

Economy, Communities and Corporate

Geoff Hughes - Director

TO: ALL MEMBERS OF THE COUNCIL

Our Ref: Council - 23 May 2014

Please ask for: Governance Services

Direct Line / Extension: (01432) 260249

E-mail: councillorservices@herefordshire.gov.uk

15 May 2014

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the meeting of the Herefordshire Council to be held on **Friday 23 May 2014** at the Shirehall, St Peter Square, Hereford at **9.00 am** at which the business set out in the attached agenda is proposed to be transacted.

Please note that car parking at the Shirehall will be limited because of ongoing building works and the need to reserve a number of places for invited guests.

Whilst wi-fi should be available at the Shirehall Members are requested to download the agenda in advance of the meeting.

Yours sincerely

Bill Norman

**BILL NORMAN
SOLICITOR TO THE COUNCIL**

AGENDA

Council

Date: **Friday 23 May 2014**

Time: **9.00 am**

Place: **Shirehall, St Peter Square, Hereford**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Governance Services

Tel: 01432 260249

Email: councillorservices@herefordshire.gov.uk

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Agenda for the Meeting of the Council

Membership

Chairman

Vice-Chairman

Councillor LO Barnett

Councillor ACR Chappell

Councillor PA Andrews
Councillor CNH Attwood
Councillor PL Bettington
Councillor WLS Bowen
Councillor AN Bridges
Councillor MJK Cooper
Councillor BA Durkin
Councillor DW Greenow
Councillor J Hardwick
Councillor JW Hope MBE
Councillor JA Hyde
Councillor JG Jarvis
Councillor Brig P Jones CBE
Councillor JF Knipe
Councillor MD Lloyd-Hayes
Councillor RL Mayo
Councillor SM Michael
Councillor PM Morgan
Councillor C Nicholls
Councillor J Norris
Councillor RJ Phillips
Councillor AJW Powers
Councillor PD Price
Councillor P Rone
Councillor P Sinclair-Knipe
Councillor GR Swinford
Councillor GA Vaughan-Powell

Councillor AM Atkinson
Councillor CM Bartrum
Councillor AJM Blackshaw
Councillor H Bramer
Councillor EMK Chave
Councillor PGH Cutter
Councillor PJ Edwards
Councillor KS Guthrie
Councillor EPJ Harvey
Councillor MAF Hubbard
Councillor TM James
Councillor AW Johnson
Councillor JLV Kenyon
Councillor JG Lester
Councillor RI Matthews
Councillor PJ McCaull
Councillor JW Millar
Councillor NP Nenadich
Councillor FM Norman
Councillor CA North
Councillor GJ Powell
Councillor R Preece
Councillor SJ Robertson
Councillor A Seldon
Councillor J Stone
Councillor DC Taylor
Councillor DB Wilcox

AGENDA

		Pages
1.	ELECTION OF CHAIRMAN To elect the Chairman of the Council.	
2.	APPOINTMENT OF VICE-CHAIRMAN To appoint the Vice-Chairman of the Council.	
Prayers		
3.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
4.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
5.	MINUTES To approve and sign the Minutes of the meeting held on 7 March 2014.	13 - 36
6.	CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	37 - 38
7.	ELECTION OF LEADER OF THE COUNCIL To elect the Leader of the Council.	
8.	APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES To make appointments to the committees of the council and outside bodies in line with the rules of political proportionality and to consider the membership of the Independent Remuneration Panel. Please note that the Council will be asked under this item to approve alternative arrangements to strict political proportionality for appointments to Committees and other bodies in accordance with Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990.	39 - 46
9.	DATES OF FUTURE MEETINGS To approve the programme of meetings of the Council for 2014/15: 18 July 2014 26 September 2014 12 December 2014 6 February 2015 6 March 2015 24 April 2015 22 May 2015 All meetings will start at 10:00 am except for the annual meeting in May which will start at 10:30 am.	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50, for postage). Agendas and minutes of all Council meetings are available on the Council's website at www.herefordshire.gov.uk.
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the County Secretary and Solicitor more than seven clear working days before the meeting i.e. by close of business on a Tuesday in the week preceding a Friday meeting.

Please Note:

Agenda and individual reports can be made available in large print, Braille or on tape. Please contact the officer named below in advance of the meeting who will be pleased to deal with your request.

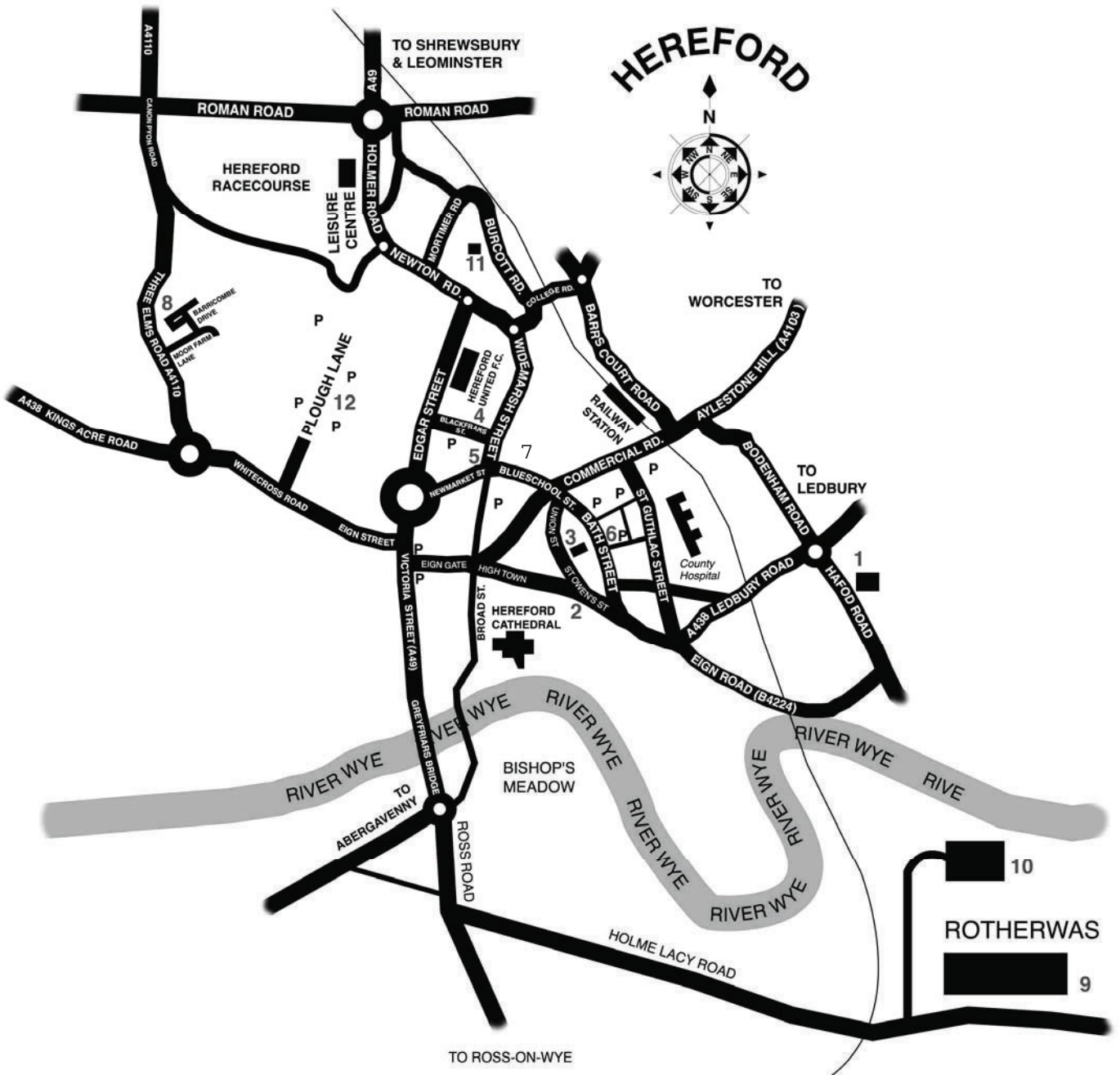
The meeting room is accessible for visitors in wheelchairs via the main entrance by prior arrangement. Please telephone 01432 272395

A map showing the location of the Shirehall can be found opposite.

Public Transport Links

- The Shirehall is within ten minutes walking distance of both bus stations located in the town centre in Hereford. A map showing the location of the Shirehall is found opposite.

If you have any questions about this Agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning Democratic Services on 01432 260249 or by visiting in person during office hours (8.45 am - 5.00 pm Monday - Thursday and 8.45 am - 4.45 pm Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



- | | | | |
|---|--------------------------|----|-----------------------------|
| 1 | Brockington | 7 | Blueschool House (Planning) |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre (ICT) |
| 4 | Blackfriars (inc. Legal) | 10 | Amey |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

FIRE AND EMERGENCY EVACUATION PROCEDURE

IN CASE OF FIRE

(no matter how small)

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

ON HEARING THE ALARM

Leave the building by the nearest exit and proceed to assembly area on:

GAOL STREET CAR PARK

Section Heads will call the roll at the place of assembly.

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Council held at Council Chamber - Brockington on Friday 7 March 2014 at 10.00 am

Present: Councillor LO Barnett (Chairman)
Councillor ACR Chappell (Vice Chairman)

Councillors: PA Andrews, AM Atkinson, CNH Attwood, CM Bartrum, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, PGH Cutter, BA Durkin, PJ Edwards, KS Guthrie, J Hardwick, EPJ Harvey, JW Hope MBE, JA Hyde, TM James, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, RI Matthews, RL Mayo, PJ McCaull, SM Michael, JW Millar, PM Morgan, NP Nenadich, C Nicholls, FM Norman, J Norris, CA North, RJ Phillips, GJ Powell, AJW Powers, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, J Stone, DC Taylor and DB Wilcox

70. PRAYERS

The Very Reverend Michael Tavinor led the Council in prayers.

71. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor PL Bettington	Councillor MJK Cooper
Councillor DW Greenow	Councillor MAF Hubbard
Councillor RC Hunt	Councillor JG Jarvis
Councillor GR Swinford	Councillor GA Vaughan Powell
Councillor PJ Watts	

72. DECLARATIONS OF INTEREST

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor PGH Cutter, Non-Pecuniary, Agenda Item 7, Notice of Motion 2, Director of a renewable energy company.

73. MINUTES

RESOLVED: That the Minutes of the meeting of Council held on 7 February 2014 be confirmed as a correct record and signed by the Chairman.

Note:

The Herefordshire Independents Group Leader enquired of the Solicitor to the Council on the accuracy of the minutes regarding the school transport amendment. The Solicitor to the Council stated that the Minutes accurately reflected the debate at the meeting. However, he accepted that there had been some confusion following the meeting and that Group Leaders had come to an agreement on 17 February. He advised that the matter would be on the Cabinet agenda for 13 March, where the matter would be resolved.

Council also agreed that any named vote taken at a meeting of Council is to form part of the Minutes rather than be published as a supplement.

74. CHAIRMAN'S ANNOUNCEMENTS

The Chairman drew Council's attention to the announcements in the agenda, in particular the Bloodhound project instigated by Wigmore Teaching School Alliance and Herefordshire Group Training Association.

The Chairman welcomed to Council Glyn Morgan of the Herefordshire Cathedral Perpetual Trust and invited Mr Morgan to address Council on his recent successful visit to Houston, Texas when the Magna Carta was taken there on exhibition. Mr Morgan informed Council of the joint working between the Hereford Cathedral and the Houston Museum of Natural Science and how the British Consul-General for the region had attended the opening, along with the Mayor of Houston, for a US wide media launch. In addition Sir Robert Rogers, former Chairman of the Perpetual Trust and Herefordshire Council's Standards Committee, gave a number of lectures for the consulate, the museum and Rice University. The Consul General stated how important the partnership was for Herefordshire and for the reputation of the United Kingdom, as Texas was the most economically important of all US states to the UK.

75. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the Public questions and written answers, together with the supplementary questions and answers asked at the meeting is attached to the Minutes at Appendix 1.

76. NOTICES OF MOTION UNDER STANDING ORDERS

Notice of Motion One – A Herefordshire University

Councillor Atkinson proposed the Notice of Motion and made the following comments:

- A new university fitted in with the new development in Herefordshire. The City and the County would become the campus for the university.
- It would help fill the demographic gap and bring young people into the County.
- There was a need to designate land in the city for the project and Councillors needed to show their support for this multi million pound project.

Councillor Nenadich seconded the Notice of Motion and made the following comments:

- He informed Council of the historic academic connections between Hereford and Oxford University.
- It was proposed that the university would build on local assets – life sciences, defence and engineering – and fitted with the proposals for the enterprise zone.
- The intention for the future was to establish an international reputation and to both retain young people and encourage them to move to the County.

The following points were made in discussion:

- Several Councillors spoke to endorse the proposal for a university believing it to be an impressive and inspiring vision for the County.
- A university would raise the standards in the County's schools and create aspirations.
- In response to a question on any transfer of assets to the university project, Council was advised that the enterprise board would be looking to lease any assets to avoid any potential losses should the project not come to fruition.

- Council was reminded of the forthcoming seminar for all Councillors on the university project.
- It was suggested that there should be regular briefing notes to Councillors so that, as community leaders, they could be ambassadors for the project.
- That consideration should be given to making a bid to the Local Enterprise Partnership as an infrastructure priority.
- The Council's budget had included proposals to sell £60m of assets to minimise capital borrowing. Assurance was sought that in transferring such assets to the university project, there would be no double counting. The Chief Financial Officer stated everything would be done to ensure assets were properly protected. He added that any assets given to the university project were not the same as those referred to in the budget for disposal.
- Councillor Bramer, Cabinet Member Contracts and Assets gave an assurance that the assets to be disposed of in the budget would not include the assets to be transferred to the university project.

Councillor Atkinson, as proposer of the Notice of Motion, stated his agreement with the points raised regarding the Council's assets and expressed his thanks to Karen Usher, as volunteer project director, for the work she had done.

Council supported the Notice of Motion. There was one abstention.

RESOLVED: That this Council welcomes the developing proposals to establish a university in Hereford and the wide support being generated for the proposals. This Council requests the Executive to identify the most appropriate way in which the Council can assist in securing the future of higher education in the County.

Notice of Motion Two – Energy Efficiency Standards

The Chairman informed Council that Councillor Nenadich had withdrawn his support for the Notice of Motion, which would now be seconded by Councillor Bowen.

Councillor Norman proposed the Notice of Motion and made the following comments:

- The Councillor was disappointed that Councillor Nenadich no longer felt able to second the Notice of Motion.
- She agreed there were some encouraging points made in the Core Strategy, but did not feel it set out a specific energy efficiency policy for everyone to adhere to.
- Currently there is a large stock of poor quality housing in the County. A move to a specific energy efficiency policy would help residents with their energy bills.
- It was economically sensible to ensure future housing is of good quality and localising the supply chain would also help the local economy.
- She stated she was asking for a specific policy which set out high standards for energy efficient homes.

Councillor Bowen seconded the Notice of Motion and made the following comments:

- Members would be aware of the number of times he had spoken at Council about raising energy efficiency standards.
- There was a need to act on this motion to put the highest energy efficiency standards into homes in the County.

The following points were made in discussion:

- Councillor Nenadich apologised for withdrawing as seconder of the Notice of Motion but noted that most of the points made in the Notice of Motion were contained within the Core Strategy. He agreed that there was a need for homes to be more energy efficient and affordable.
- Energy conservation must be part of the Core Strategy, but not the sole issue.
- There were a number of developers interested in developments in Herefordshire, therefore, now was the time to insist on building to the highest standard.
- Policy SD1 was already in place in the Core Strategy and provided a comprehensive overview on energy efficiency for new builds.
- Council was generally in support of the Notice of Motion but concern was raised over the last sentence and it was suggested that a slight amendment would help in gaining Council's support for the Notice of Motion.

Councillor Norman proposed an amendment to the final sentence, which was to remove the word '*included*' and replace it with '*considered*'. Councillor Bowen seconded the amendment to the Notice of Motion.

Orientation and suitability for renewable energy systems, especially passive solar and large-scale active solar should also be ~~included~~ considered at the design stage of any development.

Following a named vote Council approved the Notice of Motion with:

For	46
Against	00
Abstain	03

Councillors for the Notice of Motion:

Barnett, Andrews, Atkinson, Attwood, Bartrum, Blackshaw, Bowen, Bramer, Bridges, Chappell, Chave, Durkin, Edwards, Guthrie, Hardwick, Harvey, Hope, Hyde, James, Johnson, Jones, Kenyon, Knipe, Lester, Lloyd-Hayes, Matthews, Mayo, McCaull, Michael, Millar, Nenadich, Nicholls, Norman, Norris, North, Phillips, Powell, Powers, Preece, Price, Robertson, Rone, Seldon, Sinclair-Knipe, Stone and Taylor.

There were no Councillors against the Notice of Motion.

Abstentions:

Cutter, Morgan and Wilcox.

RESOLVED: That the Executive consider how it can, through planning and other housing policies, influence the design of new housing, (especially affordable housing), and encourage builders to adopt the highest possible energy efficiency standards, Passivhaus, AECB Silver Standard or similar. Orientation and suitability for renewable energy systems, especially passive solar and large-scale active solar should also be considered at the design stage of any development.

77. COUNCIL TAX RESOLUTION

Prior to the commencement of the debate on Council Tax the Chairman reminded Council this was not the time to discuss the budget again and that Members should restrict the debate to the subject matter.

The Leader moved the recommendation for the Council Tax Resolution. The following points were made during the debate:

- Council at its February meeting had set the budget. Council now had a duty to ensure the budget could be paid for through the Council Tax. It was understandable that some Members would prefer no increase, but it was felt there was little option than to accept the 1.9% increase.
- Reference was made to the referendum by Brighton and Hove Council regarding Council tax and it was proposed that in future similar action for a referendum should be taken in Herefordshire.
- Concern was expressed on the way the Council engaged with the public over the choices that needed to be made on the budget and that there had not been a specific question asking whether residents whether they would pay more. A consultation had been carried out in Ledbury and 56% had indicated that they would be prepared to pay more Council tax.
- Councillor Morgan, Deputy Leader, seconded the recommendation and stated the 1.9% increase was comparable to other neighbouring counties. It was acknowledged that there was a below average wage in Herefordshire and therefore consideration should be given to a reduction in Council tax in future years.
- Following a point of order the Solicitor to the Council reminded Council of the legal requirement under regulations set earlier this year to have a named vote for the Council tax resolution.

Following the named vote for Council tax, Council voted:

For	37
Against	01
Abstain	10

Councillors for the recommendation:

Barnett, Andrews, Atkinson, Bartrum, Blackshaw, Bowen, Bramer, Cutter, Durkin, Edwards, Guthrie, Hardwick, Harvey, Hope, Hyde, Johnson, Jones, Kenyon, Knipe, Lester, Mayo, Millar, Morgan, Nenadich, Nicholls, North, Phillips, Powell, Powers, Price, Robertson, Rone, Seldon, Sinclair-Knipe, Stone, Taylor and Wilcox.

Against:
Preece.

Abstentions:
Bridges, Chappell, Chave, James, Lloyd-Hayes, Matthews, McCaull, Michael, Norman and Norris.

RESOLVED

THAT:

- a) Council noted the tax base for 2014/15;
 - 1) for the whole council area is 64,942.09 band D equivalent properties;
 - 2) for dwellings in those parts of the area to which a parish precept relates as in the attached at Appendix 1 to the report;
- b) in respect of council tax for 2014/15 that the following amounts be approved by the Council for the year 2014/15 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011);
 - (i) £331,897,091 being the estimated aggregate expenditure of the council in accordance

- with section 31A (2) of the act, including all precepts issued to it by parish councils;
- (ii) £247,796,013 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including Revenue Support Grant);
- (iii) £84,101,078 being the amount by which the aggregate at (b)(i) above exceeds the aggregate at (b)(ii) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts);
- (iv) £1,295.02 being the amount at b(iii) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);
- (v) £2,837,742 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;
- (vi) £1,251.32 being the amount at (iv) above less the result given by dividing the amount at (v) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes)
- c) that the net budget requirement for 2014/15, excluding parishes, be approved as £146,135,000;
- d) that the Council tax requirement for the Council's own purposes for 2014/15 (excluding parishes) be approved as £81,263,336; and
- e) that the precepting authority details incorporated in Appendices 1 to 5 of the report, relating to parishes, West Mercia Police and Hereford and Worcester Fire and Rescue Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended).

78. LEADER'S REPORT

Councillor Johnson, the Leader of the Council, presented his report to Council.

In response to a series of questions regarding the condition of the road structure and potholes, Councillor Price, Cabinet Member Infrastructure responded stating a successful application had been made under the Bellwin scheme for emergency financial

assistance for road repairs following the winter flooding. This was in addition to the £20m already set aside for the County roads. In the first instance work would be carried out on A roads, followed by the B and C roads, as well as carrying out remedial work. The Highways Agency had been made aware of the issues on the A49.

In response to questions on the presentation given by the Chief Executive at the Herefordshire Business Summit the Leader stated that the 15 year future plan presentation was work in progress and would form part of the future work of the Council. He added that the presentation endeavoured to set the scene for the future but also to make everyone aware that the authority could not do everything that the County needed done and strived to encourage private participation. The Chief Executive added that the intention was to make a number of connections with local partners to provide clarity for the future, and develop plans for creating growth in Herefordshire and the Marches. This matter would come back to Cabinet for final agreement and approval.

In response to questions on the restructure within Balfour Beatty, the Leader replied that it was natural that the management team would wish to set out their own staff structure as part of a restructure for the whole organisation. He had received assurance that Balfour Beatty would put the necessary resources in place to deliver the contract. It was noted that staff had worked extremely hard during the wet weather to provide for residents in the County.

In response to a comment relating to Army personnel staying in Hereford when assisting with the floods, Councillor Price, Cabinet Member Infrastructure advised that all personnel involved had been happy with the welcome they had received and no complaints had been made. The Chairman added that on behalf of the Council she would write to all the services involved in the flooding to thank them for their assistance and to the supermarkets for the food donated for servicemen.

RESOLVED: That the Leader's report on the activities of Cabinet since the meeting of Council in October 2013 be noted.

79. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

A copy of the Member questions and written answers, together with the supplementary questions and answers asked at the meeting is attached to the Minutes at Appendix 2.

The meeting ended at 1.00 pm

CHAIRMAN

PUBLIC QUESTIONS TO COUNCIL – 7 MARCH 2014**Question from Mr P McKay, Leominster**

Question 1

Rights of Way Improvement Plan

Having been informed that our Local Street Gazetteer was being published online I thought I had completed my questions, expecting to see public rights of way, cycleways, rural access roads in their distinctive purple colour, along with all other roads, enabling checks to be made on gaps and omissions in the network as required by Parliament in good time prior to the 2026 cut-off date, but I find that not to be the case. Knowing where to look all this information is already online, but not viewable in a friendly way, nor at same time as our public rights of way. The Rights of Way Improvement Plan identifies our rural access roads as supplementing the byway network, policy 3.3.5 with policy 3.3.6 saying saying that users request that the information be made available, yet whilst officers I speak to advise that they have no reason not to make this information available they do not seem to know just whom ought be asked to address this issue, and indeed why not show us our cycleways as well as our footpaths and bridleways.

So may I ask if a highway layer showing our cycleways, rural access roads in their distinctive purple colour along with all our other roads could be added to the “Explore Herefordshire Map” web page, so that if tick that box and the tick the right of way box we could see all our registered highways at the same time, and when this could be expected ?

Answer from Councillor H Bramer Cabinet Member Contracts & Assets

Answer to question 1

The council is working towards putting the local street gazetteer on the council’s website using the explore Herefordshire map platform. This will be a staged process. Public rights of way information is already available on the platform and the road network will be added within the next four weeks. We hope that members of the public will be able to interrogate the information effectively and will welcome feedback as information is added.

Question from Mrs Churchward, Herefordshire

Question 2

Annual Monitoring Reports

Members all surely know there have been concerns about the Annual Monitoring Reports and their timeliness.

I asked a question about this last July, and was assured by Cllr Hamilton, that the hard and software had been upgraded, thus data collection would be more efficient.

PUBLIC QUESTIONS TO COUNCIL – 7 MARCH 2014

It would appear the upgrade has failed as there has been no movement on this issue and the most recent Monitoring Report is STILL dated Year End March 2011 now making it nearly 3 years behind.

What EXACT date can we expect a fully up-to-date Monitoring Report?

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 2

Annual monitoring reports are generally published 12 months 'in arrears' but Mrs Churchward is quite correct; the information currently on line requires updating. The annual monitoring report to be produced at the end of March will cover the period April 2012 to end March 2013.

Question from Mrs Morawiecka, Breinton, Herefordshire

Question 3

Nutrient Management Plan for the River Wye SAC

There was a commitment by Natural England and the Environment Agency to produce a Nutrient Management Plan for the River Wye SAC to be provided by September 2013, latest, to enable the Core Strategy to go forward for public examination. Would the Cabinet Member responsible for the Core Strategy please provide an explanation for the absence of this plan and indicate the level of investment required to accommodate the planned housing growth for Hereford and Leominster without damaging the River Wye SAC?

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 3

Detailed work is nearing completion on the production of the nutrient management plan by the Environment Agency and Natural England. The document will be included in the package of information to accompany the deposited Local Development Framework in May 2014.

Supplementary Question

I do not believe Councillor Price has answered my written question. Please provide an explanation for the absence of the Nutrient Management Plan and indicate the level of investment it requires to accommodate the planned housing growth for Hereford and Leominster?

PUBLIC QUESTIONS TO COUNCIL – 7 MARCH 2014

Response: Councillor Price, Cabinet Member Infrastructure

The Cabinet Member advised that details on the specific costs would be provided in a written response.

Written Response

As explained in my original response, the Environment Agency and Natural England are completing the work they need to undertake to finalise the nutrient management plan; until that plan is completed it is not possible to cost the level of investment that may be required or which bodies will need to make such investment.

Question from Mr D Morawiecki, Breinton, Herefordshire

Question 4

Loss of Appeals

What has been allowed in the 2013/14 and 2014/15 Herefordshire Council budgets for costs arising from the loss of appeals due to Herefordshire Council not having a 5 year housing land supply?

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 4

No specific funding has been allowed in budgets in 2013/14 or 2014/15 for the award of any costs arising from planning appeals.

Question from Mrs Wegg-Prosser, Breinton, Herefordshire

Question 5

Council's Core Strategy

For the Council's Core Strategy to go forward to Public Examination, it is required to have a number of supporting documents, such as a 5-year Housing Land Supply, a Local Transport Plan with at least 5 years to run, a Nutrient Management Plan, an Economic Viability Assessment, and an Infrastructure Delivery Plan. I should be grateful if the Cabinet member responsible for the Core Strategy could state when each of these documents will be ready and made publicly available?

Answer from Councillor PD Price Cabinet Member Infrastructure

PUBLIC QUESTIONS TO COUNCIL – 7 MARCH 2014

Answer to question 5

The planning minister has made it very clear that the two key planks of the planning system are the adoption of an up to date local plan and the provision of a five year housing land supply. By definition the former supplies and underpins the latter. As such it is not unusual for a local plan to be submitted for examination where that local planning authority does not have a five year housing land supply at that time.

Inspectors examine submitted local plans against the soundness principles. Part of the examination of all local plans is based on their ability or otherwise to accommodate appropriate housing projections and targets for its area. Subject to the appropriate granting of planning permissions thereafter the housing allocations brought forward in a local plan will then directly contribute towards the achievement of a 5 year housing land supply.

Local authorities are required to produce a Local Transport Plan (LTP), but have the flexibility to determine the duration of that plan and to review and amend elements within it at such timescales as they determine best meet local need. The current LTP, adopted in March 2013, covers the period to April 2015; a timetable for the process for review and refresh of this plan to cover the period beyond April 2015 will be published shortly.

The other documents referred to will be included in the package of information to accompany the deposited Local Development Framework in May 2014.

Question from Mrs Protherough, Clehonger, Herefordshire

Question 6

Selling of Bath Street Site

With an urgent need for sustainable housing developments in the City Centre, why does this Council feel that it can achieve best value for the local taxpayer by selling the Bath Street site to the Hereford & Worcester Fire Authority, rather than as a prime residential development site, which could include sensitive redevelopment of a building of historical significance in the City?

Answer from Councillor H Bramer Cabinet Member Contracts & Assets

Answer to question 6

A decision on this matter is scheduled for later in March. The council has to consider how best to use its assets in the public interest; the options for achieving best value will inform any disposal decision to be made.

The Local Development Framework, scheduled for public examination later this year, identifies a number of strategic sites which together would provide sufficient capacity to

PUBLIC QUESTIONS TO COUNCIL – 7 MARCH 2014

meet projected housing need in the city. As with any site, the future use will be determined through the usual planning process, as would the impact of any development on the character and appearance of the conservation area; the building itself is not listed.

Supplementary Question

In its Core Strategy is proposing 2,500 houses are built in greenfield sites around Hereford City and 800 in the city centre 'urban village'. Yesterday Nick Boles, Planning Minister, announced new planning practice guidance which emphasised the need to redevelop brownfield sites in preference to greenfield sites, protection of countryside and environment and taking account of infrastructure constraints e.g. road and sewage systems. There are as yet unconfirmed rumours of changes in Community Infrastructure Levy to encourage developers to develop brownfield sites. In view of this will the Council consider changes to its Core Strategy housing, and reconsider the practical advantages of using Bath Street site for housing which also has the environmental and social advantages of accessibility to the city centre on foot and proximity to essential services?

Response: Council Price, Cabinet Member Infrastructure

The Core Strategy is a live document. If something is announced from government we will look at it, but we need to take the Core Strategy forward. In response to the remainder of your question on Bath Street I would refer you to the written response provided.

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Question from Councillor NP Nenadich of Councillor GJ Powell, Cabinet Member Health and Wellbeing

Care Provision

- 1 *Can the Cabinet Member assure me that people who present with a chronic disability or degenerative illness, but never the less wish to make provision for their own care needs, will be supported by Herefordshire Council? This will encompass simple easy planning permissions for appropriate living accommodation and assistance in keeping them close to their natural networks and own support mechanisms and encourage people to take control of their lives where ever possible in any care setting.*

Answer from Councillor GJ Powell, Cabinet Member Health and Wellbeing

Answer to question 1

We are committed to enabling residents to live safe, healthy and independent lives, maintaining service provision to those with need within available resources. For some of our residents this will mean providing care either through personal budgets or, for our most vulnerable residents, directly commissioning that care. However we also know that many people are able and willing to arrange for their own care needs to be met and we want to do everything we can to encourage them and support them to do this.

In addition to ensuring people have access to the information and advice they need, our plans include engaging housing providers and developers to influence the diversity and delivery of new housing development in the county in a bid to create a more balanced housing market which helps people stay independent for longer within their own community. The Local Development Framework policies, specifically for rural housing, are more flexible than those within the Unitary Development Plan which should mean that future proposals for people with chronic illnesses and disabilities are more likely to be acceptable under normal planning policies than is currently the case, thereby simplifying the planning process.

Question from Councillor NP Nenadich of Councillor PD Price, Cabinet Member Infrastructure

Escalating Energy Bills

- 2 *Given that fuel poverty and escalating energy bills are of rising concern in the county, should we not require any new development to be built to the highest energy conservational standards as a matter of course,*

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

given that it is so much easier to build to these standards as opposed to upgrade to them?

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 2

I agree with Cllr Nenadich that we should be doing all we can to encourage energy efficient building to deliver environmental benefits and reduce costs for householders, and welcome the motion being debated by Council today.

Although the standards required under building regulations are set nationally, there are a number of other areas that we could look to develop including: the introduction of detailed design policies into the Hereford Area Action Plan (where the biggest strategic housing sites are located); the preparation of detailed design briefs for individual strategic sites and the introduction of a free-standing policy note on sustainable building standards (for engagement with the industry/stakeholders etc). Cllr Nenadich will I know appreciate that such development work will require officer resource and that, in the immediate future, this must be prioritised to supporting the progress of the Local Development Framework on which much of the county's future growth and development depends. However I will explore with officers how we can progress these developments and keep will keep members informed.

Cllr Nenadich may also wish to be aware that all new affordable housing developments locally are required to comply with a slightly higher sustainability standard than building regulations require; indeed most of our housing association partners delivering affordable housing for Herefordshire strive to deliver to an even higher standard. We also have examples where the council has provided additional funding to secure higher standards of energy efficiency, for instance by grant funding the installation of ground source heat pumps. As the housing market recovers our aim is to push affordable housing energy efficiency standards as high as possible.

Cllr Nenadich will also be aware that both the planning and building control process in the county have assisted in bringing forward some very innovative and sustainable proposals in years. Particularly high standards are currently being achieved in major flagship projects such as the Old Livestock Market retail development and the archives and records centre at Rotherwas. The latter is being constructed to Passivhaus standards.

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Question from Councillor DC Taylor of Councillor AW Johnson, Leader of the Council**Parish Council Precepts 2014/15**

- 3 *Could I be advised which Parish Councils have increased their precept, which have decreased their precept and which have retained their precept at the same level as 2012/13 and the percentage increase/decrease for each.*

Answer from Councillor AW Johnson, Leader of the Council

Answer to question 3

The table below identifies those 75 local councils that have increased their precepts, those 60 that have remained static, and those 5 that have decreased their precept together with the level of change for each. It should be noted these figures are the gross amounts; the net precept figures, detailing how much of the precept has to be collected from Herefordshire taxpayers (the balance being made up from a government grant) are shown in the council tax report elsewhere on the agenda today,.

It should be emphasised that through the use of local precepts local councils are able to help meet the needs of their communities, supporting much valued local facilities and services.

Gross amounts required by parishes for 2014-15 compared to 2013-14

Parish Council	Gross Amount Required		Increase %
	2014-15 £	2013-14 £	
<u>Increase</u>			
Acton Beauchamp Group Parish Council	3,000	2,800	7.14%
Allensmore Parish Council	3,500	2,000	75.00%
Aston Ingham Parish Council	3,700	2,500	48.00%
Avenbury Parish Council	4,000	3,500	14.29%
Aymestrey Parish Council	3,660	2,876	27.26%
Bartestree & Lugwardine Group Parish Council	24,000	23,700	1.27%
Bishop's Frome Parish Council	23,000	22,000	4.55%
Bishopstone Group Parish Council	4,283	4,174	2.61%
Bodenham Parish Council	14,195	9,945	42.74%
Border Group Parish Council	7,750	7,500	3.33%
Breinton Parish Council	8,300	8,200	1.22%
Brilley Parish Council	6,500	4,750	36.84%
Bromyard & Winslow Town Council	186,955	171,000	9.33%
Burghill Parish Council	14,842	13,977	6.19%

Appendix 2

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Clehonger Parish Council	13,100	12,000	9.17%
Colwall Parish Council	74,880	58,010	29.08%
Malvern Hills Conservators (Colwall Parish Council)	34,445	33,770	2.00%
Credenhill Parish Council	17,300	16,800	2.98%
Cusop Parish Council	8,500	7,500	13.33%
Dilwyn Parish Council	13,767	11,545	19.25%
Dinedor Parish Council	6,300	5,800	8.62%
Dormington & Mordiford Group Parish Council	14,925	12,945	15.30%
Dorstone Parish Council	3,200	2,600	23.08%
Eaton Bishop Parish Council	6,000	5,000	20.00%
Ewyas Harold Group Parish Council	20,000	16,590	20.55%
Hampton Bishop Parish Council	17,000	10,000	70.00%
Hatfield and District Group Parish Council	4,200	2,500	68.00%
Hereford City Council	815,715	724,960	12.52%
Holmer & Shelwick Parish Council	8,004	6,954	15.10%
Hope Mansell Parish Council	1,700	1,450	17.24%
Hope under Dinmore Group Parish Council	3,700	3,500	5.71%
How Caple, Sollershope & Yatton Group Parish Council	6,000	5,000	20.00%
Humber, Ford & Stoke Prior Group Parish Council	6,400	3,850	66.23%
Huntington Parish Council	700	650	7.69%
Kimbolton Parish Council	6,500	5,500	18.18%
Kingstone & Thruxton Group Parish Council	9,000	8,000	12.50%
Kington Rural and Lower Harpton Group Parish Council	4,800	4,000	20.00%
Kington Town Council	70,000	64,000	9.38%
Kinnersley and District Group Parish Council	3,500	3,200	9.38%
Lea Parish Council	10,350	9,850	5.08%
Ledbury Town Council	271,912	266,596	1.99%
Leintwardine Group Parish Council	16,000	15,000	6.67%
Leominster Town Council	290,228	241,098	20.38%
Llangarron Parish Council	5,500	5,000	10.00%
Luston Group Parish Council	13,000	10,000	30.00%
Lyonshall Parish Council	15,000	10,000	50.00%
Madley Parish Council	14,000	9,000	55.56%
Marstow Parish Council	7,000	5,500	27.27%
Mathon Parish Council	6,542	6,442	1.55%
Malvern Hills Conservators (Mathon)	4,590	4,500	2.00%
Monkland and Stretford Parish Council	4,100	3,500	17.14%
Much Birch Parish Council	6,390	6,000	6.50%
North Bromyard Group Parish Council	4,200	4,000	5.00%
Peterchurch Parish Council	14,560	13,560	7.37%
Peterstow Parish Council	3,700	3,500	5.71%
Pixley & District Parish Council	5,750	5,500	4.55%
Pyons Group Parish Council	7,400	6,195	19.45%
Richard's Castle (Herefordshire) Parish Council	3,650	3,150	15.87%
Ross on Wye Town Council	264,635	196,500	34.67%
Shobdon Parish Council	14,462	13,900	4.04%

Appendix 2

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Stretton Grandison Group Parish Council	2,000	1,750	14.29%
Stretton Sugwas Parish Council	4,350	4,200	3.57%
Sutton Parish Council	19,250	18,870	2.01%
Tarrington Parish Council	11,500	10,000	15.00%
Thornbury Group Parish Council	3,400	3,300	3.03%
Titley and District Group Parish Council	4,418	4,336	1.89%
Walford Parish Council	16,500	16,000	3.13%
Weobley Parish Council	13,962	10,555	32.28%
Weston-under-Penyard Parish Council	10,000	7,000	42.86%
Whitbourne Parish Council	9,500	9,000	5.56%
Whitchurch & Ganarew Group Parish Council	25,000	15,000	66.67%
Withington Group Parish Council	16,000	15,000	6.67%
Woolhope Parish Council	5,500	5,150	6.80%
Yarkhill Parish Council	4,500	4,000	12.50%
Yarpole Group Parish Council	14,000	10,385	34.81%
<u>No change</u>			
Abbeydore & Bacton Group Parish Council	7,200	7,200	0.00%
Aconbury Parish Meeting	120	120	0.00%
Ashperton Parish Council	3,150	3,150	0.00%
Ballingham, Bolstone & Hentland Group Parish Council	4,000	4,000	0.00%
Belmont Rural Parish Council	50,000	50,000	0.00%
Birley with Upper Hill Parish Council	2,000	2,000	0.00%
Bosbury and Coddington Parish Council	10,000	10,000	0.00%
Brampton Abbots & Foy Group Parish Council	2,000	2,000	0.00%
Bredenbury & District Group Parish Council	5,360	5,360	0.00%
Bridstow Parish Council	5,225	5,225	0.00%
Brimfield and Little Hereford Group Parish Council	9,500	9,500	0.00%
Brockhampton with Much Fawley Parish Council	3,600	3,600	0.00%
Callow & Haywood Group Parish Council	5,500	5,500	0.00%
Clifford Parish Council	4,000	4,000	0.00%
Cradley Parish Council	25,000	25,000	0.00%
Dinmore Parish Meeting	0	0	0.00%
Eardisland Parish Council	15,750	15,750	0.00%
Eardisley Group Parish Council	8,700	8,700	0.00%
Eastnor & Donnington Parish Council	3,600	3,600	0.00%
Fownhope Parish Council	20,000	20,000	0.00%
Foxley Group Parish Council	1,750	1,750	0.00%
Garway Parish Council	10,574	10,574	0.00%
Goodrich & Welsh Bicknor Group Parish Council	5,600	5,600	0.00%
Hampton Charles Parish Meeting	0	0	0.00%
Holme Lacy Parish Council	15,000	15,000	0.00%
Kentchurch Parish Council	6,500	6,500	0.00%
Kilpeck Group Parish Council	10,750	10,750	0.00%
Kings Caple Parish Council	6,680	6,680	0.00%
Kingsland Parish Council	10,000	10,000	0.00%
Linton Parish Council	6,000	6,000	0.00%

Appendix 2

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Little Birch Parish Council	2,700	2,700	0.00%
Little Dewchurch Parish Council	7,500	7,500	0.00%
Llanwarne & District Group Parish Council	2,000	2,000	0.00%
Longtown Group Parish Council	5,530	5,530	0.00%
Marden Parish Council	17,500	17,500	0.00%
Middleton-on-the-Hill and Leysters Group Parish Council	3,500	3,500	0.00%
Moreton on Lugg Parish Council	14,000	14,000	0.00%
Much Dewchurch Parish Council	3,500	3,500	0.00%
Much Marcle Parish Council	4,919	4,919	0.00%
Ocle Pychard Parish Council	2,850	2,850	0.00%
Orcop Parish Council	7,000	7,000	0.00%
Orleton Parish Council	15,300	15,300	0.00%
Pembridge Parish Council	18,000	18,000	0.00%
Pencombe Group Parish Council	8,500	8,500	0.00%
Pipe and Lyde Parish Council	2,330	2,330	0.00%
Putley Parish Council	5,000	5,000	0.00%
Ross Rural Parish Council	3,000	3,000	0.00%
Sellack Parish Council	2,000	2,000	0.00%
St. Weonards Parish Council	3,630	3,630	0.00%
Stapleton Group Parish Council	5,000	5,000	0.00%
Staunton-on-Wye and District Group Parish Council	2,675	2,675	0.00%
Stoke Edith Parish Meeting (Chairman)	0	0	0.00%
Stoke Lacy Parish Council	5,000	5,000	0.00%
Upton Bishop Parish Council	8,864	8,864	0.00%
Vowchurch & District Group Parish Council	6,000	6,000	0.00%
Wellington Heath Parish Council	7,400	7,400	0.00%
Wellington Parish Council	21,500	21,500	0.00%
Welsh Newton & Llanrothal Group Parish Council	6,530	6,530	0.00%
Weston Beggard Parish Council	1,000	1,000	0.00%
Wyeside Group Parish Council	6,500	6,500	0.00%
<u>Decrease</u>			
Almeley Parish Council	7,250	7,500	-3.33%
Brockhampton Group Parish Council	7,000	8,000	-12.50%
Lower Bullingham Parish Council	17,736	18,817	-5.74%
Much Cowarne Group Parish Council	3,300	3,600	-8.33%
Wigmore Group Parish Council	14,500	15,000	-3.33%
	<u>3,126,743</u>	<u>2,788,087</u>	

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Question from Councillor DC Taylor of Councillor PD Price, Cabinet Member Infrastructure

Proposed Road Link Between A465 and the A49

- 4 *The three Parish Councils in the Stoney Street Ward, with the exception of two members, support the need for the link road to be constructed. Could I be advised of the timetable for the build, as I wish to keep the Parish Councils' in my Ward up to date on the need to consult with the local residents and when the Council proposes to start the building of this road?*

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 4

It is pleasing to note that the parish councils are supportive of this scheme which will bring relief to the traffic congestion affecting that part of the city. Consultation on a preferred route for the scheme is due to commence in June this year; our current programme is for construction to start late 2016 and be completed by the end of 2017.

Supplementary Question

The previous Cabinet Member for roads, Mr Hamilton, promised that he would hold a meeting with the local people to update them on what we are proposing. Will you be prepared to do likewise for their benefit?

Response: Councillor Price, Cabinet Member Infrastructure

I intend to have a meeting. I am awaiting further information from Balfour Beatty, which will be available towards the end of April or early May. I will then hold a meeting.

Question from Councillor RI Matthews of Councillor AW Johnson, Leader of the Council

Construction of a New Access Road

- 5 It is my understanding that both of our local Conservative MPs, and a large number of top businessmen together with the board members of the local Enterprise Zone support the construction of a new access road from the main A438 Hereford/Ledbury Road at Tupsley into the Rotherwas Industrial Estate. All of these people are of the view that the industrial estate will not succeed and operate to its full capacity until such a road is in place.

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Because of the overwhelming support for this road from such influential people, can you assure Members that their concerns will be addressed before the Local Development Framework is any further progressed? After all, it must be remembered that your administration is without any overall majority, and therefore I suggest that it would be undemocratic were you not to give this matter your every consideration.

Answer from Councillor PD Price, Cabinet Member Infrastructure

Answer to question 5

I don't share Cllr Matthews' understanding. I am of course aware that there are a range of views on this matter, influenced by a number of factors, but would wish to focus on the evidence.

Extending the road network to the east of the city in advance of a relief road which can only be delivered through a western route, would not only displace traffic to more residential areas, it would not enable the housing growth this county needs.

I would also remind Cllr Matthews that the draft Core Strategy was approved by Council in July 2013 for submission; this included a relief road to the west and did not include a Rotherwas to Ledbury Road link. There is no authority to include it at this stage and further delay to debate the matter, in the absence of any new evidence to support the case for a link road in advance of a relief road, would have a significantly negative impact on the future economy of the county.

Supplementary Question

It would appear to me that any inspector considering our Core Strategy would be deeply concerned when he becomes aware of the views of our local MPs and others. Does the Leader agree with me that this could well be the case, and consequently result in a negative response to the Council's proposals?

Response: Councillor Johnson, Leader of the Council

The Leader acknowledged the reservations people had about where the road was proposed, but reiterated that residents wanted a bypass. Council priorities included future economic development, which a bypass was an important part of. Hard evidence showed the road should go west and MPs were now looking at this evidence. It was noted that any road built going east on a flood plain would not be able to have homes included with it. Additionally any expansion of Rotherwas could not be carried out without access improvements. The Leader emphasised the importance of not missing the opportunity, which would bring with it homes and jobs for the County. However this did not preclude any future road building which might subsequently be built going east.

MEMBERS' QUESTIONS TO COUNCIL – 07 MARCH 2014

Question from Councillor JLV Kenyon of Councillor PD Price, Cabinet Member Infrastructure

Road Maintenance Annual Plan

- 6 *Balfour Beatty has a budget from this council of an additional £15 million for the coming financial year to be spent on road maintenance and improvements. When will the relevant annual plan be available, what input will Councillors be able to have on it "bearing in mind the high priority all of our residents consider this to be"? As this is a "plan" will it be subject to change as a "live document"?*

Answer from Councillor PD Price Cabinet Member Infrastructure

Answer to question 6

Cllr Kenyon refers to additional funding of £15m of the £20m total; this is being prioritised to improve the maintenance and repair of 'C' and unclassified roads which have lagged behind the maintenance of our 'A' and 'B' roads; this improvement work will include essential drainage works to help reduce the impacts of future flooding.

The annual plan will be the subject of a cabinet member decision scheduled for 2 May, as recently listed on the rolling programme; members will have the opportunity to input to the development of the plan at the all member seminar arranged for 8 April to which I would encourage all members to attend.

It is inevitable that the detail within the plan will be subject to change, as we refine the options for delivery to ensure that we get the very best return for this investment, and enable response to unforeseen circumstances as necessary.

Supplementary Question

Will the executive appoint a Councillor solely responsible for the roads? The roads have been deteriorating for years, I believe the Cabinet Member needs a support Member to help.

Response: Councillor Johnson, Leader of the Council

The Leader stated that Councillor Price was in control of what was happening with regards to the roads. A plan was being formulated and would be made known to Members.

Chairman's Announcements – 23 May 2014

Commonwealth Flag Raising Event - 10 March

Hosted by HM Lord-Lieutenant of Herefordshire and myself, the Commonwealth Flag was raised at Brockington to mark Commonwealth Day. It was very pleasing to see so many Councillors and local dignitaries attend the event.

Chairman's Civic Service - 16 March

Thank you to all those Councillors and guests who attended the civic service this year. It was super to see so many people at the Cathedral.

HARC Topping Out Ceremony - 9 April

A 'topping out' ceremony was held at the HARC Building on the Enterprise Zone which marked the completion of the roof and the final stages of the build. The Vice Chairman cut the ribbon and say a few words.

The Wye Trow - 29 April

I enjoyed a lovely trip down the river wye on the Trow 'Hereford Bull' organised by the past High Sheriff, Bob Tabor. It was a splendid occasion, the sun shone and the event attracted quite a big audience and was shown on Midlands Today.

Royal Visit by the Countess of Wessex to Aspire Living in Ross-on-Wye - 7 May

We had a very enjoyable visit by the Countess of Wessex at Aspire Living in Ross. The Countess thoroughly enjoyed meeting the staff, residents and supporters and was very encouraged by the level of dedication shown by all the staff and the excellent facilities of the centre itself.

Hospice Angels - 10 May

The HM Lord-Lieutenant, the High Sheriff, the Mayor of Hereford, myself and other guests all turned out to support the Hospice Angels at the start of their journey from Hereford to Inverness. The Hospice Angels are very active fundraisers for St Michael's Hospice and I hope they enjoyed a safe trip to Inverness and raised lots of money for both St Michael's and the Highland Hospice.

County Mayors

I would like to pass on my good wishes and thanks to those Mayors who have just completed their term of office, for their courtesy and kindness during the past 12 months. I look forward to working with the County's newly elected Mayors, during this civic year.

The Rifles

Following the close of business, and before we begin the Diamond County Award ceremony, we will be joined by Major General Nick Welch of the Rifles, our adopted regiment. I would like to

take this opportunity to place on record our gratitude to all those serving in the armed forces and our condolences to those families who have lost a relative in the past year.

Councillor Roger Hunt and Councillor Peter Watts

Finally, it is with great sadness that I record the passing of two Councillors, Roger Hunt and Peter Watts. Both had served not only as Herefordshire Council Members but also on Leominster and Ledbury Town Councils respectively. Both Councillors worked tirelessly in their communities and are admirable examples of the ethos and commitment elected Members should aspire towards. I have written to their families on behalf of the Council and I know that all Members of Council will join me in passing on our condolences to their family and friends.



MEETING:	COUNCIL
MEETING DATE:	23 MAY 2014
TITLE OF REPORT:	APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES
REPORT BY:	SOLICITOR TO THE COUNCIL

Classification

Open

Key Decision

This is not an executive decision.

Wards Affected

County-wide

Purpose

To exercise those powers reserved to Council at its Annual Meeting:

- (a) To confirm its committees and the number of seats on each, including terms of reference and functions of those committees;
- (b) To approve the allocation of seats to political groups for the coming year and to receive nominations from those groups;
- (c) To make appointments to the positions of Chairmen and Vice-Chairmen of committees;
- (d) To make arrangements for such appointments to committees and other bodies as may be necessary, including co-optees; and
- (e) To make arrangements for such appointments to the Independent Remuneration Panel as may be necessary.

Recommendations

THAT: (a) the list of ordinary committees be confirmed and the allocation of seats on those committees to political groups be made as indicated in paragraph 7 below;

Further information on the subject of this report is available from
Bill Norman, Solicitor to the Council on Tel (01432) 260200

- (b) the seats on other bodies to which the allocation of seats to groups falls to be made by Council be as indicated in paragraph 9, and all other representation on outside bodies be decided by the Chief Executive in consultation with the Group Leaders in accordance with the provisions of the constitution;
- (c) the reappointment of the co-opted members of General Overview & Scrutiny Committee be approved in accordance with Appendix 1 (to follow);
- (d) the wishes of the political groups as to nominees to fill their respective allocations of seats be noted;
- (e) the appointments of Chairmen and Vice-Chairmen be confirmed in accordance with Appendix 1 (to follow);
- (f) the suspension of the rules of proportionality, in respect of the Regulatory Sub-Committee, the River Lugg Internal Drainage Board and the Wye Valley AONB Joint Advisory Committee, be approved;
- (g) the respective terms of reference for each committee or board remain unchanged, with the exception of additions to the Audit & Governance Committee terms of reference as detailed at Appendix 2;
- (h) any vacancies on committees or outside bodies arising during the year be filled by the decision of the Chief Executive following consultation with the Group Leaders and in accordance with the rules of proportionality;
- (i) the Solicitor to the Council be authorised, after consultation with Group Leaders and having regard to the regulations and guidance as outlined at paragraph 14, to appoint up to 5 members of the Independent Remuneration Panel; and
- (j) that the Solicitor to the Council make any consequent amendments to the Constitution as are necessary.

Alternative Options

- 1 To draw up a different set of committees of a different size and composition with different terms of reference; this is not recommended with only 12 months of the term of this council remaining.

Reasons for Recommendations

- 2 Council is required to review its political composition and how this is applied to appointments to committees and sub-committees of the council at each Annual Meeting of Council. Similarly, the constitution requires Council to review its ordinary committees at the annual meeting and make appointments to them.
- 3 The constitution requires the annual appointment of members to outside bodies.

Further information on the subject of this report is available from
Bill Norman, Solicitor to the Council on Tel (01432) 260200

- 4 Membership of the Independent Remuneration Panel has fallen to such a low level that recruitment of further members is necessary.

Key Considerations

- 5 The membership of the respective political groups is shown in the table below. The two vacant seats on the Council, Ledbury Ward and Leominster South, remain allocated to the group which held them, pending the outcome of the by elections.

	Numbers in Group
Conservative	29
Herefordshire Independent	14
It's Our County!	12
Liberal Democrat	3
Total	58

- 6 Council is under a duty to ensure membership of those committees covered by the relevant rules reflects the political composition of the council, as far as practicable, by allocating seats on the committees to the political groups in proportion to their numerical strength on the council, whilst also maintaining a similar proportional balance of overall seat numbers. Council must then accept nominations made by the groups for filling the seats allocated to them
- 7 The current size of ordinary committees of council, together with the proportionate political composition is shown in the table below; there are no proposals to amend the current allocations.

Committee	Seats	Liberal Democrat	Herefordshire Independent	Conservative	It's Our County!
Audit and Governance Committee	10	1	2	5	2
Employment Panel	6	0	2	3	1
General Overview and Scrutiny Committee	14	1	3	7	3
Health and Social Care Overview and Scrutiny Committee	14	1	3	7	3
Planning Committee	20	1	5	10	4
Regulatory Committee	10	1	2	5	2
Total Seats	74	5	17	37	15

- 8 It is not proposed to vary Council's decision in May 2013 to allocate certain seats on a different basis from that of political proportion. Council must take a *nem con vote*, where no member votes against the proposal, to permit this approach in respect of: the Regulatory Sub-Committee (which is itself drawn on an ad hoc basis from members of the politically proportionate Regulatory Committee), the River Lugg Internal Drainage Board and the Wye Valley AONB Joint Advisory Committee (both of which are geographically specific bodies and appointments to them are drawn from relevant ward members).
- 9 The allocation of seats to certain outside bodies to which 3 or more appointments are made, must also have regard to the rules of proportionality. This affects appointments to two outside bodies as detailed in the table below and no changes are proposed in respect of these allocations.

Body	Seats	Liberal Democrat	Herefordshire Independent	Conservative	It's Our County!
Fire & Rescue Authority	6	0	2	3	1
Standing Advisory Council For Religious Education	3	0	1	1	1

- 10 Appendix 1 (to follow) details the group's nominations in respect of their allocated seats on committees and outside bodies together with the proposals for appointment of committee chairmen and vice chairmen. The Herefordshire Health and Wellbeing Board is not subject to the rules of political proportionality. The Board is included in Appendix 1 as, although it contains members, officers and outside representatives as statutory appointments, it is treated as a Council committee by virtue of the Health and Social Care Act 2012.

Audit and Governance Committee Terms of Reference

- 11 Members will be aware that, following the decision of Cabinet on 12 December 2013 and subsequent agreement of the capital programme by Council in February 2014, the council is entering into a loan arrangement with Mercia Waste Management Ltd as the best way to fund an energy from waste plant at Hartlebury. To enable a politically proportionate committee to have oversight of the actions of the council as lender in this arrangement the additional terms of reference set out at Appendix 2 are recommended for inclusion within the Audit & Governance Committee's terms of reference. Cabinet, not Audit & Governance Committee, would remain responsible for executive decisions in respect of the operation of the waste contract or any waste disposal authority functions.

Membership of the Independent Remuneration Panel

- 12 The council is required to establish an independent remuneration panel to make recommendations to Council about the allowances to be paid to councillors. The regulations and guidance require that panels must have a minimum of three members, but not be unduly large. Panel members cannot be elected members of any authority or be disqualified from being an elected member. It is recommended that appointment of panel members is phased to ensure there is always one member who has some experience. Although the regulations do not specify how panel

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members should be found, the appointment process should command public confidence and be transparent. Panel members are reimbursed any necessary expenses in carrying out their role.

- 13 The panel has most recently consisted of representatives from the voluntary sector (the chief executive of Herefordshire Voluntary Organisations Support Service), and the business sector (chairman of the Business Board and a representative of a major employer) and trade unions (branch secretary of Unison). A number of panel members have indicated they are unable to continue, or have changed role and therefore it is timely to review the recruitment process.
- 14 It is proposed that, to maintain a level of continuity in line with the guidance, the remaining panel members be re-appointed for a three year term of office. It is also proposed that a public recruitment process be undertaken, similar to that followed in recruiting independent members of the Standards Panel, and that authority be delegated to the Solicitor to the Council, in consultation with Group Leaders, to appoint further panel members to form a panel with a maximum of five members.

Community Impact

- 15 There are no implications.

Equality and Human Rights

- 16 There are no implications

Financial Implications

- 17 There are no implications.

Legal Implications

- 18 The council is required to ensure that the allocation of seats to committees is compliant with relevant rules contained in the Local Government and Housing Act 1989 and regulations made under that Act. The proposals in this report comply with the requirements.

Risk Management

- 19 Failure to appoint to committees and outside bodies could render them inquorate or unlawful; failure to obey the rules of political proportionality could similarly render a committee or body unlawful. The recommendations in this report mitigate these risks.

Consultees

- 20 Group Leaders

Appendices

Appendix 1 – Committees (to follow)

Appendix 2 – Addition to Audit & Governance Committee Terms of Reference.

Background Papers

- None identified.

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Proposed Additions to the Audit & Governance Committee Terms of Reference

- (a) To review, in conjunction with external advisers advising the council as lender, the risks being borne as a result of the funding provided by the council to Mercia Waste Management Ltd and consider whether the risks being borne by the council, as lender, are reasonable and appropriate having regard to the risks typically assumed by long term senior funders to waste projects in the United Kingdom and best banking practice;
- (b) To monitor the administration of the loan to the waste project in line with best banking practice having regard to any such external advice, including the terms of any waivers or amendments which may be required or are desirable;
- (c) To consider what steps should be taken to protect the interests of the council as lender in the event of a default or breach of covenant by Mercia Waste Management Ltd, and make recommendations as appropriate to Full Council, the council's statutory officers or Cabinet as appropriate to ensure the appropriate enforcement of security and litigation in relation to the loan to Mercia Waste Management Ltd;
- (d) To consider and recommend appropriate courses of action to protect the position of the council as lender to the waste project;
- (e) To make recommendations as appropriate to Council with regard to its Budget and Policy Framework and the loan to the waste project;
- (f) Generally to take such other steps in relation to the loan within the scope of these terms of reference as the committee considers to be appropriate.

