

SHREWSBURY TOWN COUNCIL

Meeting of the Council Held in Council Chamber, Shirehall At 6.00pm on Monday 14 November 2022

PRESENT

Councillors E Roberts (Mayor), B Bentick, R Dartnall, M Davies, J Dean, P Gillam, N Green, K Halliday, C Lemon, P Moseley, A Mosley, K Pardy, A Phillips, D Vasmer, R Wagner & B Wall.

IN ATTENDANCE

Helen Ball (Town Clerk), Amanda Spencer (Deputy Town Clerk), Gary Farmer (Head of Operations), Andy Watkin (Responsible Finance Officer), Michelle Farmer (Committee Officer) & six members of public.

97/22 WELCOME FROM THE MAYOR

The Mayor welcomed Councillors and Officers to the meeting. The Mayor advised that this meeting was being live-streamed but he noted that the meeting was not being recorded and the Minutes would be published on the Town Council's website in the usual way.

98/22 APOLOGIES

Apologies were received from Councillor Wilson.

99/22 DECLARATIONS OF INTEREST

Shropshire Councillors	Twin hatted members declared personal interests in matters relating to the Town Council's relationship with Shropshire Council.
Councillor Wagner	Declared he would take no part in any Greenfields discussion as his father was a partner and his mother an employee of Martin Kaye Solicitors which represent CSE, the owners of land adjacent to Greenfields Recreation Ground.
Councillor Phillips	Personal interest in Greenfields as ward member.

100/22 MINUTES OF THE LAST MEETING

The minutes of the Town Council meeting held on 5 September 2022 and 4 October 2022 were circulated as read.

Councillor Dartnall informed Committee that her apologies had not been noted for the meeting held on 5 September and she would like the minutes altered to show this.

Councillor Bentick referred to Min 84.1 of the Full Council minutes of 5 September 2022 and requested that the last sentence was deleted as it was completely incorrect regarding the South Shrewsbury Youth Partnership.

RESOLVED

- (i) That the minutes of the Town Council meeting held on 5 September 2022 be amended to show Councillor Dartnall apologies.**
- (ii) That the minutes of the Town Council meeting held on 4 October 2022 be approved and signed as a correct record,**
- (iii) That the minutes of the Town Council meeting held on 5 September 2022 be approve and signed as a correct record, subject to the following sentence being removed from Min 84.1
“It was agreed by Members that this partnership and the approach had undermined the Town Council and they should be working as a team with Young Shrewsbury, working together to try and see how services could be extended.”**

101/22 MATTERS ARISING

Councillor Wagner left the meeting.

Councillor Phillips referred to Min 70/22 which stated that there would be a further discussion regarding Greenfields at this meeting. He advised that additional information from the Greenfields Community Group had been provided to him on the morning of the meeting and he requested that this was debated at this meeting.

The Town Clerk advised that it had already been explained to Councillor Phillips that his request did not comply with the provisions of Standing 7 in that Standing Order 9, of which it refers, requires 7 clear days' notice to be given to the Town Clerk of any written notice. A Recission Notice had to be signed by 5 Councillors and not taken as 5 separate emails. Therefore, there could not be any further debate at Full Council this evening.

This was not to say that a debate on the Finance & General Purposes decision could not be taken, but the Recission Notice would have to be submitted to the Town Clerk and provision would have to be made in a future meeting or extraordinary meeting of the Council.

Councillor Mosley commented that the decision had already been agreed by the Finance & General Purposes Committee in September regarding Greenfields. The information that had just been provided was of no relevance as the Town Council which had already accepted responsibility for the actions it had taken.

Councillor Phillips further suggested that the matter could be debated during public questions. Councillor Mosley advised the purpose of the public questions was not to enter into debate, but seek an answer from the Town Council. This was the practice Twin Hatters were used to at Shropshire Council, why should it be any different at Shrewsbury Town Council.

102/22 ANNOUNCEMENTS

102.1 MAYOR & DEPUTY MAYOR'S ENGAGEMENTS

Details of the Mayor & Deputy Mayor's engagements for the period 3 September 2022 to 31 October 2022 were circulated and noted.

The Mayor reported that since the last meeting she had a full diary and had attended a number of events including the County Memorial Service for Queen Elizabeth II at the Abbey Church. She had also attended the Shropshire Proclamation and then the Shrewsbury Town Proclamation along with the Lord Lieutenant and the High Sheriff.

The Mayor had received back the Freedom of Shrewsbury scroll from the now de-commissioned HMS Talent following a parade through the town for the final time.

The Mayor also commented on the evening she had spent with the Street Pastors observing the good work they did for the town during the evenings.

The Deputy Mayor informed Council that she had attended a couple of events which were Ludlow Mayor's Charity Market and the opening of the Shrewsbury Charity Christmas Card Shop.

102.2 ANNOUNCEMENTS FROM THE TOWN CLERK

The Town Clerk had a couple of events that staff were currently working on which she made Council aware. They were:

- Christmas Lights Switch on – Wednesday 23 November
- Carols in the Square – Wednesday 14 December

103/22 PUBLIC QUESTIONS/COMMENTS

The Town Clerk reported that standing orders had been followed in seeking questions ahead of the meeting, but she had accepted questions up until 4pm on the day of this meeting.

The following question had been received from Alyson Lanning from the Greenfields Community Group:

Shropshire Council had recently issued an Independent Report 2022 into their views on what constitutes and does not constitute a park or open space in a response to reviewing the planning process and revocation of planning decision 2018 where all parties stated that this 'site' was not and never was a park. In the view of Shropshire Council, a park was land which primarily was used for 'sport or recreation' and were not specific beyond these terms. Did the Shrewsbury Town Council councillors endorse this loose definition for their parks in their wards for any future disposal?

Shropshire Council repeats the 'anecdotal' narrative of Michael Redfern and Shrewsbury Town Council in this report.

However recent documents had come to light at:

1. conveyancing 2017 where the wrong deed and map were used in the disposal of Greenfields Recreation Ground, an alternative map substituted by Shrewsbury Town Council for the Capper Deed map
2. At the Land Registry where the Town Clerk registered Greenfields Recreation Ground in 2010 on behalf of the Council through an AP1 document which is legally binding. The site

sold was clearly part of this registering of land in 2010 and within the map boundary showing Greenfields Recreation Ground attached to this AP1

In 2010 the Town Clerk and the Council therefore knew this land legally was part of Greenfields Recreation Ground as they provided a legally binding map and document. Could the Town Clerk please answer why Shrewsbury Town Council knowingly disposed land that was legally held as a part of the Recreation Ground, as she registered the land at the Land Registry and signed the documents in 2010 (before she created two new deeds on the site two months later). Shrewsbury Town Council did not have any legal deeds, deed maps or legal documents that show this land was not a park however it had numerous legal documents in the public domain that showed it cannot be anything other than a park, so any alternative anecdotal evidence was an incorrect subjective view and not one based of the legal facts.

My second question on anecdotal evidence and recent documents is key, neither of the above were part of the Redfern Report 2022

Members agreed that this new information provided by Alyson Lanning would be considered by the Group Leaders as it needed to be looked into in detail. Some Councillors were unaware of the new information so they could not be expected to comment on information they had not seen. Councillor Mosley agreed that they would try and organise a Group Leaders meeting within a week of this meeting.

Councillor Mosley also made reference to comments against officers. A statement had been agreed by the Group Leaders clarifying it was not acceptable for members of the public to direct abuse towards of the Town Council employees as a result of decisions made by Councillors. The statement was as follows:

Criticism of Shrewsbury Town Council policies and practices is legitimate of course, but please respect our staff and direct your comments either to ‘the Town Council’ as a whole or elected members, who set these policies and determine these practices. Specific comments regarding staff might arise from time to time and can be passed up through your Councillor or directly to enquiries@shrewsburytowncouncil.gov.uk but all Councillors ask that these are not shared in social media. Any good employer would do the same. We ask that you amend the comment, or to delete it.

RESOLVED

That the information be noted.

Members of the public left the meeting

104/22 QUESTIONS FROM MEMBERS

None had been received.

105/22 MOTION

Dana Footpath – Presented by Councillor Mosley

“The Town Council came into existence in 2009 and ever since then we have sought to find a solution to address the problem of accessibility along the path from the Dana around the

Castle Wall to Castle Street. Currently users are confronted by 19 steep stone steps which prevent the use of the path for many people with mobility difficulties, cyclists, buggy pushers, etc. The steps are also dangerous in icy conditions. Hence many are forced to use the busy, unpleasant and heavily polluted route under the railway bridge.

A number of years ago the Town Council allocated £50k for a project to cover the cost of the works needed to breach part of the castle wall near the top of the steps onto the outer bailey so as to create a pathway through the forecourt gardens onto Castle Street.

In partnership with Shropshire Council plans for an attractive, more or less flat path were drawn up. These plans are entirely in keeping with siting within a designated ancient monument. Not only would the scheme give improved access for all, but it would generally promote active travel, support the ambitions of the Big Town Plan, and encourage more people to enjoy the wonderful gardens and the hidden jewels of the Castle itself.

Furthermore, we believe that there is very significant support from residents for our proposals which would also add to Shrewsbury's attraction for visitors.

Over the years Members and Officers of both authorities have worked very hard to seek to put the plans in place. However, the landowners, Shropshire Horticultural Society, are resolutely standing in the way of progress and we continue to be thwarted by their reluctance to address this much needed development.

The Council therefore resolves:

1. To formally express its disappointment and growing dissatisfaction at the intransigence of the Shropshire Horticultural Society in refusing to allow a much-needed facility to enhance the movement options of our residents and visitors.
2. To call on the Horticultural Society to approve current proposals as a matter of urgency."

Councillors fully supported this motion as the footpath was widely used by the public and they had hoped the Shropshire Horticultural Society would progress on this issue.

The Town Clerk informed Committee that she had received a reply from the Chairman of Lands and Building Committee at Shropshire Horticultural Society. The reply was as follows:

"I empathise with the frustration which must be felt as a result of this matter having taken so long to resolve and am equally keen to see a satisfactory outcome as soon as possible.

The timing of the motion was unfortunate. As you and Tim Pritchard know, personally I can see the merits of the latest (2020) proposal but agreement to it rests with the General Committee of the Horticultural Society. I had hoped to address the Committee during 2020 and felt it necessary to do so in person, given the major change you proposed to the scheme to which the Society had agreed in 2019 and the much greater impact it would have upon its property. However, the pandemic made face-to-face meetings out of the question and which situation continued so much longer than expected.

We had the Dana path tabled for our February meeting, but a Zoom link failed and, quite simply, staging this year's Flower Show took over with all its attendant problems that at one stage seemed never-ending, and of many of which you will be aware. We are still heavily involved in the Show "wash-up" process together with other priorities relating to the

properties which we endeavour to keep in their present form for the benefit of Shrewsbury, and at the end of the day are mostly volunteers, notwithstanding which the path had been put back on our agenda as a priority, with a determination to give you a final, and hopefully positive, response by mid-December.

The problem with which I am now faced is a misrepresentation as regards the course of events, exacerbated by a misleading statement last week by the press. Firstly, a scheme involving a cutting down to Castle Street was proposed around 20 years ago and to which the Society agreed, so far as I am aware. Secondly and far more important, is that in 2019 we agreed to the proposal with which we had then been presented. I took over from Ted Butcher around this time and was involved in meetings and negotiations. Heads of Terms were agreed, and our solicitors were instructed. My email to Ian Pugh of Shropshire Council On 4th December 2019 read as follows:

Dear Ian,

Thank you for your swift response with the revised Heads of Terms and your various comments.

The only observation I would make is that, unless you can see an objection, we would prefer clause 11 of the footpath licence to read as follows (alterations in italics):

"The Licence is personal to the Licensee, but the permissive right of way may be used by the Licensee and the public."

In other respects, the Heads of Terms are acceptable, subject to contract, and I will advise our solicitors that they will shortly hear from your legal department.

"We also agreed to a licence for the use of the Society's property during the course of works. Our understanding was that a budget was in place and Historic England had given approval, and our expectation at the time was that a route avoiding the hazardous steps would be in place by now. As you know, the reason this did not come to pass, after all the work it had involved on both sides, was that the Council came back to us with the latest scheme.

To accuse the Horticultural Society in the proposed resolution of "refusing to allow" is, therefore, plainly a false allegation. To avoid the potential issues that may arise if the Council proceeds to consider the motion as written, may I respectfully suggest that it either be carefully re-phrased or postponed until your next meeting. I hope that you will trust me in saying that if the latter course is followed, it is unlikely the motion will need to be considered at all, as I am more than confident of being able to write to you very soon with agreement to the scheme in its latest form.

I cannot stress strongly enough that Shropshire Horticultural Society recognises the problem the steps from the Dana footpath onto Castle Street pose to the disabled and those with pushchairs, and the alternative route involving its land will save many from having to access the town centre by passing the congested railway station entrance and addressing steep up and downhill gradients. The Society is aware of the Big Town plan objectives in relation to the visibility of the Castle and the Library and welcomes enjoyment of the forecourt gardens by the public. It is all too rarely mentioned that the Society funded purchase of the Castle and much of its renovation."

I freely acknowledge that, ideally, the matter should have been resolved by now, and sincerely hope that the Council will postpone the motion in order to give me the opportunity to achieve a satisfactory outcome and avoid the potential delay of further contention.

Councillor Mosley stated that he had submitted the motion as 'last resort' as all other avenues had been exhausted. Shropshire Council had also got no progress on this issue. He regretted that fallout with one of the partners, but the matter needed to be brought to a head.

He was however, happy to withdraw the motion pending the Land & Buildings Chairman's personal reassurance that a decision would be forthcoming before the Council next met.

106/22 FINANCE & GENERAL PURPOSES COMMITTEE

The minutes of the Finance & General Purposes Committee meeting held on 26 September 2022 were circulated as read.

RESOLVED:

That the minutes of the Finance & General Purposes Committee meeting held on 26 September 2022 be received and adopted.

107/22 RECREATION & LEISURE COMMITTEE

The Minutes of the Recreation & Leisure Committee Meeting held on 7 September 2022 and 9 November 2022 were circulated as read.

RESOLVED:

That the minutes of the Recreation & Leisure Committee meeting held on 7 September 2022 and 9 November 2022 be received and adopted.

108/22 PLANNING COMMITTEE

The minutes of the Planning Committee meetings held on 27 September, 11 October and 1 November 2022 were submitted as circulated and read.

RESOLVED:

That the minutes of the Planning Committee meetings held on 27 September, 11 October and 1 November 2022 be received and adopted.

109/22 CLIMATE CHANGE COMMITTEE

The minutes of the Climate Change Committee meeting held on 27 October 2022 were submitted as circulated and read.

RESOLVED:

That the minutes of the Climate Change Committee meeting held on 27 October 2022 be received and adopted.

110/22 WORKING GROUPS

110.1 Joint Consultative Committee

The Minutes of the Joint Consultative Committee meeting held on 27 October 2022 were circulated as read.

Councillor Dean reiterated the statement that had been produced by the Committee and agreed by Group Leaders and read out by Councillor Mosley earlier, in reference to comments against officers on all topics. He asked that all staff had a copy of the statement so it was at hand at all times.

The Deputy Town Clerk confirmed that the statement had already been circulated to all, including Unison, but she would do so again.

RESOLVED:

That the minutes of the Joint Consultative Committee meeting held on 27 October 2022 be received and adopted.

110.2 Health & Wellbeing Hub Working Group

The Minutes of the Health & Wellbeing Hub Working Group meetings held on 29 September were circulated as read.

RESOLVED:

That the minutes of the Health & Wellbeing Hub Working Group meetings held on 29 September be received and adopted.

111/22 CLOSING REMARKS

The Mayor thanked Members and staff for their attendance and closed the meeting.