefore contrary to PPS5, Policy HE15 of the Wrekin Local Plan, and Policy CS14 of the LDF Core Strategy.**

(c) TWC/2010/0302 – St. Mary's R.C. Primary School, Coronation Crescent, Madeley, Telford, Shropshire

This was an application by Telford & Wrekin Council for a new boundary fence to improve security in the school grounds. The proposed fence would be a metal vertical bar 'single point' type to a height of 1.8 metres and 2.1 metres in part and finished in green. There were existing green-painted 1.8 metre metal fencing and security gates at the school entrance.

The school grounds and the adjoining Silkin Way footpath were situated within the Green Network and consideration needed to be given to the visual impact of the fence on the amenities of the surrounding area. The lower fence height of 1.8 metres was considered appropriate for the west boundary of the playing fields adjoining Coronation Crescent. The new fence would be positioned in front of the hedge where it would have some impact due to it being of slightly greater height. However, the hedge would be retained and, overall, it was considered that the appearance would be acceptable. The 2.1 metre fence would be located on the north side and part of the eastern boundary at the foot of the landscaped bank adjoining the Silkin Way, where it would be relatively unobtrusive.

**RESOLVED** – that with regard to planning application TWC/2010/0302 planning permission be granted subject to the conditions as set out in the report.

(d) TWC/2010/0349 - Town Park, Hinkshay Road, Malinslee, Telford, Shropshire

This application by Telford & Wrekin Council sought approval for the creation of a new single storey Visitor Centre (use class sui generis) to replace the existing facilities at Spout Farm House, which were proposed for demolition to facilitate the Southwater redevelopment scheme. The new building was part of a wider project within the Town Park for improvements to facilities and attractions.

The building would be a single storey wooden structure, with off-white panels, and measuring a maximum of 19.3m by 18.3m. Phase 1 of the scheme would comprise toilets and baby changing facilities, an information desk, café/refreshments area, staff room and office with phase 2 providing an educational space and bicycle hire facility. The development had a phasing option to allow for flexibility with the funding options.

The Council's Geotechnical Engineer had raised no objections to the proposal subject to the inclusion of Informatives I17 Minerals Area and I20 contaminated land. Further comments had also been received from statutory consultees in support of the proposal.

The proposed building would be sited within the green network but would enhance the role of the Town Park as a valuable sports, recreation, open space, ecology and leisure asset and provide a facility for both the local and wider community and other visitors to the park. It was, therefore, considered that these benefits were sufficient to mitigate the limited impact of the new structure and would offer complimentary services to its function in accordance with 'saved' policies OL3 OL4 and OL5 of the Wrekin Local Plan. In addition, as it would be sited close to the main visitor attractions, within walking distance of the Town Centre, and with a number of adjacent footways and cycle routes and a reasonable level of adjacent car parking provision, it would accord with Policies LR1 of the Wrekin Local Plan and CS4 and CS10 of the Core Strategy.

The scale, mass, design and siting of the building had been carefully chosen with regard to the facilities and amenities within the Town Park and the proximity to the Town Centre. Its modern design would provide a strong but appropriate contrast to

the existing chapel building and would not detract from it or the surrounding Park. The use of wood would ensure that over time the building would weather and blend in with its surroundings. As the building was single storey to allow full access to all sections of the community and had sufficient circulation space and separate access for toilet facilities it was considered that it accorded with the guidance and principles in 'saved' policy UD2 of the Wrekin Local Plan, Policy CS15 of the Core Strategy and PPS1.

The proposed building would be located adjacent to a number of semi-mature trees and a mature Willow, which would have to be removed for safety reasons, but it would still be framed by a mature tree belt to give it a woodland setting. Therefore, the loss of the trees would not have an adverse impact on the visual amenities of the area. With regards to ecology, the possible loss of bat roosts, birds' nest and trees could be mitigated through a replacement planting scheme and the installation of bat and bird boxes in the immediate vicinity, together with invertebrate boxes. These could all be secured through the imposition of appropriate conditions and it was, therefore, considered that the proposal accorded with 'saved' Policies OL11 of the Wrekin Local Plan and guidance in PPS9. Following receipt of the additional responses, as set out in the tabled update report, officers remained of the view that the proposal was acceptable in principle subject to appropriate mitigation through amended conditions and the recommended informatives.

Members supported the need for a purpose built Visitor Centre but expressed concern about the potential problems that could arise from the proposed flat roof design. The Head of Planning responded that the Board should rely upon the competency of the applicant, the Council's Leisure Property Services, to judge what would be a building fit for purpose within their budgetary provision. However, he had some concerns regarding the use of light rendered panels, which would be prone to graffiti, and suggested that the condition relating to materials include a requirement for an appropriate colour to be used which would blend in with the immediate surroundings of the Centre; this was supported by the Board. With regard to Members' comments about the flat roof design, he advised that they contact the Leisure Property Services direct as this was an issue that could not be dealt with through the planning process.

**RESOLVED - that with regard to planning application TWC/2010/0349 planning permission be granted subject to the conditions and the informatives as set out in the tabled update report and subject to condition B06 (Samples of Materials) stating that the colour used should blend into the building's immediate surroundings.**

The meeting ended at 7.04 p.m..

**Chairman:** .....

**Date:** .....

## **COUNCIL CONSTITUTION COMMITTEE**

### **Minutes of a meeting of the Council Constitution Committee held on Tuesday, 14<sup>th</sup> September, 2010 at 5.55 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors S.M. Kelly (Chairman), R.K. Austin, E.J. Carter, A.J. Eade, G.M. Green, J.M. Seymour, C.F. Smith and V. Tonks

#### **CCC-12      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Council Constitution Committee held on the 8<sup>th</sup> June, 2010 be confirmed and signed by the Chairman.

#### **CCC-13      APOLOGIES FOR ABSENCE**

None.

#### **CCC-14      DECLARATIONS OF INTEREST**

None.

#### **CCC-15      LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 – EXECUTIVE ARRANGEMENTS**

The report of the Head of Governance requested Members to recommend to Council a preferred option for the Executive Arrangements following the recent consultation process. Following a further consultation period the Council would then be required to adopt either the Mayor & Cabinet model or the Leader & Cabinet model. Attached as Appendix 2 of the report was information on the differences between the two models.

On the 29<sup>th</sup> April 2010 full Council had approved a proposed timetable for ensuring that, as required, it could consider the final proposals before the end of this calendar year. Attached as Appendix 1 to the report was a proposed amended timetable that would enable final proposals to be considered by the Council meeting scheduled for 7<sup>th</sup> October, 2010 rather than there having to be an additional Council meeting in December.

Members, during the debate at both the Council Constitution Committee of the 25<sup>th</sup> May, 2010 and full Council in April had given a very clear steer to officers that, whilst they accepted that this was a legal requirement and consultation was a crucial element of the process, the nature and level of consultation needed to be planned to be proportionate to the issue to ensure that resources diverted from delivery of Council priorities was kept as low as reasonably possible.

Full Council in April had also delegated to the Committee the power to review and approve the final consultation documents and approved an overview of those to be consulted. There had been very few responses to the consultation so far, with those received showing a majority in favour of the Leader & Cabinet model. At least two

Parish Council's had indicated that they would be submitting responses in early September 2010.

Following the initial consultation, the Council was required to draw up formal proposals which would be the subject of a Notice in a local newspaper and on the Council's Website describing the proposals and where information about them was available. In drawing up the proposals, the Council had to consider the extent to which, if implemented, the proposals were likely to assist in securing continuous improvements in the way in which its functions were exercised and having regard to the economy, efficiency and effectiveness of the same. A Resolution of the Council would be required by the end of December 2010 to implement the change to the Council's Governance arrangements following which a further Notice must be placed in a local newspaper with the relevant details.

Once the preferred solution had been identified and agreed by Council on 7<sup>th</sup> October, 2010 the same consultees would be notified during the period 11<sup>th</sup> October to 19<sup>th</sup> November, 2010. Those who had specifically made representations would be contacted separately. The existing form of Leader and Cabinet model of governance would continue in force until after Borough elections in May 2011.

**RESOLVED – that Council be RECOMMENDED to:**

- (a) that the Leader & Cabinet model be the preferred option for Executive Arrangements;**
- (b) that further consultation, as set out in Appendix 1 of the report, take place on the preferred option.**

The meeting ended at 5.59 p.m.

**Chairman:** .....

**Date:** .....

## LICENSING COMMITTEE

### Minutes of a meeting of the Licensing Committee held on Wednesday, 16th June 2010 at 9.30 am in the Quaker Room, Meeting Point House, Telford

**PRESENT:** R..Aveley (Chairman), R.T. Kiernan (Vice-Chairman), R.G. Chaplin, J.A. Francis, R.E. Groom, Y.C. Hicks, T.J. Hope, G.P. Hossell, C.N. Mason, H. Rhodes and A.G.P. Williams.

#### **LC-1        MINUTES**

**RESOLVED** – that the minutes of the meetings of the Licensing Committee held on the 5th May 2010 be confirmed and signed by the Chairman.

#### **LC-2        APOLOGIES FOR ABSENCE**

Councillors A.A. Mackenzie, C.P.R. Mollett and C.F. Smith.

#### **LC-3        DECLARATIONS OF INTEREST**

None

#### **LC-4        EXCLUSION RESOLUTION**

**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 information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

#### **LC-5        MR.A.M. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE**

After hearing the evidence presented by the Council's Licensing Officer and his witnesses and the licensee, his representative and his witnesses in accordance with the hearings procedure and following consideration and discussion by the Committee, it was

**RESOLVED** – that the Committee considered that they were satisfied that the licensee did not remain a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his license should be revoked with immediate effect.

The meeting ended at 4.30 pm.

**Chairman:**

**Date:**

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Wednesday, 30th June 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford**

**PRESENT:** R.Aveley (Chairman), R.T.Kiernan (Vice-Chairman), R.G.Chaplin, J.A.Francis, Y.C.Hicks, G.P.Hossell, C.N.Mason, C.P.R.Mollett, C.F.Smith and A.G.P.Williams.

#### **LC-6 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Licensing Committee held on the 16th June 2010 be confirmed and signed by the Chairman.

#### **LC-7 APOLOGIES FOR ABSENCE**

Councillors R.E.Groom, T.J.Hope, A.A.Mackenzie and H.Rhodes.

#### **LC-8 DECLARATIONS OF INTEREST**

None

#### **LC-9 COMMUNITY GOVERNANCE REVIEW – HADLEY & LEEGOMERY PARISH WARD OF THE PARISH OF HADLEY & LEEGOMERY – APPROVAL OF DRAFT PROPOSALS**

The report of the Head of Governance was received which sought Members approval for the publication of the Draft Proposals document for this Review. The document incorporated the draft proposals that the Council was making in this Review and invited comments on these proposals.

Members were reminded that at the Committee meeting held on 1st September 2009, it was reported that a letter from Hadley and Leegomery Parish Council requesting that a review be held of the Hadley and Leegomery Parish Ward of their council was considered. The Committee resolved that a Community Governance Review should be commenced by the preparation for the Committee's consideration of a Terms of Reference document. Members were reminded that the Terms of Reference document was published by the Committee at its meeting held on the 9th November 2009. The Committee was advised that the only submission that had been received by the deadline date of 11th January 2010 was from Hadley and Leegomery Parish Council, which had been considered and balanced against the policies that the Committee laid out in the Terms of Reference.

It was recommended that the Committee should adopt and publish the Draft Proposals document as attached to the report. The proposals were that the present Hadley and Leegomery Parish Ward should be divided into three parish wards – the Hadley Castle, Hadley Manor and Leegomery parish wards – for the purposes of elections to the parish council; that the ward boundaries be as outlined on the map in Annex 2 Map 3 to the document; that there should be four councillors for each of the new parish wards, and that the commencement for these new arrangements would be the next ordinary elections of parish councillors in the Borough. Finally, the Draft

Proposals document covered the commencement of any new arrangements. It was considered to be preferable for any new arrangements to take effect at the next ordinary elections to the parish council scheduled for May 2011. This would involve a lead-in time which would commence on 1st December 2010 when a revised register of electors would be published which would give effect to the new warding arrangements.

The Committee were finally advised that publication of the Draft Proposals document would launch the next stage in the Review, and would open a suggested six-week period for comments, which would extend until 13th August 2010. Any comments received would assist in the preparation of the Final Proposals for the future of community governance in the affected area.

Following a discussion; it was,

**RESOLVED** – that the Committee adopts and publishes the Draft Proposals document.

### **LC-10      HACKNEY CARRIAGE TARIFFS**

Members received the report of the Service Delivery Manager – Public Protection which requested Members should determine whether a surcharge could be put in place for bookings made in advance to a Hackney Carriage Proprietor. It was reported that the Licensing Operations Manager had received a request from the Telford Hackney Carriage Association for an additional surcharge for when bookings were made in advance.

The Committee was reminded that the Council may fix fares within the district under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 and that the current fare scale had existed since 2005, when an increase in fares requested by the Hackney Carriage Association was agreed by the Council. It was an offence under the Town Police Clauses Act 1847, s58 for a Hackney Carriage Driver to charge more than the fare shown on the meter plus any legitimate charges displayed on the fare card.

It was pointed out that an increased number of Hackney Carriage proprietors were lawfully acting as Private Hire Vehicles, i.e. taking advance bookings. The mileage from the taxi rank to the Pick up Point for a booking was not presently covered by the fare card and Hackney Carriage Drivers were unable to charge the customer for this mileage. A booking fee was, therefore, lawful provided it was approved by the Local Authority.

The Telford Hackney Carriage Association's request for a surcharge to cover a booking fee, proposed that this should be calculated in 2-mile radii taken from Telford Central Railway station and calculated at £2.00 per mile, to a maximum of £14.00. The Committee were reminded of the requirement that such a booking must be levied on all pre-booked fares.

Any proposed increase or change to a fare card must be advertised in a local newspaper and a period for objections allowed. If objections were received in the specified period, the objections must be considered prior to the new fares coming into force. It was suggested that consideration of the objections should be delegated

to the Licensing Operations Manager, following consultation with the Chair and Vice-Chair of the Council's Licensing Committee and if considered necessary, the matter would be brought back before the Licensing Committee.

A number of members expressed concern at the maximum amount of £14 that could be charged as stated within the report and also commented on the chosen point within the Borough being the starting point from which the advanced booking fee could be charged. Members did question as to whether a fixed stated advanced booking fee would be fairer in the circumstances. By way of response the Licensing Operations Manager stated that the proposal for the charging regime had been requested by the Telford Hackney Carriage Association but, if the principle was agreed by the Committee then the proposal would be subjected to a period of open consultation where it was possible that alternative charging proposals could be forthcoming that would also receive consideration.

### **RESOLVED –**

- (a) that the proposed consultation in relation to the addition of a surcharge for advanced bookings as based on the details contained within Appendix A of the report along with an alternative proposal of a flat rate fee be approved; and,**
- (b) that delegated authority be granted to the Licensing Operations Manager following consultation with the Chairman and Vice-Chairman of the Committee to consider any objections received and that if considered appropriate that the matter should be referred back to the Licensing Committee.**

### **LC-11      LICENSING SUB-COMMITTEES**

The report of the Head of Governance was received which sought consideration of the Committee to review the present working arrangements of the Committee in connection with hackney carriage and private hire related applications, renewals and reviews.

Members were advised that during the previous Council Year the Licensing Committee had sat on 21 occasions to hear 46 hackney carriage and private hire related applications, renewals and reviews, which had been a significant increase in the number of private hearings. The Committee was also referred to Appendix B that was attached to the report which indicated the period of time taken to deal with these particular matters. It was indicated that this particular situation gave rise to human rights considerations in relation to Protocol 1 Article 1 the right to property i.e. the licence and Article 6 the right to a fair hearing i.e. a hearing within a reasonable period of time.

It was further reported that there had been considerable difficulties encountered with the arrangement of these frequent meetings for a Committee of 14 together with officers at short notice and at a suitable venue and this had lead to hearing delays. Furthermore, difficulties had been encountered with vulnerable witnesses giving evidence to a large forum. It was considered that a smaller tribunal would provide a more appropriate environment and would be in keeping with the Licensing Sub-Committees which were used for Licensing Act and Gambling Act matters.

It was proposed that a Licensing Sub-Committee of 5 Members (drawn from the panel of 14 Members of the Licensing Committee) with a quorum of 3 would reduce the time spent in Committee (whilst not adversely impacting and probably increasing the right of an individual to a fair hearing) for each matter thus enabling the Committee to deal with more matters and reducing the time between application, renewal or review and determination. It would also increase the quality of this service by reducing waiting times for those attending hearings. It was also proposed and in order to further reduce the time between application, renewal or review and determination the Licensing Sub-Committee could be chaired by the Chairman or the Vice-Chairman of Licensing Committee or in their absence a chair elected on the day of the hearing.

A number of members felt that there was some benefit in the creation of Licensing Sub-Committees in order to proceed with such business and that it would be more effective in the transaction of such business. However other members felt there were issues in the safety of members, that the overall Committee provided the best opportunity of guaranteeing safety and also enabled all members to be involved in the hearings and that this aspect would provide a greater chance of ensuring a fair hearing.

Following a further discussion; it was,

**RESOLVED** – that the proposal to introduce Licensing Sub-Committees in order to deal with Hackney Carriage and Private Hire Vehicle related applications, renewals and reviews be refused.

**LC-12      TAXI & PHV FORUM – CONFIRMATION OF MEMBERS APPOINTED FROM TELFORD & WREKIN COUNCIL**

The Committee received the verbal report of the Head of Governance in connection with the Taxi & Private Hire Vehicle Forum. The Committee were advised that following the recent meeting of Annual Council, Councillor V.A.Fletcher had relinquished her position as Chairman of the Licensing Committee and Councillor K.L.Tomlinson was no longer a member of the Committee and a replacement substitute was required. Accordingly there was a requirement to amend the Telford & Wrekin Members to the Taxi & PHV Forum. The Committee was requested to approve/confirm the following appointments of the full members and named substitutes to the Forum

<u>Member</u>	<u>Substitute</u>
Councillor R.Aveley	Councillor R.G.Chaplin
Councillor C.N.Mason	Councillor H.Rhodes
Councillor R.E.Groom	Councillor G.P.Hossell
Councillor A.G.P.Williams	Councillor J.A.Francis

**RESOLVED –**

- (a) that Councillors R.Aveley, C.N.Mason, R.E.Groom and A.G.P.Williams be formally confirmed as the Council’s representatives to the Taxi & Private Hire Forum, and;**
- (b) that Councillors R.G.Chaplin, H.Rhodes, G.P.Hossell and J.A.Francis be formally confirmed as the Council’s nominated substitutes to the Taxi & Private Hire Forum to ensure that the Council’s representation was maintained.**

The meeting ended at 7.20 pm.

**Chairman:**

**Date:**

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Thursday, 2nd September 2010 at 9.30 am in the Reception Suite, Civic Offices, Telford**

**PRESENT:** R.Aveley (Chairman), R.G.Chaplin, R.E.Groom, Y.C.Hicks, A.A.Mackenzie, C.N.Mason, C.P.R.Mollett, C.F.Smith and A.G.P.Williams.

#### **LC-13 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Licensing Committee held on the 30th June 2010 be confirmed and signed by the Chairman.

#### **LC-14 APOLOGIES FOR ABSENCE**

Councillors R.T.Kiernan (Vice-Chairman), J.A.Francis, T.J.Hope, G.P.Hossell and H.Rhodes.

#### **LC-15 DECLARATIONS OF INTEREST**

None

#### **LC-16 COMMUNITY GOVERNANCE REVIEW – HADLEY & LEEGOMERY PARISH WARD OF THE PARISH OF HADLEY & LEEGOMERY – PUBLICATION OF THE FINAL PROPOSALS DOCUMENT**

The report of the Head of Governance was received which sought Members approval of the Final Proposal document that had been prepared following the completion of the Review. Members were informed that the document incorporated the final proposals that had been approved and adopted at the meeting of the Licensing Committee that was held on the 30th June 2010.

It was confirmed to Members that no significant or new responses had been received since the 30th June 2010. It was further reported that the only substantive correspondence was a letter from Hadley & Leegomery Parish Council dated 7th July 2010 which confirmed the Parish Council's approval of the final proposals.

The report recommended that the Committee should adopt and publish the Final Proposals document. The proposals were that the present Hadley and Leegomery Parish Ward be divided into three parish wards – the Hadley Castle, Hadley Manor and Leegomery parish wards – for the purposes of elections to the parish council; that the ward boundaries be as outlined in the map in the List of Annexes Map 1 to the proposals document; that there should be four councillors for each of the new parish wards, and that the commencement for these new arrangements would be the next ordinary elections of parish councillors in the Borough. It was confirmed that Publication of the Final Proposals document completed the Review, and that following confirmation and approval of the Final Proposals document the Committee would be invited to publish the Final Recommendations at its meeting to be held on 29th September 2010.

**RESOLVED** – that the adoption and publication of the Final Proposals Document for the Parish of Hadley & Leegomery be approved.

**LC-17      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 information as defined in Paragraph 1 of Part 1 of Schedule 12A Local Government Act 1972.

**LC-18      MR.I.A. – REVIEW OF A PRIVATE HIRE VEHICLE DRIVER LICENCE**

The Committee were informed that the licensee was not in attendance and received confirmation from the Council's Public Protection Team Leader and the Democratic Services Officer of the correspondence that had been submitted to the licensee prior to the hearing. After receiving the legal advice of the Council's legal adviser and following a discussion it was:

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

After hearing the evidence presented by the Council's Public Protection Team Leader and her witnesses in accordance with the hearings procedure and following consideration and discussion by the Committee, it was

**RESOLVED** – that the Committee considered that they were satisfied that the licensee did not remain a fit and proper person to be licensed as a Private Hire Vehicle Driver and that accordingly his license should be revoked with immediate effect.

The meeting ended at 1.05 pm.

**Chairman:**

**Date:**

## **LICENSING COMMITTEE**

### **Minutes of a meeting of the Licensing Committee held on Wednesday, 8th September 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford**

**PRESENT:** R.T.Kiernan (Vice-Chairman) acting as Chairman, R.G.Chaplin, J.A.Francis, Y.C.Hicks, T.J.Hope, G.P.Hossell, H.Rhodes, C.F.Smith and A.G.P.Williams.

#### **LC-19      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Licensing Committee held on the 2nd September 2010 be confirmed and signed by the Chairman.

#### **LC-20      APOLOGIES FOR ABSENCE**

Councillors R.Aveley (Chairman), R.E.Groom, A.A.Mackenzie, C.N.Mason and C.P.R.Mollett.

#### **LC-21      DECLARATIONS OF INTEREST**

None

#### **LC-22      POLICING AND CRIME ACT 2009**

The report of the Service Delivery Manager – Public Protection was received which requested that Members should consider as to whether the Council should adopt Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by s27 of the Policing and Crime Act 2009. Members were reminded that since the introduction of the Licensing Act 2003, lap dancing clubs had been licensed under the 2003 Act. Section 27 of the Policing and Crime Act 2009 reclassified lap dancing clubs as sexual entertainment venues and gave local authorities in England and Wales the power to regulate such venues as sex establishments under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.

These new measures, took effect on 6th April 2010 in England and if adopted by the Council would enable local people to have the benefit of a greater say over where and how many lap dancing clubs may open and operate in their neighbourhoods.

In 1982 the Local Government (Miscellaneous Provisions) Act 1982 (LGMPA) introduced the licensing of sex shops and sex cinemas. The Committee was informed that in 1995 the Council had adopted the Local Government (Miscellaneous Provisions) Act 1982 granting powers to require licences to open sex establishments in the district of Telford & Wrekin. It was reported that Section 27 of the Policing and Crime Act 2009 introduced a new category of sex establishment called 'sexual entertainment venue', which would allow local authorities to regulate lap dancing clubs and similar venues under Schedule 3. The report recommended the adoption of the new regulatory powers as a preventative measure.

If Members choose not to adopt the new powers the Council would continue to rely solely on the Licensing Act 2003 to control such premises.

The Committee was referred to the contents of the report which outlined the statutory requirements in order that the proposed amendment could be formally adopted and enacted within the Borough.

Following a discussion; it was,

**RESOLVED –**

- (a) that Full council is recommended to adopt the amendments made by Section 27 of the Policing and Crime Act 2009 to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 to come into effect on 1st January 2011 throughout the whole of administrative area of the Borough of Telford and Wrekin; and,
- (b) that Full Council agrees to delegate the responsibilities as indicated in (a) above to the Licensing Committee under Section 101 of the Local Government Act 1972.

**LC-23      REVIEW OF THE COUNCIL'S POLICY FOR DETERMINING PRIVATE HIRE AND HACKNEY CARRIAGE APPLICATIONS WITH RELEVANCE TO CONVICTIONS**

The Committee were informed by the Chairman of the meeting that a detailed written representation submission on behalf of the Telford Private Hire Operators Association had been received. It was concluded that a detailed assessment would be required in order to fully respond to the same. As a result it was reported that the Chairman had decided that this particular agenda item should be withdrawn.

The meeting ended at 6.15 pm.

**Chairman:**

**Date:**

## **AUDIT COMMITTEE**

### **Minutes of a meeting of the Audit Committee held on Monday, 28th June 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford**

**PRESENT:** D.Wright (Chairman), D.R.Chaplin (Vice-Chairman), D.G.Allen, R.K.Austin and J.A.Dixon.

**OFFICERS PRESENT:** Ken Clarke – Head of Finance, Jenny Marriott – Audit & Risk Manager and Pauline Harris – Corporate Finance Manager.

**OTHERS PRESENT:** Andy Cardoza – Senior Manager KPMG LLP and Peter Evans – Assistant Manager KPMG LLP

#### **AUC-1 MINUTES**

**RESOLVED** – that the minutes of the meeting of the Audit Committee held on Tuesday 30th March 2010 be confirmed and signed by the Chairman subject to the correction of the spelling to read Peter Evans in the first line of minute number AUC-63.

The Audit & Risk Manager provided an update in relation to minute number AUC-67 – Results of the survey on the Effectiveness of the Audit Committee and the discussion that had taken place in connection with the co-option of an external person who would provide additional accountancy and audit expertise. It was reported to Members that following a further discussion with the Chairman of the Committee it had been concluded that given the current re-structuring of the Council, the current financial uncertainty and also that the Borough elections were scheduled to be held in May 2011 it was agreed that the process for the appointment would commence after the Borough Elections following a skills audit of the members of the Committee. Members also noted that if the process to appoint a co-optee was undertaken now it would not be concluded until September/October 2010.

#### **AUC-2 APOLOGIES FOR ABSENCE**

Councillor L.Lomax.

#### **AUC-3 DECLARATIONS OF INTEREST**

None

#### **AUC-4 REVIEW OF THE TERMS OF REFERENCE OF THE AUDIT COMMITTEE**

The Audit & Risk Manager provided a verbal report following a recent review of the Terms of Reference of the Audit Committee. Members were advised that it had been agreed through the Constitution that every Committee would at its first meeting following the Annual Council Meeting review the committee's terms of reference. The Committee were reminded that the last amendment of the Terms of Reference had recently taken place at Council following the decision that the Committee would review and **monitor** the

Council's treasury management arrangements. The Audit & Risk Manager advised that no further amendments to the terms of reference were suggested. Accordingly, it was;

**RESOLVED** – that following the review that had been conducted by the Audit & Risk Manager and the consideration by the Committee it was formally agreed that no amendments to the Terms of Reference of the Audit Committee were required.

#### **AUC-5      KPMG – AUDIT PLAN AND FEE LETTER 2010-2011**

The Committee received the Annual Audit Fee Letter – 2010/2011 that had been received from KPMG. Members were referred to the letter that outlined the audit work that would be undertaken by KPMG for the 2010/11 financial year together with the fee that was proposed to be charged to the Council.

Members were informed that KPMG's audit work would be based on a risk based approach to audit planning as established by the Code of Audit Practice and work mandated by the Audit Commission for 2010/11 and would only reflect on the audit element only. The letter pointed out that the stated fee did not include any inspection and assessment fees which would be charged separately by the Audit Commission.

The letter referred to the basis on which the Audit Fee was based which stated that the fee that was charged by reference to a scale of fees that were dependent on the size and complexity of the Council. Accordingly the proposed indicative fee for 2010/11 was £287,200 (plus VAT) – this fee did include a one-off cost of £17,200 for the implementation of IFRS for which the Council would receive a full rebate from the Audit Commission. The comparable element of the fee with the prior year was £270,000. It was confirmed to the Committee that only half of the number of the allocated days for IFRS had been utilised last year and that the remainder would be undertaken during 2010/11, it was further mentioned by KPMG that other training support had been offered to the Council and that further training could also be investigated in the future.

The Committee were reminded that the use of – resources assessments would be based upon the evidence from three themes – Managing finances; Governing the business; and Managing resources. However, members were further informed that a number of risks had been identified which could impact on the value for money conclusion. These risks included Council Reorganisation; Single Status; the Capital programme and the Railfreight terminal. The Committee was further advised of the planned outputs contained in Appendix 2 of the letter. The proposed fee also excluded any additional work that might be requested by the Council, these being subject to separate discussions and a detailed project specification being agreed.

The effects of the recent announcement that the CAA regime was to be abolished was discussed particularly in relation to the previous detailed analysis of performance that had previously been shared. It was suggested by KPMG that in relation to the Use of Resources some "soft" benchmarking could be utilised. In answer to a question as to whether this sharing would be

based on best practice KPMG confirmed that this would be possible, however there would be no actual ranked scores as would have previously been the position. The Committee agreed that there would be benefit to the Council if information was shared in relation to examples of best practice within similar authorities. Andy Cardoza referred to the recent meeting of the Council's Policy Forum which had been open and honest at which examples of best practice had been provided.

The Audit & Risk Manager informed the Committee that contact had been made with the Audit Commission to enquire in connection with the fee proposed to be levied in 2010/11 upon which a response was currently awaited. Although she did confirm that the CAA Client Fee would be repaid to the Council as a result of the abolition of the CAA regime.

**RESOLVED** – that the KPMG Annual Audit Fee Letter – 2010/2011 be noted.

**AUC-6            KPMG – CERTIFICATION OF CLAIMS AND RETURNS 2008-2009**

The Committee received the report from KPMG (External Auditors) which followed the auditors work on the certification of the Council's 2008/09 claims and returns which had been undertaken in their capacity as the auditors appointed by the Audit Commission.

Members were informed that for the 2008/09 Council Year KPMG had certified seven claims with a total value of £72.6m and two returns with a total value of £69.9m. The report also indicated that two further claims had been received with a value of £0.4m in December which were expected to be certified by the end of February.

KPMG confirmed that unqualified certificates for eight claims and returns had been given but that qualification had been required for one claim for the Disabled Facilities grant. This qualification followed from a qualification that had been issued in October 2008 on the Council's 2007/08 claim on the basis that insufficient evidence had been retained to support recipient's entitlement to grants where assessments were made at the recipient's home. It was confirmed that the Council had changed its procedures following this qualification, however the 2008/09 claim included assessments up to this point where evidence had not been retained.

In connection with adjustments it was reported that three of the Council's grants and returns had been varied as a result of the certification work that had been undertaken. The first of these adjustments related to the Housing and Council Tax Benefit subsidy claim which had resulted in a reduction of subsidy of £1.653, as a result of an identified system error which had resulted in the miscalculation of overpayments in unusual circumstances, an isolated error in relation to uncashed cheques and errors due to the claim being compiled with a system report which was not the most up to date available.

Other identified issues related to the Teachers' Pension Return where a figure had been recorded in the wrong section of the return and adjustments were

also made to the Regeneration Through Heritage and Donnington Business Units ERDF claims.

In connection with the fees charged for the certification of grants and returns in 2008/09 to the end of December 2009 had exceeded the original estimate of £45,000 – it was reported that the total fees charged was £45,815. In relation to the two remaining claims was estimated to be £2,300.

KPMG commended the Council on the low level of actual adjustments that had been identified and that this was remarkable when compared to the overall level of the total claims and returns that had been audited.

**RESOLVED – that the KPMG Report on the Certification of Claims and Returns for 2008/09 be noted.**

#### **AUC-7      INTERNAL AUDIT ANNUAL REPORT 2009-2010**

The report of the Chief financial Officer was received by the Committee which sought to present the Internal Audit Annual Report for 2009/10.

Members were reminded that the CIPFA Code of Practice for Internal Audit in Local Government in the UK 2006 (the Code), which has been deemed as proper internal control practice under the Accounts and Audit (England) Regulations 2003 (as amended), stated under Standard 10 – Reporting, that “the Head of Internal Audit must provide a written report to those charged with governance timed to support the Statement on Internal Control”. This Internal Audit Annual Report summarised the key areas for 2009/10 and provided an opinion to support the Council’s 2009/10 Annual Governance Statement

The Council’s section 151 officer’s statutory obligation under the Accounts and Audit (England) Regulations 2003 (as amended) was to provide assurance on the systems of internal control as provided by the work of internal audit and this assurance formed part of the Council’s assurance framework.

The Committee was reminded that the system of internal control assisted the Council to manage and control the risks which could affect the achievement of its priorities and objectives rather than eliminate them completely. Internal Audit and the other assurance processes therefore provided reasonable and not absolute assurance of the adequacy and effectiveness of the systems of internal control within the Annual Governance Statement.

Members were advised that the planned Internal Audit resources for 2009/10 were 1837 days plus 50 days specialist ICT audit provided under contract (from an external provider). The actual resources available were 1756 days due to leavers during the year and a member of staff going on a career break following maternity leave. Vacant posts had also not been filled due to 1.5 fte posts being included in the 2010/11 savings proposals. The other vacant posts had been held in light of the forthcoming structure review in Governance. An external contractor had also been used to cover the majority of the resource shortfall but there had still been pressure on the team to deliver the annual audit plan, especially with the unplanned work demands.

The Committee was informed that 79 reports were issued during 2009/10 six more than in 2008/09. With 85% of these reports were green (good) or yellow (reasonable). There was also an increase of one for amber (limited) reports and two for red (poor) reports. The red reports had already been presented to the Audit Committee; and were unplanned special investigations in Children's Services. Following these particular reports one area was progressing well and the other (completed and recommendations agreed in quarter 4) had a follow up undertaken in May 2010.

It was further reported that there had been a 12% reduction in Financial Regulation/DCSF and legal recommendations, which reassured the Committee that there had been a decrease in non adherence to key controls. In addition where Financial Regulation/DCSF or legal recommendations were made management had agreed short implementation timescales or had already implemented the action by the time the final report was agreed. There had also been an increase of policy and procedure recommendations of nearly 27%. This was attributed to the improvement of having more policies and procedures in place but the fact that they were not regularly reviewed, kept up to date or shared with all appropriate staff.

A requirement of the Accounts and Audit Regulations 2003 (as amended) was for an annual review of the system of internal audit. The assessment from 2008/09 had been reviewed and updated and minor areas for improvement identified, Members were referred to the details contained within Appendix C of the report.

Internal Audit had completed all the work for the External Auditor and therefore achieved the target of 100%. The Committee was reminded that if this work had not been completed on time and to an acceptable standard it would have been possible that the External Auditor would have undertaken the work at a considerably higher cost to the Council. The unit had also completed 90% of the other planned work, which was considered best practice. The target for completing planned work was 92.5% but this had not been achieved due to unplanned work above the contingency; staff turnover; and the acceleration of the timetable and deadlines for the CAA - Use of Resources 2009/10.

In addition to service efficiencies Internal Audit had made its contribution during the year to the Council's efficiency targets. For 2009/10 the service had achieved £5,578 cashable savings. This compared to £7,078 for 2008/09 (the reduction was due to the reduced contract with Transforming Telford).

The Committee was reminded that Internal Audit was a member of the CIPFA benchmarking club (membership of 147 local authorities). Members were referred to the earlier report which had been presented in November 2009 which confirmed that Internal Audit compared positively against other unitary authorities.

The details of received customer feedback received via post audit questionnaire feedback was detailed in Appendix B of the report. The service had also undertaken the second annual forum with a small group of Heads of Service and Service Delivery Managers who had been subject to regular audit, receipt of reports and where possible who attended last year. The

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action plan and progress from October 2008 was reviewed and an open and honest discussion took place. A few additional minor areas for improvement had been identified with the next session arranged for October 2010.

**RESOLVED** – that the Internal Audit Annual Report for 2009/10 be noted.

**AUC-8      TREASURY MANAGEMENT – REPORT ON 2009/10  
OUTTURN AND 2010/11 TO DATE**

The report of the Head of Finance was received which sought to update members on the 2009/10 Treasury Management outturn and details of the current position for 2010/11 to date. Members were reminded that this report had been presented to the meeting of Full Council that was held on 24th June 2010.

The Committee were advised that the Annual Report was covered within the report and in particular paragraphs 7-16. The Committee were also referred to the outline of the portfolio outturn position as at 31st March 2010, which had resulted in the total debt outstanding at £123.076m and total investments at a level of £73.811m which had resulted in a slight increase of indebtedness of around £3m. Members were informed that the main reasons for the changes over the year included, investment opportunities taken in previous years to lock in at favourable interest rates; Investments were reduced through not reinvesting investments as they matured and the reduction of fund manager investments in order to lessen the need to borrow and reduce investment risk and volatility.

Members were referred to the new loans that had been arranged during the year and those that had also been repaid. The Committee were advised that one of these repaid loans had generated a discount of £0.213m. Temporary money market loans had also been used in order to fund short term cash flow movements, with the total borrowed over the year totalling £265m with interest rates ranging between 0.25% and 0.90%. The Committee were further referred to the analysis of the Council's debt maturity as at 31st March 2010.

During the year it was confirmed that the Council had operated within the Treasury Limits and Prudential Indicators as set out in the Council's Treasury Policy Statement and the Annual Treasury Statement at all times – details of these limits were as set out in Appendix 1 of the report.

In connection with the investment outturn for 2009/10 Members noted that the number of external fund managers had been reduced from 3 to 1. The Committee noted that in connection with the Internally Managed Investments was higher than the rate of return that had been earned by the external fund managers. Members were referred to the table in paragraph 13 of the report which indicated that the overall outturn for 2009/10 had resulted in a net saving against budget of £1.4m.

The remainder of the report outlined the present position in the current year as at 31st May 2010. In relation to borrowing no long term or temporary borrowing had been undertaken as at 31st May 2010 and details were provided of a loan that had matured on the 1st May. In connection with

internally Managed investments the strategy for the year was to gain maximum benefit at minimum risk and to strive to achieve the 7 day deposit rate. As at 31st May 2010 the total amount of internal managed investments totalled £57.3m and the total amount which was externally managed by Investec stood at £19.8m.

**RESOLVED** – that the Treasury Management Outturn Report for 2009/10 and the reported current position as at 31st May 2010 be noted.

**AUC-9**            **2009/10 – STATEMENT OF ACCOUNTS**

The report of the Head of Finance was received which sought the approval of the Committee to the 2009/10 Unaudited Statement of Accounts. Members were reminded that the final outturn position for both Revenue and Capital had been presented to the meeting of Full Council that was held on the 24th June 2010. The presented draft accounts following the Audit Committee's approval would be audited during July 2010 by KPMG and would be brought back to the Committee in September for final approval.

Members were advised that the revenue outturn position was within budget with a final net underspend of £332,000 (-0.27% of net budget). The capital programme was £79.811m and spend at year end totalled £45.168m; there were delays to the commencement of some schemes in 2009/10 giving a year end variation of £34.643m but all main projects were now underway and rigorous progress monitoring arrangements in place.

The Committee were informed that the formal Statement of Accounts, as attached to the report presented the outturn information in the format required by statutory regulations. The Statement had also been prepared in accordance with the CIPFA Statement of Recommended Practice and in line with the Accounts and Audit Regulations. The Statement consisted of the Income & Expenditure Account; the Statement of Movement on General Fund Balances; the Statement of Total Recognised Gains and Losses; the Balance Sheet; the Cash Flow Statement; the Notes to the Core Financial Statements and the Collection Fund. The Statement of Accounts was also supported by the Statement of Responsibilities, the Annual Governance Statement and the Statement of Accounting Policies.

**RESOLVED** – that the unaudited Draft Statement of Accounts for 2009/10 be approved.

**AUC-10**            **INTERNAL AUDIT QUARTER 4 – 2009-2010 – UPDATE REPORT**

The Committee received the joint report of the Head of Governance and the Audit & Risk Manager which sought to provide an update on the work of Internal Audit during Quarter 4 which covered the period January – March 2010. The report also provided an update on the progress of previous audit reports that had been issued in the period April 2008 to December 2009.

Members were informed that during this reporting period Internal Audit had focussed on the completion of audits set out in the Internal Audit Plan

including the few carry forwards from quarter 3. The key theme during quarter 4 had been the completion of the fundamental audit areas identified by the external auditor. The majority of the work in these areas was completed by end February 2010, in readiness for the External Auditors interim visit in early March. The remainder were completed by end March 2010.

The Committee was referred to the Appendices as attached to the report which included a list of the final graded reports issued in quarter four together with details of budgeted time, actual time, percentage variance and comments. A list of all work undertaken for quarter four of 1 day or more and details of previous graded reports from April 2008 to December 2009 and their current status. Further information was also provided in relation to the 3 Amber reports issued this quarter.

Members were referred to Appendix A annexed to the report that indicated the 23 final reports that had been issued in quarter 4. Members were further referred to the income investigation at a school was a red report and took 17 days from contingency. The management issues report also finalised this quarter was graded yellow as many of the recommendations had already been actioned by the time the review had been completed. A follow up would take place before the end of the summer term (July 2010).

Unfortunately the estimate for the Arthog visit and systems review was significantly under. During planning the scope was extended from the previous visit which was 5 years ago and therefore the time allocation was not a proper reflection of the work required. In addition once on site additional testing had been undertaken on safeguarding areas.

Members were provided with details on the reported original red/amber reports and Members were advised further on the following:

Catering Systems – the current position was confirmed and it was noted that management were addressing the issues raised. It was confirmed that a further review of catering processes would be undertaken in July 2010.

Business Continuity – it was reported that a follow up would be undertaken in Quarter 2 2010/11 as part of a full audit. Following a brief discussion it was agreed that the appropriate Head of Service would be invited to the next meeting in July 2010 in order to provide a further update to the Committee.

Safeguarding – File Audit – it was confirmed that the follow up due in February 2010 was now in progress.

Adult Residential Services – this follow up had now been completed and that the grading had now been revised to Yellow.

The Committee expressed their thanks for the report which was considered to be comprehensive and a very clear record of progress. Members expressed concern around the risk of looked after children – the continued budget/expenditure position but also the impact of the emergency budget and cuts on this area. The Committee requested that the Director of Children's Services and appropriate Head of Services and Cabinet members be invited

to attend the Audit Committee meeting on Tuesday 2nd November 2010 in order to provide an update on this area and how the risks were being managed.

**RESOLVED** – that the update report in connection with Quarter Four (January – March 2010) be noted.

**AUC-11      ANNUAL REPORT ON RISK MANAGEMENT – 2009-2010**

The report of the Chief Executive as Lead Officer for Governance was received which sought to inform Members of the Risk Management activities for 2009/10 was received for information.

**RESOLVED** – that the contents of the Risk Management Annual Report for 2009-2010 and the Council's commitment to the existing risk management and good governance be noted for information.

**AUC-12      REVIEW OF THE RISK MANAGEMENT STRATEGY 2010**

The Committee received the report of the Chief Executive as Lead Officer for Governance in relation to the revised Risk Management Strategy for information.

**RESOLVED** – that the revised Risk Management Strategy as contained within Appendix 1 of the report be noted for information.

**AUC-13      TELFORD & WREKIN AUDIT COMMITTEE – OUTLINE OF BUSINESS FOR FUTURE MEETINGS**

Members received a programme of proposed business items for consideration by the Committee for the 2010/11 Civic Year. Subject to the inclusion of an item in relation to the risk of looked after children – the continued budget/expenditure position but also the impact of the emergency budget and cuts on this area with the Director of Children's Services and appropriate Heads of Service and Cabinet members attend the meeting to be held on Tuesday 2nd November 2010.

**AUC-14      DATES OF FUTURE MEETINGS**

The Committee noted the dates of the remaining meetings of the Committee that were scheduled for the 2010/11 Civic Year were Tuesday 27th July 2010, Tuesday 21st September 2010, Tuesday 2nd November 2010, Tuesday 1st February 2011 and Tuesday 29th March 2011 with all meetings scheduled to commence at 6.00 pm.

It was mentioned that the meeting to be held on 29th March 2011 would also be moved to an alternative date.

**AUC-15      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 information as defined in Paragraph 2 of Part 1 of Schedule 12A Local Government Act 1972.

**AUC-16      APPENDIX E OF THE INTERNAL AUDIT QUARTER 4 – 2009-2010 – UPDATE REPORT**

Members were referred to Appendix E that had been submitted with the Internal Audit Quarter 4 2009-2010 that contained exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A Local Government Act 1972. The appendix contained details in relation to recent Internal Audits that had been undertaken within this reported quarter. It was confirmed that the reported audit contained information that could lead to the identity of an individual.

**RESOLVED** – that the contents contained within Appendix E of the update report in connection with Quarter Four (January – March 2010) be noted.

The meeting ended at 7.15 pm.

**Chairman:**

**Date:**

## **AUDIT COMMITTEE**

### **Minutes of a meeting of the Audit Committee held on Tuesday, 27th July 2010 at 6.00 pm in the Reception Suite, Civic Offices, Telford**

**PRESENT:** D.Wright (Chairman), D.R.Chaplin (Vice-Chairman), R.K.Austin, and L.Lomax.

**OFFICERS PRESENT:** Jenny Marriott – Audit & Risk Manager, Jas Bedesha – Safer Communities Strategic Manager, Heather Gumsley – Operations Manager – Civil Resilience and Andrew Meredith – Customer Services Manager.

**OTHERS PRESENT:** Andy Cardoza – Senior Manager KPMG LLP and Peter Evans – Assistant Manager KPMG LLP

#### **AUC-17      MINUTES**

**RESOLVED** – that the minutes of the meeting of the Audit Committee held on Monday 28th June 2010 be confirmed and signed by the Chairman subject to the amendment of the resolution at AUC-5 to read as follows:

**“RESOLVED** – that the KPMG Annual Audit Fee Letter – 2010/2011 be approved”.

#### **AUC-18      APOLOGIES FOR ABSENCE**

Councillors D.G.Allen and J.A.Dixon.

#### **AUC-19      DECLARATIONS OF INTEREST**

Councillor R.K.Austin declared a prejudicial interest in connection with minute item AUC-24 in relation to the Sutherland School as a governor of the school and stated that he would leave the meeting prior to consideration of this particular item.

#### **AUC-20      UPDATE ON BUSINESS CONTINUITY ACTIONS**

The report of the Head of Community Protection was received which sought to update the Committee on progress made with Business Continuity Processes within the Council since June 2009. Members were reminded that in June 2009, the Committee received an update on Strategic Risk 37 – Failure to continue to deliver key services in the event of a significant business interruption. At this meeting the Committee had requested a further update in February 2010 however this agreed update was deferred to this particular meeting.

It was noted that during the strategic risk review that had been undertaken in January 2009, it was recommended that risk 1 (Failure to respond effectively to a major disaster or emergency) which included both emergency planning & business continuity planning needed to be separated out into two discrete risks. This created a new risk 37 – Failure to continue to provide key services in the event of a significant business interruption. This was last approved by Cabinet in May 2009.

In line with requirements of the Civil Contingencies Act 2004 (CCA) the Council prepared and had in place a corporate business continuity plan by March 2007. However, shortly after this a new British Standard (BS25999) for business continuity was introduced, which resulted in an enhanced requirement for business continuity arrangements. In July 2008 a part-time secondment post of Project Officer: Civil Resilience to lead work on reviewing and updating business continuity processes across the Council had been created. This resulted in a new Business Continuity Management Strategy being prepared which was subsequently approved by the Cabinet in January 2009.

Members were informed that work had been commenced with the identification of Priority Services within Portfolio Management Teams. However this was not concluded as the identified Priority Services did not progress to CAPS or Cabinet for approval as a result of the commencement of the current corporate re-structure which resulted in the Project being suspended until the restructuring was completed. In May 2010, the project to review the Council's Business Continuity processes recommenced with the aim of bringing them in line with BS25999 as well as the new Council Structure, One Council, One Vision with positive progress being achieved.

The Committee was advised that there was now a dedicated resource within the Civil Resilience Team for the development and monitoring of Business Continuity processes across the Council. This had resulted in the Business Continuity Management Strategy being revised and updated and stated that all Service Delivery Teams would now have a continuity plan. The Corporate Business Continuity Plan had now been incorporated into the Emergency Plan as there was much duplication of roles and responsibilities in the 2 plans. The revised Emergency Plan was being launched this month. All Service Delivery teams had been prioritised (from 1 - 4) with the Heads of Service and were also included in the Emergency Plan. Members were referred to these ratings as outlined in Appendix 1 of the report.

A new template for Continuity Plans had been distributed to all Service Delivery Teams; which included guidance on how to complete the template as well as what to do in an emergency. The template complied with BS25999 and identified the Priority of the Service as well as: Management chain and staff contact details for in and out of office hours; Key functions of the Service; Staff roles; Premises; ICT requirements; Hard Copies of key documents; Additional facilities; Reliance on other Services and Details of Contractors and Suppliers. Assistance had been provided to Service Delivery Managers with completing the template with the deadline for completion being the end of July. Each Service Delivery Team would be responsible for maintaining their own plan but the Civil Resilience Team would be collating all the Plans to inform the corporate overview in the event of an emergency.

All plans would be able to operate in isolation if necessary but in the event of a major incident, they would be co-ordinated by the Emergency Management Team as part of the Emergency Plan. It was required that the Plans would be reviewed annually or when there were significant changes within the Service Delivery Team and all Plans would be tested by the Service Delivery team with assistance from the Civil Resilience Team

In connection with future ongoing developments the Committee was informed that update training would be made available in September 2010 which would also include training on Business Continuity. The Committee also noted that testing of the Emergency Plan would take place in the Autumn which would also incorporate testing the Business Continuity Plan(s).

Members were also informed that the Intranet and Internet had both been updated with current guidance and information on Emergency Planning and Business Continuity. Each Service Delivery Team would hold a copy of their completed Continuity Plan and would also forward a copy to the Civil Resilience Team. The Civil Resilience Team were also investigating the possibility of using Sharepoint to electronically monitor and update Plans in the future.

Councillor Lomax whilst noting that all of the guidance etc was published online she enquired as to the effects of a total loss of the appropriate ICT infrastructure would have and cited by way of example the recent explosion in Shrewsbury. By way of response she was informed that the Civil Resilience team was located away from the Civic Offices and that in any event paper copies were located within the team structure, so that there was not reliance wholly on the availability of the Council's ICT infrastructure. It was also confirmed that the Council would also have access to the Crisis Commander system.

Councillor Chaplin enquired about the priorities provided within Appendix 1 for the restoration of Council Services and stated that he thought that the priorities given were of a too general nature and that no account had been given as to the likely changing of priorities depending on a different type of emergency. The Civil Resilience Team Operations Manager advised that CMT would need to address the position depending on the nature of any future incident and that recovery priorities would need to be continually revisited. The Chairman also enquired as to whether the reaction time for the recovery of services should be actual days rather than working days as if loss of a particular service occurred immediately prior to an extended bank holiday period the time to restore a particular service would be extended. It was agreed that this would be examined in the future but it was also confirmed that whilst the recovery time was stated many Service Delivery Managers would in fact attempt to restore services earlier than stated.

Councillor Lomax referred to the Ironbridge floods that had occurred in 2000 and highlighted the difficulties that were caused by the media for local residents who were receiving conflicting information when seeking assistance from various agencies. The Committee were informed that the media plan which is owned by the Corporate Communications Team had been reviewed with the Civil Resilience Team to ensure that the appropriate communication channels were put in place in an emergency. The Civil Resilience Team currently have a helpline function which could operate from Pergo house, but were also establishing ways of incorporating this into the Council's Customer Contact Centre.

The Committee wished to record their collective thanks and appreciation for the presentation, the contents of the report and the question and answer session which was noted as providing a very useful update on Emergency Planning and Business Continuity.

**RESOLVED** – that the contents of the Head of Community Protection report on the Update on Business Continuity Actions be noted.

**AUC-21**      **KPMG – INTERIM AUDIT REPORT 2009/10**

The Committee received the Interim Audit Report for 2009/10 from KPMG which summarised the key findings from the interim audit work that had been undertaken by KPMG in relation to the 2009/10 financial statements.

Members were referred to the Financial Statements Audit Plan for 2009/10 that had been presented to the Committee in February 2010 which outlined the four stages of KPMG's financial statements audit process and also identified a number of specific risk areas. During the period January to April 2010 the planning and control evaluation work had been completed. The Committee were referred to the summaries of the key findings outlined on page 2 of the report

This work included a review of the Council's general control environment which included the Council's IT systems; the testing of certain controls on the Council's financial systems; an assessment of the Internal Audit function and a review of the Council's accounts production process. The Committee were referred to the detailed findings as outlined within the remainder of the report.

In connection with identified specific risk areas that had arisen from the audit work Members were referred to the details provided within the report. The only risk area that had been brought forward from the previous report was Single Status, the Council was recommended to ensure that any provision made in the Council's accounts was based on the most accurate and up to date information. The other specific risks that had been identified were Private Finance initiative; Fixed Asset Valuation; SORP changes and Accounts production.

**RESOLVED** – that the contents of the KPMG Interim Audit Report for the 2009/10 financial year be noted.

**AUC-22**      **ANNUAL COMPLIMENTS AND COMPLAINTS REPORT (JANUARY – DECEMBER 2009)**

Members received the report of the Head of Customer and Leisure Services which provided an overview of the number of customer compliments received by the council for the period Jan – Dec 2009. The report also outlined the number of complaints that had been received by the Council with particular regard being given to those that had been classified as partly or fully upheld following investigation and to provide assurance to the Audit Committee that customer feedback had led to service delivery improvements.

The Committee was advised that the Council had received 615 compliments in 2009, the majority of these were for frontline services. The Council also received 836 complaints in 2009. Out of the total number of complaints that had been received 747 complaints had been received under the corporate complaints process, 51 were statutory complaints for Children and Young People Services and 38 were statutory complaints for adult services.

The majority of the complaints related to refuse/green collections, council tax and benefit claims and of the complaints received 551 (66%) had elements of the complaints upheld. Members were also informed that 605 (81%) of corporate complaints were responded to within the new target of 10 working days. The top 3 reported reasons for missing the final response date were officers being on annual leave, waiting for further information to be able to fully investigate the complaint before providing a full response and other work pressures. The Chairman expressed concern in connection with the reasons that had been highlighted for the reasons why recorded complaints were not dealt with. He stated that in connection with officers awaiting further information prior to resolving a complaint he was of the view that the requirement to respond within the stated period of days should be relaxed. He was concerned however in cases of where a response had not been submitted due to an annual leave commitment or other work pressures and that steps should be taken to eliminate non-responses based on these particular reasons. The Customer Services Manager referred the Committee to the monitoring of complaints and enquiries that were received and that if any regular occurrences were noted that these could be escalated to a Head of Service and in extreme cases to CMT.

The Committee noted that there were very small numbers of customer complaints registered when compared to the vast number of services provided by the Council each day. However, analysis had shown that when customers did complain there were elements where improvements could be identified and the responses indicated the Council's willingness to undertake these improvements whether they were for the benefit of the individual who had complained, or in some cases for the wider benefit of the Council's residents.

The Council services that received the highest number of complaints were: Council Tax; the Benefits Service; Green and Recycling issues; the Looked After children Service; Domestic Refuse; Older People Care Management and the Wellington and Civic Leisure Centre.

Members were advised that Satisfaction surveys were sent to all complainants 20 days after their complaint had been responded to. Of those who responded 54% felt the service they received from the council had improved as a result of their complaint, 74% were satisfied with the response time to their complaint and 88% found it easy to make their complaint in the first instance. The majority of complaints received during 2009 were responded to on an individual basis with limited trends. However, a number of improvements had been introduced as a result of customer feedback and these included variations to service delivery in the Benefits service; Waste Collection; Disabled Persons blue Badges; Community recycling sites and Recycling boxes.

It was further reported that as a result of the corporate restructure in January 2010, the Council had now centralised the customer feedback functions that were previously located in each portfolio. This change allowed the Council to manage workloads more effectively and provide robust and proactive governance to the complaints scheme, which included the ability to progress, chase and escalate complaints, regular performance reporting and ensuring that improvements were implemented when identified through the customer feedback.

Councillor Wright questioned the impact on the benefits service of travelling by officers for applicant home visits. The Customer Services Manager informed the Committee that the provision of home visits had been identified as the most cost effective way of processing applications as all of the application requirements could be sought at the earliest opportunity and also following completion of the application interview confirmation of the benefits entitlement could be communicated to the applicant. It had also proved beneficial in connection with any possible incidents of benefit fraud. Members were informed that previously with the application process being undertaken through the post delays had been experienced where the Benefits Team awaited receipt of requested information or documentation from an applicant, with the result that delays were regularly experienced in applications being processed.

Councillor Lomax commented that there was no information provided within the report in relation to highways or winter maintenance and enquired as to when a complaint was regarded as a complaint and not merely a report or enquiry. The Customer Services Manager responded by stating that a report of a pothole or other matter was not regarded as a complaint initially on the first contact with the Council. However a matter was treated as a complaint if there was a delay in resolving an issue where a promise had been made to resolve a situation which was not subsequently completed in time.

Councillor Wright also enquired as to whether any feedback was received from PACT meetings and the Customer Services Manager responded by stating that he was not aware whether feedback was passed onto his team from these particular meetings. It was suggested that contact would be made with the Safer Communities Strategic Manager to see whether this feedback could be recorded and submitted to Customer Services in the future.

The Chairman also referred to the Appendix A that was attached to the report and suggested that an extra column should be added to record the total number of cases/volumes etc that had been dealt with by the individual service areas in order to reflect the proportionately low numbers of individual complaints that were received.

**RESOLVED – that the contents of the report and the improvements made to services as a result of the customer feedback that had been received be noted.**

**AUC-23      2009/10 ANNUAL REPORT – CORPORATE ANTI-FRAUD & CORRUPTION ACTIVITY**

The Committee considered the 2009/10 Annual Report on Corporate Anti-Fraud and Corruption activity that had been submitted by the Chief Financial Officer. The report confirmed that the Council was committed to high standards of Corporate Governance and had published a set of effective procedures in place to support this. These procedures included the Anti-Fraud & Corruption Policy.

Members were reminded that this was the second annual report that set out the Corporate Anti-Fraud and Corruption activity for 2009/10 to enable the Audit Committee to monitor the operation of the policy. It was further reported that the Anti-Fraud and Corruption Policy had been previously reviewed and updated in

September 2008 and that a further update was planned for Autumn 2010. The policy supported one of the key dimensions of good Corporate Governance – Standards of Conduct. The Council aimed to ensure that all those associated with it maintained high standards of ethics and conduct in public life in order to contribute to good corporate governance. The changes to this policy reflected new legislation, good practice and developments in this area within the public sector.

The Committee were advised that due to the economic climate there were indications from the Police that fraudulent activity had and would continue to increase during the recession. Therefore it was considered important that the Council continued to maintain its vigilance in respect to Council services and the Community. The report contained information about counter fraud and investigation activities within Benefits, Internal Audit and Trading Standards, including Licensing. The Committee were requested to note that the Councils procedures and controls were designed to minimise the opportunity for fraud and to highlight where possible activity may have occurred.

Members were referred to the report that detailed that the benefit caseload had steadily increased over the last 12 months, from 17,424 (live cases) in March 2009 to 18,932 in March 2010, which represented a 7.97% increase over the year, and even though there were signs that the economic climate was improving in some areas it was expected that this figure would increase over the coming months.

The Council also followed the Department for Work & Pensions (DWP) lead in “securing the gateway”, the aim of which was to ensure that only those properly entitled were granted and paid benefit. To this end, the Council had embarked on visiting as many benefit claimants as possible in their homes. This ensured the best possible service for the customer, made sure the information obtained was accurate, made the customer aware of their responsibilities, and further ensured that performance targets were met. It was noted that the Benefit Team undertook a home visit on 46% of the new benefit claims that were made to the Council before the claim was processed for payment.

Members were referred to the table within the report that detailed the sources, numbers and percentage from where referrals to the Benefits Investigation team were received by the Council. The Committee was also further referred to the details for Benefits as outlined within the report – with particular attention being made to the Housing Benefit Matching Service, details of the number of investigated cases; publicity matters and the re-written Benefit Fraud Sanction & Policy that had been approved by Cabinet in January 2010.

The Committee were reminded of the important role undertaken by Internal Audit in the investigation of suspected internal fraud and assisting managers in ensuring they had appropriate systems and controls in place that were designed to prevent or reduce the opportunity for fraud. It was reported that on an annual basis days were allocated within the risk based audit plan to undertake proactive fraud work and work in areas where previous frauds had occurred, with the work being identified through the current Fraud Risk register that had been updated for 2009/10. A summary of the risk areas, types of fraud and audit action taken during 2009/10 was attached as Appendix A to the report. Members were further referred to Appendix B which

outlined in summary the investigations into potential irregularities that had been undertaken during 2009/10. The number of days work undertaken on suspected fraudulent activities during 2009/10 was 126 days, with these days being taken from contingency (184) or by the re-allocation of planned audit time.

The council also 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 sought to match electronic data within and between audited bodies to prevent and detect fraud. The Council was required to provide a number of datasets to specifications as set out by the Audit Commission in October 2009 and the particular data that was included was indicated within the report.

The Council also ensured that both Members and Officers were aware of their responsibilities in respect to the Council's Anti-Fraud and Corruption policy. In addition to member induction two Member Information Seminars on Governance, Risk and Fraud were held in October 2009 and March 2010.

For officers there was also the Code of Conduct for Employees and High Standards Cards which were also included in induction sessions and personal information folders. A Booklet had been provided to Managers and a leaflet to all employees, with copies being available on the Intranet. A specific module entitled "Managing ethically" had also been developed and incorporated into the Team Leader Management Development Programme which included managers and employees responsibilities from within the Anti-Fraud & Corruption Policy and the Speak Up policy. It was also noted that the High Standards Leaflets for employees were re-issued to all officers in September 2009 following the appointment of the new Chief Executive.

The Committee's attention was also drawn to the work of Trading Standards and Licensing both of which played a significant role in delivering the Council's response to business related fraud in the borough. The majority of the responses were based around statutory responsibilities refined to provide effective detection and countermeasures in respect to fraud. Further details were outlined within the report for both of these particular services. In particular the individual work within the Scambusters Team and the Loan Shark Team were particularly identified.

Councillor Lomax enquired as to whether further publicity could be undertaken in connection with Loan Sharks particularly given the current economic situation within the country.

Members also asked how much of the overpayments of £480,913 identified through benefit fraud investigation had been collected. The Audit & risk Manager said she would find out for the Committee.

Finally Members were referred to the identified challenges for 2010/11 which were outlined in the report.

**RESOLVED – that the 2009/10 Annual Report on Corporate Anti-Fraud and Corruption Activity be noted.**

*N.B. In accordance with the previous declaration of interest made by Councillor R.K.Austin left the meeting prior to consideration of this item.*

## **AUC-24      INTERNAL AUDIT QUARTER 1 – 2010-2011 – UPDATE REPORT**

The report of the Audit & Risk Manager was received which sought to update members on the work of Internal Audit during quarter one covering the period between April until June 2010. The report also updated members on the detailed Strategic ICT Audit Plan for the period from 2010/11 until 2012/13 that had been prepared by the Council's external ICT audit advisors.

Members were reminded that the Audit Committee received a quarterly update of the work of Internal Audit and the report included the update report for quarter one – April to June 2010. The Committee were further reminded that the Committee meeting in March 2010 Members had agreed the Internal Audit Plan for 2010/11 with the provision of summary days for IT audit and that a detailed plan was being developed with the newly appointed external IT audit experts. The 3 year plan and detailed plan for 2010/11 had now been agreed and were provided to members for information.

This report also provided an update on the progress of previous audit reports that had been issued in the period July 2008 to March 2010. The Committee was informed that Internal Audit activity during this period had focussed on completion of the audits set out in the Internal Audit Plan including any carry forwards from quarter 4. There had also been a couple of unplanned pieces of work during the period which were currently being concluded.

The Committee was referred to the Appendices as attached to the report which included a list of the 17 final reports issued in quarter one together with details of budgeted time, actual time and percentage variance. A list of all work undertaken for quarter one of 1 day or more and within these areas where audit work had exceeded 10 days, including an explanation. Appendix C detailed previously graded reports from July 2008 to March 2010 and their current status. Further information was also provided in relation to the four Amber reports issued in quarter 1..

All other areas were either improving or the follow ups were in progress or planned. The Committee were informed that 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.

Members were finally referred to the preparation by the Council with the assistance of its external ICT audit provider of a Strategic ICT Audit Plan for 2010 – 2013 which was attached at Appendix E. Details of the proposed IT audit programme for 2010/11 including the level of internal resource that had been allocated were outlined within Appendix F of the report. It was reported that the delivery of this plan had already commenced this quarter.

A number of Members expressed concern in relation to the recent audit work undertaken in connection the recent audit report for the Sutherland School and the apparent repeat of problems that had been revealed in a previous audit. The Audit &

Risk Manager confirmed that full support had been offered to the School and assured the Committee that the issues would be dealt with prior to the follow-up audit that was planned for October 2010.

**RESOLVED –**

- (a) that the update report in connection with Quarter One (April – June 2010) be noted; and,
- (b) that the detailed ICT Audit Plan for 2010/11 as attached to Appendix F of the report be noted.

**AUC-25      DATES OF FUTURE MEETINGS**

The Committee noted the dates of the remaining meetings of the Committee that were scheduled for the 2010/11 Civic Year were Tuesday 21st September 2010, Tuesday 2nd November 2010, Tuesday 1st February 2011 and Tuesday 29th March 2011 with all meetings scheduled to commence at 6.00 pm.

Members were informed that there would be a training session in relation to the Statement of Accounts held prior to the meeting to be held on 21st September 2010.

It was mentioned that the meeting to be held on 29th March 2011 would also be moved to an alternative date.

The meeting ended at 7.33 pm.

**Chairman:**

**Date:**

## **INTERIM SCRUTINY COMMITTEE**

### **Minutes of the meeting of the Interim Scrutiny Committee held on Tuesday, 1<sup>st</sup> June, 2010 at 6.00 p.m. in the Civic Offices, Telford, Shropshire**

**PRESENT:** Councillors V.A. Fletcher (Chairman), R.G. Chaplin, G.M. Green, T.J. Hope, L. Lomax, A.D. McClements, A.A. Meredith, C.P.R. Mollett, C.F. Smith, A.J. Stanton, H.J. Unwin, D.R.W. White (part) and H.J. Williams

#### **ISC-1      APOLOGY FOR ABSENCE**

Councillor K.L. Tomlinson

#### **ISC-2      DECLARATIONS OF INTEREST/PARTY WHIP**

Councillor L. Lomax declared an interest in the Telford & Wrekin Primary Care Trust.

#### **ISC-3      SCRUTINY ARRANGEMENTS**

The Interim Scrutiny Committee was established at the Annual Council Meeting on 20<sup>th</sup> May, 2010 to propose the new Scrutiny arrangements and the report of the Scrutiny Manager asked the Committee to agree these and to recommend the necessary changes to the Council's Constitution Committee.

Appendix 2 of the report set out the proposed changes to Part 4 – Rules of Procedure – Overview and Scrutiny Procedure Rules and Section 5 of the report detailed the changes and options on which the Committee was asked to take a view. The Committee agreed the following:

#### **Membership of Scrutiny Committees**

Appendix 1 of the report set out for Members' information details of the allocation of the membership between all the political groups on the Council based upon Scrutiny Committees of either 6 or 8 elected members. The Committee noted that, in order to retain political balance, it would not be possible to have a 7 member Committee.

It was agreed that Option 3, as set out in Appendix 1 (3 Committee of 6 members, 4 Committees of 8 members) be recommended as follows:

Adult Care and Support Scrutiny Committee	6 members
Efficient Community Focused Council	8 members
Community Protection and Cohesion	6 members
Housing, Regeneration & Prosperity	8 members
Active Lifestyles – Leisure & Culture	6 members
Environment & Rural Areas	8 members
Children & Young People	8 members

It was further recommended that the members of the Scrutiny Committees be appointed for a two year period.

### Scrutiny Meetings

The Committee recommended that with regard to urgent business a Scrutiny Committee would be called, as soon as practicable, if 7 Members of the Scrutiny Assembly signed such a request.

### Scrutiny Assembly

The Committee discussed the two options set out in paragraphs 5.7 and 5.8 of the report. Option 1, as set out in the current Constitution, allowed for 'All Councillors except members of the Cabinet, Cabinet Assistants and the Mayor will be members of the Scrutiny Assembly, although the Mayor may still attend and participate in meetings if he or she wishes.' Option 2 extended this provision to the Deputy Mayor. The Committee considered that there was no reason to exclude the Deputy Mayor and it was agreed that the current wording of the Constitution remain in this respect remain unchanged.

### Scrutiny Work Programme

Paragraph 5.10 of the report set out the suggested process for determining the method of scrutiny and the timing of the work programme following the identification and prioritisation of the issues at a meeting of the Scrutiny Assembly. An alternative process of setting the Work Programme was tabled at the meeting for the Members' consideration. This option allowed for the Scrutiny Chairmen's Forum to agree the cross-cutting reviews to be undertaken during a municipal year and the number of meetings to be allocated to these. In addition, each Scrutiny Committee would meet to plan its own work programme including the topics identified by the Scrutiny Assembly and any issues referred from the previous Scrutiny arrangements and to decide the most appropriate form of meeting.

The Committee considered that the option, as tabled, was a clearer process which would provide a good structure given the size of the Scrutiny work load and the need to also continue to hold the Cabinet to account. Councillor Lomax emphasised the need to maintain the monitoring of the recommendations made by Scrutiny Groups and the Scrutiny Manager confirmed that the current system of monitoring would be retained.

It was agreed that the option tabled be recommended for approval.

(Councillors A.J. Stanton and D.R.W. White left the meeting at this point due to other arrangements).

The Scrutiny Officer briefly outlined the format for the Scrutiny Assembly meeting to be held in July and the Committee put forward a number of suggestions for consideration.

### Additions and Changes to the Scrutiny Work Programme in Year

Paragraphs 5.12, 5.13, 5.14 and 5.15 set out a suggested procedure with an alternative procedure being set out in paragraphs 5.16 and 5.17. The Committee

considered that the alternative procedure was a clear process but recommended that the proportion of the members of a Scrutiny Committee required to agree that an issue raised through a Scrutiny Suggestion Form be scrutinised be a simple majority of the members rather than the '¾ of the membership' proposed in the report. It was further recommended that this process did not require a meeting of the relevant Scrutiny Committee but could be undertaken by e-mail. This to be set out in the Scrutiny Handbook as would be the process for Chairing Scrutiny Reviews, as set out in paragraph 5.18 of the report.

### Process to Sign off Scrutiny Reports

Paragraph 5.19 of the report set out two options for Members' consideration. Option 1 allowed for the Chairman of a Scrutiny Committee to sign off the final report and Option 2 allowed for the Scrutiny Committee to do so. Members agreed that Option 2 be recommended for approval subject to the wording being amended to include the name of the relevant Scrutiny Committee. It was also agreed that this process could take place by e-mail with a meeting only being held if an issue could not be resolved.

### Changes to the Constitution Regarding Scrutiny

Paragraph 20 of the report proposed that the Chairmen's Forum should recommend minor changes to the Scrutiny Arrangements, as set out in the Constitution. The Scrutiny Assembly would be consulted by e-mail on any substantial changes and, in the event of these requiring further discussion, a meeting of the Assembly could be held. Members noted that such changes would have to be agreed firstly by the Council Constitution Committee and, secondly, by Council.

### Membership of the Joint Health Overview & Scrutiny Committee with Shropshire Council (JHOSC)

The Interim Scrutiny Committee had the power to appoint this Council's membership of the JHOSC, which comprised 3 elected Members and 3 co-optees, as did that of Shropshire Council. Under the relevant legislation the membership was required to be politically balanced unless waived by all members of both authorities. Members noted that a report was being submitted to a meeting of the Council Constitution Committee on 8<sup>th</sup> June, which would make recommendations to Council on 24<sup>th</sup> June.

The Chairman proposed that Councillors A. McClements, R.G. Chaplin and herself be appointed to the JHOSC. A number of members referred to the need for the membership to be politically balanced in order that an overall Telford & Wrekin response could be put forward at meetings of the JHOSC. However, the Scrutiny Manager informed the Committee that legal advice received by Shropshire Council was that, due to Joint Committee having co-optees, it would not be possible to agree representation on the basis of political balance.

(Councillor A.A. Meredith left the meeting at this point due to a prior engagement.)

Following a discussion and on being put to the vote, it was resolved that Councillors V.A. Fletcher and A.A. McClements be appointed as the Council's representatives

on the JHOSC and it was further resolved that Councillor V.A. Fletcher be appointed as Chairman for the purposes of liaison with Shropshire Council. It was agreed that the Group Leaders be asked to submit nominations for the third member of the JHOSC to be appointed at the next meeting of the Interim Scrutiny Committee

(Councillor A.A. McClements left the room at this point due to a prior engagement.)

The Scrutiny Manager drew the Committee's attention to the consequent changes to the Constitution requiring following the changes to the Scrutiny arrangements.

**RECOMMENDED** – that the following changes to the Scrutiny structures and processes be recommended to the Council Constitution Committee at its meeting on 8<sup>th</sup> June, 2010:

- (a) That the membership of the seven Scrutiny Committees be:
  - (i) Adult Care & Support 6 members
  - (ii) Efficient Community Focused Council 8 members
  - (iii) Community Protection & Cohesion 6 members
  - (iv) Housing, Regeneration & Prosperity 8 members
  - (v) Active Lifestyles – Leisure & Culture 6 members
  - (vi) Environment & Rural Areas 8 members
  - (vii) Children & Young People 8 members
- (b) That the members of the above Scrutiny Committees be appointed for a period of two years;
- (c) That 7 members of the Scrutiny Assembly be required to sign a request for a meeting of the relevant Scrutiny Committee to be called, as soon as practicable, to consider urgent business;
- (d) That the process for setting the Scrutiny Work Programme be as set out in paragraph 5.10.5, as tabled,
- (e) That the procedure for Agenda items and Issues for Scrutiny be as set out in paragraph 5.16 of the report, subject to the deletion of the words 'If  $\frac{3}{4}$  of the membership...' and the insertion of the words 'If a simple majority .....';
- (f) That the Process to Sign off Scrutiny reports be as set out in paragraph 5.19(b) of the report;
- (g) That changes to the Constitution Regarding Scrutiny be as set out in paragraph 5.20 of the report.

**RESOLVED** – that Councillor V.A. Fletcher and Councillor A.A. McClements be appointed to the Joint Health Overview & Scrutiny Committee.

The meeting ended at 8.42 p.m.

Chairman: .....

Date: .....

**INTERIM SCRUTINY COMMITTEE**  
**Minutes of the meeting of the Interim Scrutiny Committee held on**  
**Wednesday, 16<sup>th</sup> June, 2010 at 5.00 pm in the Civic Offices, Telford**

**PRESENT:** Councillors V.A. Fletcher (Chairman), R.G. Chaplin, G.M. Green, T.J. Hope, L. Lomax, A.D. McClements, A.A. Meredith, C.P.R. Mollett, C.F. Smith, A.J. Stanton, H.J. Unwin, D.R.W. White (part) and H.J. Williams

**ISC-4        MINUTES**

**RESOLVED** – that the minutes of the meeting of the Interim Scrutiny Committee held on the 1<sup>st</sup> June 2010 be confirmed and signed by the Chairman.

**ISC-5        APOLOGY FOR ABSENCE**

Councillor K.L. Tomlinson

**ISC-6        DECLARATIONS OF INTEREST/PARTY WHIP**

None

**ISC-7        DRAFT SCRUTINY HANDBOOK**

The Scrutiny Manager advised that in order to provide a practical guide to Members, co-optees, officers and partner organisations, it was intended to publish a revised Scrutiny Handbook. Whilst the Handbook was based on the information which would appear in the Constitution, the views of the Committee were sought on specific issues of process.

The Scrutiny Manager pointed out that the handbook reflected the recommendations made at the last meeting regarding the new Scrutiny structure but that the Council Constitution Committee had not wholly supported the Committee's viewpoints and would be making slightly different recommendations to Council. Some of the members of the committee noted with disappointment the Council Constitution Committee's recommendations that there should be a maximum size of six, Members for all the priority themed Scrutiny Committees and that the Joint Health Scrutiny Committee should fall within the remit of Active Lifestyles, Leisure & Culture Scrutiny Committee. Some members felt that the Interim Scrutiny Committee should have autonomy in deciding the future of Scrutiny within the Authority and expressed frustration at the recommendations, seeking advice as to how some influence could be exerted on the final structure. The Head of Governance confirmed that both sets of recommendations would be available to Full Council to enable a full debate of the merits of the respective viewpoints to take place before a final decision was made on the structure.

## Chairmen's Forum

The Members debated the merits of a suggestion that Scrutiny Chairmen should meet in private or be open for Scrutiny Assembly members to attend. The majority of Members considered that it was imperative for the open and transparent nature of Scrutiny to continue and fears were expressed that confidence in a balanced scrutiny environment would be lost and the Authority would be taking a backward step if Scrutiny Assembly members were excluded from observing the Chairmen's forum.

## Scoring Matrix for Scrutiny Suggestions

Some members of the Committee considered that the criteria in the scoring matrix was overly subjective, with the majority of questions requiring a qualitative response. This led to concerns that if those assessments were made by officers the would have more influence on the work programme than Scrutiny Assembly members.

The Scrutiny Manager advised that it was not intended for Officers to influence the work programme but rather to assist in the management of the process of bringing as much relevant information to the Chairmen as possible. Councillor D R W White reminded the Committee Members that the Scrutiny process was subject to external inspection and that it was important to be able to demonstrate that criteria existed which supported the Members in deciding the work programme and which enabled them to justify the topics chosen. It was, therefore, suggested that the Interim Scrutiny Committee should accept the matrix with the provision that the Scrutiny Chairmen could modify its contents and extract relevant information to assist them in setting the work programme.

## Allocation of meetings to Scrutiny Committees

The Committee considered that it was preferable to exercise a degree of flexibility in the number of meetings allocated to Scrutiny Committees.

## Membership of In-depth Reviews

Members noted that reviews are not politically balanced and it may be that some issues were of a cross-cutting nature which would require greater input from two or more Committees. This could lead to issues of voting rights when co-optees were included in review memberships and the Committee would , therefore, need to consider this in their response.

The Committee considered that this proposal closely mirrored the existing scrutiny structure and felt that some discretion in the running of reviews should be retained by the Chairman.

### Meetings for In-depth Reviews

The Committee agreed with the Scrutiny Manager's suggestion that it would be preferable for a regular schedule of meetings to be agreed at which the majority of Members were available.

### Special Interest Meetings

The Committee supported a recommendation for a minimum number of 6 members to enable a Special Interest Meeting to take place subject to clarification that the meeting did not have to be politically balanced.

The Scrutiny Manager then set out plans to communicate the details of the new arrangements to all Members following their adoption at Full Council on 24 June 2010 and the subsequent arrangements for training. The Scrutiny Officer set out the proposed timetable for the next Scrutiny Assembly and the format it was likely to take following previous discussions by the Interim Scrutiny Committee.

**RESOLVED** – that the following changes to the Scrutiny Handbook be made:

- (a) That the attendance of Scrutiny Assembly Members at Chairmen's Forum meetings be agreed
- (b) That the scoring matrix for scrutiny suggestions be agreed, subject to modification by the Chairmen
- (c) That flexibility be exercised in the allocation of meetings to Scrutiny Committees
- (d) That the membership of in-depth reviews should be subject to the discretion of the Chairman
- (e) That a regular schedule of meetings for in-depth reviews should be agreed at the scoping meeting and those meetings should go ahead when at least four members are available.
- (f) That a minimum of six members should be required for a Special Interest Meeting to take place.

(Councillor D R W White left the meeting at this point due to other arrangements).

### **ISC-8            SCRUTINY WORK PROGRAMME ISSUES**

Members noted the report of the Scrutiny Manager which set out the opportunities and risks associated with the Scrutiny of the Council's budget, performance and children in care.

### **ISC-9            MEMBERSHIP OF THE JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE**

The Committee noted that Group Leaders had not met to discuss the make up of the Joint Health Overview & Scrutiny Committee.

The Scrutiny Manager advised that her understanding of advice from the Department of Health was that both Authorities would need to agree to waive political balance, and advised that since Shropshire Council had already opted to appoint its members reflecting political balance, this Authority would be required to appoint similarly.

**RESOLVED – that Councillor R G Chaplin be appointed to the Joint Health Overview & Scrutiny Committee.**

The meeting ended at 6.55 pm

**Chairman:** .....

**Date:** .....

## **STANDARDS COMMITTEE**

### **Minutes of a meeting of the Standards Committee held on Thursday, 17 June, 2010 at 6.00 p.m. at Civic Offices, Telford**

**PRESENT:** Councillors D.G. Allen, R. Aveley, D.R. Chaplin, N.A. Dugmore, R.E. Groom, H. Rhodes, K.S. Sahota and R.M. Tyler  
F. Beasland and A. Selvaratnam (Independent Members)  
Councillors D. Edwards and R. Williams (Parish Council representatives)

#### **ST-1 ELECTION OF CHAIRMAN FOR 2010/11**

In accordance with the statutory requirements, the Chairman had to be an Independent Member of the Committee. The previous Chairman, Mr A. Simpson, had reached the end of his term as an Independent Member, and was no longer a member of the Committee. It was moved, seconded and

**RESOLVED** - that Mr A Selvaratnam be elected Chairman of the Standards Committee for the 2010/11 Municipal Year.

#### **ST-2 MINUTES**

In relation to Minute ST-29(b), the Monitoring Officer sought guidance from Members as to whether the process to recruit a new Independent member of the Committee should be put on hold until it became clearer as to the intentions of the new Government in revising the national standards framework. Members indicated that officers should continue with the recruitment process as originally planned.

**RESOLVED** – that the minutes of the meeting of the Standards Committee held on 25 March 2010 be confirmed and signed by the Chairman.

#### **ST-3 APOLOGIES FOR ABSENCE**

Mr B. Bayley (Independent Member) and Councillor R. Wickson Parish Council representative)

#### **ST-4 DECLARATIONS OF INTEREST**

None

#### **ST-5 ANNUAL REPORT OF THE STANDARDS COMMITTEE**

The Head of Governance & Monitoring Officer presented a draft version of the annual report for 2009/10 for approval.

Because there had not been a Chairman in post from 20 May until this meeting, he had not been able to consult on the content of the Chairman's

Introduction to the Report. Members' views were sought, particularly on whether more reference needed to be made to the challenges ahead regarding the national standards regime. In terms of the work programme shown at Appendix 2 of the report, item 3 – Attendance at Standards Boards Assembly – would be removed, because the event had recently been cancelled.

Given that the main purpose of the report was to reflect activity and work that had taken place over the last year, Members did not feel it necessary to add further references in the report to possible future changes in the national standards framework.

**RESOLVED** – that, subject to the minor amendment to Appendix 2, the draft version of the Annual Report of the Standards Committee be approved.

#### **ST-6            REVIEW OF STANDARDS COMMITTEE PROCEDURES**

The Head of Governance & Monitoring Officer presented a report setting out proposed amendments to a number of procedures in relation to the processing and investigation of complaints.

The procedures had been reviewed in the light of the experiences that had been gained since May 2008 in operating the local system for the assessment of complaints. The proposed amendments were highlighted in appendices to the report. In relation to the Monitoring Officer Protocol, some minor changes in wording were suggested in order to provide greater clarity. The Assessment and Review Criteria included a new process to ensure that members who were subject to a complaint that was withdrawn were informed about the withdrawal as soon as possible. In relation to the Local Investigation Procedure, it was proposed to delete the paragraph specifying a 21 day period for a response regarding an allegation from the member who was subject to the complaint, as this could slow down the investigation process, particularly in smaller cases.

In terms of the Local Hearings Procedure, there were some proposed changes to paragraph 3 in order to clarify the process for considering the final report of the Investigator. In considering the revised Procedure, Members suggested that the proposal at paragraph 1 to give the Monitoring Officer delegated authority to amend the procedure be subject to consultation with the Chairman of the Committee.

**RESOLVED** –

- (a) that the amendments to the Monitoring Officer Protocol, Assessment and Review Criteria and Local Investigation Procedure be approved;**
- (b) that the amendments to the Local Hearings Procedure be approved, subject to the further amendment to paragraph 1;**

- (c) that the Head of Governance & Monitoring Officer, in consultation with the Chairman, be given delegated authority to amend the procedures when he considers it necessary to do so.

**ST-7            ANNUAL REVIEW OF STANDARDS COMMITTEE TERMS OF REFERENCE**

The Head of Governance & Monitoring Officer presented a report, to which was appended the current terms of reference for the Committee.

There was a provision that the Committee should annually review its terms of reference, and Members were asked whether any amendments or changes were required.

**RESOLVED** – that the current Terms of Reference, as shown at Appendix 1 of the report, be confirmed without change.

**ST-8            CODE OF CONDUCT COMPLAINTS MADE TO THE STANDARDS COMMITTEE – QUARTERLY UPDATE 1 JANUARY – 31 MARCH 2010**

The Head of Governance & Monitoring Officer presented a report which detailed the complaints about elected Members which had proceeded to the referrals sub-committee during the period 1 January to 31 March 2010.

During that period, two complaints were received and proceeded to local assessment. Both complaints related to Parish/Town Councillors. One complaint was made by a member of the public and the other by a local town councillor. The Referrals Sub-Committee referred one complaint for local investigation, and decided no further action should be taken in respect of the other complaint. One final hearing scheduled to take place during this period was adjourned after problems were raised relating to witness availability. A quarterly return had been sent to Standards for England.

**RESOLVED** – that the report be noted.

The meeting ended at 6.25 pm

**Chairman:** .....

**Date:** .....