

SHREWSBURY TOWN COUNCIL
Meeting of Council
Held in the Council Chamber, Shirehall, Shrewsbury at
6pm on Monday 27 March 2023

PRESENT

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

IN ATTENDANCE

Amanda Spencer (Deputy Town Clerk), Andy Watkin (Head of Resources), Ruth Jones (Office Manager) and Michelle Farmer (Committee Clerk) along with thirty members of the public.

141/22 APOLOGIES FOR ABSENCE

RESOLVED:

That apologies be accepted from Councillor Gillam, Councillor Wall and Councillor Wilson. Apologies were also received from Helen Ball (Town Clerk) and Gary Farmer (Head of Operations).

142/22 DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE CODE OF CONDUCT

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.

143/22 MINUTES OF THE COUNCIL

The minutes of the Full Council Meeting held on 23 January 2023 and the Extra-ordinary meeting held on 27 February 2023 were submitted as circulated and read.

RESOLVED:

That the Minutes of the Full Meeting of Council on 23 January 2023 and the Extra-ordinary meeting held on 27 February 2023 be approved and signed as a true and accurate record.

144/22 MATTERS ARISING

115/22 – Dana Footpath. The Deputy Town Clerk commented that officers were working through the costings for the works and colleagues at Shropshire Council were dealing with the necessary legal aspects.

118/22 – Sustainable Transport. The Deputy Town Clerk reported that the Town Clerk had presented the Councillor request to promote the Baschurch Parish Council initiative widely to the Shrewsbury Area Committee of SALC and they had agreed to forward it to the SALC Executive.

145/22 ANNOUNCEMENTS

145.1 MAYORAL ENGAGEMENTS

The Mayor started the meeting by paying respects to Bob Handley and Sue Wood who had recently passed away. She informed Members that many of them would have known Bob who had been a good servant to past Mayors for decades, attending to their needs. During Covid he had taken the decision to retire from the Town Council. The Mayor placed on record their deepest condolences to Netty, Bob's wife and their sons Neil and Lee. Condolences were also given to Martin Wood, the Town Crier, who was Sue's husband. A letter of condolence would be sent to the families from the Mayor. The Mayor asked that all participants of the meeting joined her in a minutes silence, which was observed by all.

Details of the Mayor and Deputy Mayor's engagements for the period 7 January 2023 to 29 March 2023 were circulated and noted.

The Mayor reported that since the last meeting she had a full diary and had attended lots of events including the recent Bangladesh Anniversary events in Birmingham and the Baha'i New Year event held at the Radbrook Centre. In March she had also attended the Children's Voices Across Shropshire Concert which had been held at the Abbey Church.

145.2 TOWN CLERK ANNOUNCEMENTS

The Deputy Town Clerk reported that the Town Council had now moved into their new premises at St Johns Hill and members of staff had been working hard to get them up and running. They were still waiting for full IT connectivity but had hoped to be fully functional by the end of this week and that, all being well, they would start holding Committee Meetings at the new premises in April.

In terms of Civic Events, nominations for the Mayors Awards had now closed and they were being processed in readiness for the Awards Ceremony on 18 April.

146/22 PUBLIC QUESTIONS/COMMENTS

The Deputy 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 and that no questions had been received.

The Mayor informed the Council that they had been asked by the Greenfields Community Group if they could make a statement this evening. In order for them to do this they would need to vote to suspend standing orders.

RESOLVED:

That standing orders be suspended to allow the Greenfields Community Group to make their statement.

147/22 GREENFIELDS RECREATION GROUND

STATEMENT TO SHREWSBURY TOWN COUNCIL – 27 MARCH 2023 – read out by Alyson Lanning.

On the 1st of March 2023 the Supreme Court, the highest court in the land found in favour of the residents of Greenfields and quashed the planning permission for a housing development to be built on Greenfields Recreation Ground.

Lady Rose, on behalf of five Supreme Court judges said the judgment was unanimous.

The Greenfields Community Group has been completely vindicated in its long battle to establish the correct legal status of Greenfields Recreation Ground.

It is a damning indictment that the very people who profess to love our town, protect its environment, and uphold the wishes and well being of its inhabitants, to claim to be or have the title of civic leaders were the very people who have fought against us, blocked us, and called us vexatious.

Despite community challenges to the legality of the process of an unlawful sale of public land, there continues to be a culture of denial where there is a repeated (and deliberate) unwillingness to deal with past failures and objectively review process, procedure, and obvious errors of public administration.

The inability to objectively review a decision seems to be inherent in the system and the danger is that public consent - a necessity of good governance and without adherence to the Nolan Principles of Public Office - the system fails.

The Greenfields Community Group now wish for immediate action to be taken to return this land to public use.

Its value as land for profit is negligible however, for our community in terms of education, health, and well-being the benefits are immeasurable. Access to green space improves our neighbourhoods, tackles climate change, protects our threatened wildlife habitat, in addition to supporting investment and economic growth. These precious spaces are frequently a stage on which we host many of our hugely popular cultural celebrations.

Shrewsbury Town Council's short-sighted vision of land disposal and refusal to correct its grave error, has resulted in a long and fraught dispute at huge cost to the residents of Shrewsbury.

Greenfields Community Group calls on the town council to uphold the advice and findings of the Independent Inquiry (Redfern KC report 2022).

Access to public open land must be made available immediately and a commitment to buy back the land needs to be implemented.

148/22 RECONVENING OF STANDING ORDERS

RESOLVED:

That standing orders be reconvened to allow the meeting proper.

Councillor Phillips stated that he was delighted that the Supreme Court had voted in favour of the Greenfields Community Group and that it should never have been the case that the public should take a Council to high court level. The Town Council had admitted their faults in relation to Greenfields and there had been a great deal of stress from all sides in getting to this decision.

Councillor Wagner left the meeting.

The Mayor asked Councillor Mosley to provide a report into the actions taken since the decision of the Supreme Court on 1 March 2023.

Councillor Mosley stated that since the Supreme Court decision Group Leaders had met on several occasions and had kept in touch with their members. He hoped that all would understand that some of the outcomes of these meetings and those with other parties, must at this time, be treated as private and confidential and would be dealt with as exempt items later on in the Agenda.

During that time they had:

Issued a statement which was reported in the press and was linked on the homepage of the Town Council website:

“Although the Supreme Court’s judgement concerns an appeal against Shropshire Council, Shrewsbury Town Council is referred to in their decision.

We welcome the clarification provided on a number of matters which have been subject to legal deliberations over the last four years. This clarification would not have been possible without the strenuous efforts of the Greenfields Community Group and no doubt the judgement will have national significance.

We have accepted our error in not advertising our intention of selling the portion of recreation space at Greenfields which we had identified as surplus to our needs in 2010. Having commissioned the Redfern Report we have already apologised for that mistake and agreed to seek to return the land to public ownership. We have also adopted a much more rigorous policy to ensure that our mistake cannot occur again.

We remain committed to providing open spaces to support the health and well-being of residents as evidenced by our recent purchase of two large areas of land at Frankwell and Weir Hill and the creation of a beaver re-introduction scheme at the Old River Bed nearby to Greenfields Recreation Ground.

However, we must now take some time to more fully understand the ruling and its implications. We will also seek to meet with Shropshire Council, the developer and, of course the Greenfields Community, whilst looking at ways of engaging with the wider Shrewsbury community to ascertain their views.”

The Town Council had since sought further advice from Michael Redfern KC. They had contacted their external auditor who could not comment on policy but had stated: “Unfortunately as appointed external auditor we are unable to provide advice as we have to remain independent. We suggest you seek legal advice as appropriate.” Also, “we would look for evidence of advice sought, consideration of that advice and documentation of any decisions made.”

They had established terms of reference for the appointment of a solicitor to advise and represent Shrewsbury Town Council. Discussions had been held with two leading firms and they would be asking for Council to endorse the Terms of Reference’s and proposed appointee in a recommendation later in this meeting.

They were determined that they wished to expedite outstanding matters as quickly as possible and to that end expect to instruct the appointed solicitor to arrange a meeting with CSE (Developer/landowner) within 10 days.

They resolved to meet with members of the Greenfields Community Group within the next two weeks. It had also been asked that Amanda Spencer (Deputy Town Clerk) and Andy Watkin (Head of Resources) were to take responsibility in acting with the solicitor on Shrewsbury Town Council's behalf.

In addition, they would be asking Council to delegate day to day decision making on all aspects to Group Leaders with a report going to the next Finance and General Purposes meeting; subject to recognition that all final decision-making rests with Shrewsbury Town Council as a whole.

Councillor Vasmer commented that he had recommended mediation at every point and he was pleased that at last they were at this stage which had taken so long to get to. He had hoped it would be resolved as soon as possible so that everyone could move forward. He had hoped that by the next Full Council meeting this situation would have progressed even further.

149/22 MOTIONS FROM MEMBERS

149.1 WATER QUALITY – PRESENTED BY COUNCILLOR HALLIDAY (SECONDED BY COUNCILLOR BENTICK).

'This council was concerned about the water quality in Shrewsbury's waterways which had deteriorated in recent years for a variety of reasons including the frequent discharges of raw sewage when it rained, road run off and pollution from agricultural land. Combined sewage outfalls (CSOs) had contributed to the deterioration of water quality and biodiversity. In February 2023 Shrewsbury Town Council held a public meeting which was well attended and drew national speakers and national media attention. Residents at the meeting discussed their alarm at the polluted state of the river. It was clear that Severn Trent Water, the Environment Agency and Government were failing to deal with the issue of river pollution at the speed at which Shrewsbury residents would like.

Shrewsbury Town Council resolves to:

- 1 Establish a river quality working group with the overall aim of improving river quality in Shrewsbury's waterways and would include local residents and groups interested in the health of the river including swimming groups, environmental campaigning groups, anglers and other interested parties.
- 2 Hold regular meetings of the working group to:
 - Collate local intelligence regarding water quality and sources of pollution
 - Be aware of issues regarding extension to the built environment which may add to the river pollution problems in Shrewsbury
 - Consider and support the actions required for applying for bathing water status on a section/s of the Severn in Shrewsbury
 - Make representations, lobby and bring pressure to bear on Shropshire Council, the Environment Agency, Government departments, water companies, and other agencies so as to draw attention to the problems of poor water quality, the crucial need for significant improvement and press for remedial actions.

- Liaise with similar groups throughout the county to identify best practice and methods of campaigning
- 3 Set aside a budget in order to meet the group's aims
 - 4 Help coordinate campaigning activities, including providing secretariate support'

Councillor Halliday added they would have liked more time for public questions at the meeting held in February and that this was an excellent chance of obtaining bathing water status. They hoped the Town Council could set aside a budget and improve the quality of the River. Residents would steer within the proposed working group.

Councillor Phillips fully supported this motion stating the issues with the River were a learning curve and now need to see how best Shrewsbury Town Council could improve the issue and was essential that the Town Council supported this campaign. He suggested that for £28.07 a the Town Council could buy one share in Severn Trent Water and would be allowed to attend their Annual General Meeting.

Councillor Dean thanked Councillor Halliday for arranging the public meeting in February and that they need to take the motion to Shropshire Council to try and hold Severn Trent Water to account and put them on the spot and for Shropshire Council to hold them to account on planning terms.

Councillor Bentick fully supported and seconded the motion presented by Councillor Halliday. The motion was designed to force Severn Trent Water to honour their obligations to the residents of Shropshire and to call on them to publish their waste water treatment plan of Shropshire as Thames Water currently did.

RESOLVED:

That the motion as be presented be approved.

149.2 CONSIDERATION OF JUDICIAL REVIEW OF 21/05743/OUT HENCOTE - PRESENTED BY COUNCILLOR ALEX PHILLIPS

'This council was deeply disappointed that application 21/05743/OUT at Hencote, comprising of over 180 accommodation units, was overturned on appeal by the Planning Inspectorate (PI). Shrewsbury Town Council (STC) has been united in its opposition to 21/05743/OUT. Shrewsbury faces the loss of one of its most treasured green spaces, valued by residents and ramblers alike. It was also next to a site of Special Scientific Interest, threatening biodiversity. The combination of open space and vibrant communities gives Shrewsbury its unique identity, this decision was a major blow to that.

Shrewsbury Town Council believed that in ultimately making this decision, both the Planning Inspectorate and Shropshire Council (SC) may have breached the rules of procedure in regards to Planning Law. As such Shrewsbury Town Council was minded to initiate a Judicial review (JR) on Shropshire Council and the Planning Inspectorate. Shrewsbury Town Council would seek legal advice on the process and substance of the Judicial Review, and will delegate a final decision on initiating a Judicial Review, plus any other related processes, to a special meeting of Shrewsbury Town Council's Finance and General Purposes Committee (F and GP) on 11 April 2023.

This Judicial Review is proposed on the basis of the following five points, debated at Shrewsbury Town Council's Planning Committee on 14 March.

1. Possible Insufficient notification of Planning Proposals by SC.
2. Possible pre-determination of planning.
3. Possible breach of The Wheatcroft Principles (by both PI and SC)
4. Lack of calling for, and therefore cross examination of Shropshire Council's Landscape Consultants at the Public Enquiry for 21/05743/OUT.
5. Any other points STC identifies following legal advice.

Considering a Judicial Review and initiating it subject to a final decision at F & GP on 11 April 2023, will require the use of some public funds and officer time, so these direct and indirect cost will need to be considered by Shrewsbury Town Council Members and Group Leaders. This motion considers a Judicial Review on Shropshire Council and the Planning Inspectorate relating to 21/05743/OUT an appropriate use of public funds and officer time. This is because the loss of such heritage without public scrutiny and proper legal process must not happen again, or other Shrewsbury communities will be disenfranchised in the making of future decisions where their heritage and green space is under threat.'

Councillor Green thanked Councillor Phillips for this motion and said that they needed to consider the wider picture and it was imperative that public views were heard so they must explore the option of a Judicial Review and show that all options had been explored. He was aware that the cost would be high but at least all avenues had been explored. There was a loss of cross examination by the Planning Inspectorate. A Judicial review should be explored and to not see Shrewsbury as a soft touch and he hoped that they could count on Council support.

Councillor Lemon fully supported the motion as each Councillor had a piece of land within their ward that could be the same as Hencote. The Town Council had objected to this application twice, alongside Shropshire Council but now the decision had gone through. The decision needed to be looked at further.

RESOLVED:

That the motion as be presented be approved.

149.3 SUPPORT FOR THE CLIMATE AND ECOLOGY BILL – PRESENTED BY COUNCILLOR LEMON

'Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. The global temperature has already increased by 1.2°C above pre-industrial levels, and the natural world has reached crisis point, with [28% of plants and animals](#) threatened with extinction.

Climate change - Unless we drastically change course, the world is set to exceed the Paris Agreement's 1.5°C limit. Pledges, such as the Paris Agreement and Glasgow Pact—and updated emissions targets—are not legally-binding. This gap between pledges and policy leaves the world on course for catastrophic warming of [near 3°C](#).

Following the “now or never” Intergovernmental Panel on Climate Change (IPCC) [report](#) in April 2022, the UN Secretary General António Guterres stated that “we are on a fast track to climate disaster. This is not fiction or exaggeration. It is what science tells us will result from our current energy policies”.

In addition, the UK Government's [Net Zero Strategy](#) stated that "if we fail to limit global warming to 1.5°C, we risk reaching climatic tipping points, we could lose control of our climate for good". The 1.5°C goal is 'on life support' and only ambitious action from national and sub-national authorities, civil society, the private sector and local communities will help us realise it.

Biodiversity loss - The UK is [one of the most nature-depleted countries in the world](#). More than one in seven of our plants and animals face extinction, and more than 40% are in decline. We therefore welcome the [Leaders' Pledge for Nature](#), signed by the UK Government, which states that—if we fail to halt and reverse biodiversity loss by 2030—we increase the risk of further pandemics, rising global temperatures and loss of species. In order to achieve this, the UK needs a legally-enforceable nature target so that, by 2030, nature is visibly and measurably on the path of recovery—in line with the [Global Goal for Nature](#).

This Council notes that:

The [Climate and Ecology Bill](#)—which has been introduced in the UK Parliament on several occasions since 2020—would require the development of a strategy to ensure that the UK's environmental response is in line with the latest science. The strategy would ensure that:

- the ecological crisis is tackled shoulder to shoulder with the climate crisis via a joined-up approach;
- the Paris Agreement aim is enshrined into law to ensure that the UK does its full and fair share to limit the global temperature rise to 1.5°C;
- we halt and reverse biodiversity loss by 2030 to ensure that the UK's ecosystems are protected and restored;
- the UK takes responsibility for its greenhouse gas footprint, including international aviation and shipping—and by accounting for consumption emissions related to the goods and services that are imported and consumed in the UK;
- the UK takes responsibility for its ecological footprint in order to better protect the health and resilience of ecosystems—including along domestic and global supply chains; and
- an independent, temporary Climate and Nature Assembly is set-up—representative of the UK population—to engage with the UK Parliament and UK Government to help develop the strategy. This would be set up on broadly similar lines to the Climate Assembly 2020 which was very successful and very well received on all sides of the political divide.

This Council therefore resolves to:

1. Support the Climate and Ecology Bill;
2. Write to Daniel Kawczynski MP letting him know that the motion has been passed — urging him to sign up to support the Bill, and
3. Write to [Zero Hour](#), the organisers of the cross-party campaign for the Bill, expressing its support (campaign@zerohour.uk).

Councillor Lemon confirmed that there was cross party support for this ecology bill and that Shropshire Council had passed the motion supporting the bill.

Councillor Davies fully supported the motion and they needed to wean off fossil fuels. It was important that everyone was on board with this motion and the time left to undo mistakes was getting shorter.

Councillor Dartnall fully supported the motion and everyone had been warned of the code red warning. She had hoped that the cross-party bill would pass through Parliament and fully support citizens input.

Councillor Dean stated that UK was not on track with the declared Climate Emergency. We have to keep 'banging the drum'. Shropshire Council had taken the motion and many other Town Councils were supporting it and we needed to keep going.

RESOLVED:

That the motion as presented be approved.

Eleven members of the public left the meeting.

150/22 FINANCE & GENERAL PURPOSES COMMITTEE

The minutes of the Finance & General Purposes Committee meeting held on 6 February 2023 were circulated as read.

RESOLVED:

That the minutes of the Finance & General Purposes Committee meeting held on 6 February 2023 be received and adopted.

151/22 RECREATION & LEISURE COMMITTEE

The Minutes of the Recreation & Leisure Committee held on 15 March 2023 were circulated as read.

Councillor Bentick referred to Min 86.1 (paragraph 4, sentence 2) of the Recreation & Leisure Minutes of 15 March 2023 and requested that it be changed to:

Councillor Bentick called the attention of the Committee to Option 4 where the cost of resurfacing of the Church Road Hardstanding was shown as £19,500.

Councillor Mosley referred to Min 79.2 of the Recreation & Leisure minutes of 15 March 2023 and commented further on the Rowley & Fenemere Fisheries at Castlewalk. He proposed that if Shrewsbury Town Council ever had the potential to buy back the fishing rights at this location they should. He added that both he and Councillor Vasmer had been in discussion with officers about this area and that he proposed that no further work take place there at the current time.

RESOLVED:

- (i) **That upon Min 86.1 being amended to read "Councillor Bentick called the attention of the Committee to Option 4 where the cost of resurfacing of the Church Road hardstanding was shown as £19,500", the minutes of the Recreation & Leisure Committee held on 15 March 2023 be recorded and adopted.**
- (ii) **That no further work take place at Castle Walk Recreation Ground**

152/22 PLANNING COMMITTEE

The minutes of the Planning Committee meetings held on 31 January 2023, 21 February 2023 and 14 March 2023 were submitted as circulated as read.

Councillor Green referred to Min 101/22 of the Planning Committee minutes of 21 February 2023 informed Council of the presentation received from West Midlands Ambulance Service and the new hub that should be in place by 2026, which would be welcomed by all Councillors.

RESOLVED:

That the minutes of the Planning Committee meetings held on 31 January 2023, 21 February 2023 and 14 March 2023 be received and adopted.

153/22 CLIMATE CHANGE COMMITTEE

The minutes of the Climate Change Committee meeting held on 9 February 2023 were submitted as circulated as read.

Councillor Dean commented on the Town Council's new offices at St Johns Hill. He said that measures had been taken to ensure that they were as energy efficient as possible at least for the time being. Councillor Dean also enquired as to whether there had been any progress on applying for Bronze Status in carbon literacy for the Town Council. The Deputy Town Clerk confirmed she would look into this and report back.

RESOLVED:

That the minutes of the Climate Change Committee meeting held on 9 February 2023 be received and adopted.

154/22 WORKING GROUPS

154.1 YOUTH WORKING GROUP

The notes of the Youth Working Group meeting held on 23 March 2023 were circulated as read. The meeting had not been quorate so no decisions were made at the meeting.

Councillor Mrs Moseley informed all Members of the Stay Safe event that would be held in the Quarry on 1 July 2023.

RESOLVED:

That the notes of the Youth Working Group meeting held on 23 March 2023 be received and adopted.

154.2 JOINT CONSULTATIVE COMMITTEE

The minutes of the Joint Consultative Committee meeting held on 25 January 2023 were circulated as read.

RESOLVED:

That the minutes of the Joint Consultative Committee meeting held on 25 January 2023 be received and adopted.

All Members of the public left the meeting.

155/22 EXCLUSION OF THE PUBLIC

RESOLVED:

That in accordance with s1(2) Public Bodies (Admission of Meetings) Act 1960, members of the public be excluded from the meeting on the grounds that the following items being considered involve the disclosure of confidential information.

The Mayor advised that live streaming of this meeting would now stop. She thanked members of the public for logging in. All papers relating to the meeting could be found on the website www.shrewsburytowncouncil.gov.uk

156/22 PERSONNEL COMMITTEE

The minutes of the Personnel Committee meetings held on 7 February 2023 and 21 February 2023 were circulated as read.

RESOLVED:

That the minutes of the Personnel Committee meeting held on 7 February 2023 and 21 February 2023 be received and adopted.

Councillor Wagner left the meeting.

157/22 GREENFIELDS RECREATION GROUND

Members considered a separate report provided by the leader in relation to the appointment of legal advisors.

Resolved that the Council:

- (i) Endorses the actions of the Group Leaders and officers as noted in the previous report in the public domain**
- (ii) Delegates responsibility to the Deputy Town Clerk and Responsible Finance Officer in conjunction with Group Leaders for the appointment of a solicitor, further legal advice if deemed necessary and in instructing the solicitor and Council Officers**
- (iii) Ensures that a comprehensive update is provided to the Finance & General Purposes Committee on 17 April 2023 which will make recommendations to Council**

158/22 CLOSING REMARKS

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