

**Economy, Communities and Corporate**

Geoff Hughes - Director

**TO: ALL MEMBERS OF THE COUNCIL**

Our Ref: Council - 17 July 2015

Please ask for: Governance Services

Direct Line / Extension: (01432) 260249

E-mail: [councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk)

09 July 2015

Dear Councillor,

**YOU ARE HEREBY SUMMONED** to attend the meeting of the Herefordshire Council to be held on **Friday 17 July 2015** at The Shire Hall, St Peter's Square, Hereford HR1 2HX at **10.00 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely

*Bill Norman*

**BILL NORMAN  
ASSISTANT DIRECTOR GOVERNANCE**



# AGENDA

## Council

Date: **Friday 17 July 2015**

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Time: **10.00 am**

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Place: **The Shire Hall, St Peter's Square, Hereford HR1 2HX**

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

For any further information please contact:

**Governance Services**

Tel: 01432 260239

Email: [councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk)

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# Agenda for the Meeting of the Council

## Membership

**Chairman**

**Vice-Chairman**

**Councillor DB Wilcox**

**Councillor PJ McCaull**

Councillor PA Andrews  
Councillor JM Bartlett  
Councillor TL Bowes  
Councillor CR Butler  
Councillor MJK Cooper  
Councillor PGH Cutter  
Councillor PJ Edwards  
Councillor DW Greenow  
Councillor J Hardwick  
Councillor EPJ Harvey  
Councillor JA Hyde  
Councillor AW Johnson  
Councillor JLV Kenyon  
Councillor MD Lloyd-Hayes  
Councillor RI Matthews  
Councillor MT McEvelly  
Councillor PM Morgan  
Councillor FM Norman  
Councillor RJ Phillips  
Councillor AJW Powers  
Councillor P Rone  
Councillor A Seldon  
Councillor WC Skelton  
Councillor D Summers  
Councillor LC Tawn  
Councillor SD Williams

Councillor BA Baker  
Councillor WLS Bowen  
Councillor H Bramer  
Councillor ACR Chappell  
Councillor PE Crockett  
Councillor BA Durkin  
Councillor CA Gandy  
Councillor KS Guthrie  
Councillor DG Harlow  
Councillor EL Holton  
Councillor TM James  
Councillor JF Johnson  
Councillor JG Lester  
Councillor MN Mansell  
Councillor RL Mayo  
Councillor SM Michael  
Councillor PD Newman OBE  
Councillor CA North  
Councillor GJ Powell  
Councillor PD Price  
Councillor AR Round  
Councillor NE Shaw  
Councillor J Stone  
Councillor EJ Swinglehurst  
Councillor A Warmington

**AGENDA**

	<b>Pages</b>
<i>(The meeting will be preceded by prayers.)</i>	
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>3. MINUTES</b> To approve and sign the Minutes of the meeting held on 22 May 2015.	9 - 16
<b>4. CHAIRMAN'S ANNOUNCEMENTS</b> To receive the Chairman's announcements and petitions from members of the public.	17 - 18
<b>5. QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive questions from members of the public.	19 - 22
<b>6. TREASURY MANAGEMENT OUTTURN 2014-15</b> To approve the treasury management outturn for 2014/15.	23 - 34
<b>7. LEADER'S REPORT</b> To receive a report from the Leader on the activities of Cabinet since the meeting of Council in March.	35 - 50
<b>8. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS</b> To receive any written questions from Councillors.	



## **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 Cabinet and 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, Cabinet, 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).
- 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.

### **Public Transport Links**

- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

## **Recording of meetings**

- Anyone is welcome to record public meetings of the council using whatever, non-disruptive, methods you think are suitable. Please note that the meeting chairman has the discretion to halt any recording for a number of reasons including disruption caused by the recording, or the nature of the business being conducted. Recording should end when the meeting ends, if the meeting is adjourned, or if the public and press are excluded in accordance with lawful requirements.
- Anyone filming a meeting is asked to focus only on those actively participating.
- If, as a member of the public, you do not wish to be filmed please make a member of the governance team aware.

## **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.



HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Council held at The Shire Hall, St Peter's Square, Hereford HR1 2HX on Friday 22 May 2015 at 10.30 am**

**Present:** Councillor DB Wilcox (Chairman)  
Councillor PJ McCaull (Vice Chairman)

**Councillors:** PA Andrews, BA Baker, JM Bartlett, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, PJ Edwards, CA Gandy, DW Greenow, KS Guthrie, J Hardwick, DG Harlow, EPJ Harvey, EL Holton, JA Hyde, TM James, AW Johnson, JF Johnson, JG Lester, MD Lloyd-Hayes, MN Mansell, RI Matthews, RL Mayo, MT McEvilly, SM Michael, PM Morgan, PD Newman OBE, FM Norman, CA North, RJ Phillips, GJ Powell, AJW Powers, PD Price, P Rone, AR Round, A Seldon, NE Shaw, WC Skelton, J Stone, D Summers, EJ Swinglehurst, LC Tawn, A Warmington and SD Williams

**1. ELECTION OF CHAIRMAN**

*(Councillor J Stone in the chair.)*

*(Councillor DB Wilcox declared a pecuniary interest and left the meeting for the duration of this item.)*

Councillor AW Johnson proposed and Councillor TM James seconded the nomination of Councillor DB Wilcox.

**RESOLVED: That Councillor DB Wilcox be elected Chairman of the Council for the forthcoming municipal year.**

*(Councillor DB Wilcox in the chair.)*

Councillor Wilcox thanked Members for the confidence they had placed in him and assured them that he would seek to uphold the council's good name and promote the county.

He paid tribute to Councillor Stone, as outgoing Chairman for the last few months of the previous administration, and to former Councillor LO Barnett who had chaired the council from May 2011 until her death in November 2014.

He also welcomed new and returning councillors.

Councillor Stone thanked all councillors for their support and in particular former Councillor R Preece who had served as his Vice-Chairman.

**2. APPOINTMENT OF VICE-CHAIRMAN**

*(Councillors MD Lloyd-Hayes and PJ McCaull declared pecuniary interests and left the meeting for the duration of this item.)*

Councillor WLS Bowen proposed and Councillor GJ Powell seconded the nomination of Councillor PJ McCaull.

Councillor AJW Powers proposed and Councillor JM Bartlett seconded the nomination of Councillor MD Lloyd-Hayes.

Councillor Bowen and Councillor Powers spoke respectively on the qualities their nominees possessed which they considered equipped them to fulfil the role of vice-chairman.

A named vote was held.

For Councillor Lloyd-Hayes (12)

Councillors JM Bartlett, TL Bowes, EPJ Harvey, MN Mansell, SM Michael, FM Norman, CA North, AJW Powers, A Seldon, D Summers, LC Tawn, A Warmington.

For Councillor McCaull (37)

Councillors PA Andrews, BA Baker, WLS Bowen, H Bramer, CR Butler, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, PJ Edwards, CA Gandy, DW Greenow, KS Guthrie, J Hardwick, DG Harlow, EL Holton, JA Hyde, TM James, AW Johnson, JF Johnson, JG Lester, RI Matthews, RL Mayo, MT McEvelly, PM Morgan, PD Newman, RJ Phillips, GJ Powell, PD Price, P Rone, AR Round, NE Shaw, WC Skelton, J Stone, EJ Swinglehurst, DB Wilcox and SD Williams.

**RESOLVED: That Councillor PJ McCaull be elected Vice-Chairman of the Council for the forthcoming municipal year.**

### **3. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors PE Crockett and JLV Kenyon.

### **4. DECLARATIONS OF INTEREST**

The Assistant Director, Governance reminded Council that for agenda item 8 - appointments to council committees and outside bodies he had granted a dispensation under his delegated authority to those Councillors seeking election to posts carrying a special responsibility allowance so permitting them to remain in the meeting for its consideration. However, he recommended that they should not vote on their own appointment.

#### **Agenda item 1 – Election of Chairman**

Councillor DB Wilcox declared a pecuniary interest as a candidate for office and left the meeting for the duration of this item.

#### **Agenda item 2 - Appointment of Vice-Chairman**

Councillor MD Lloyd-Hayes declared a pecuniary interest as a candidate for office and left the meeting for the duration of this item.

Councillor PJ McCaull declared a pecuniary interest as a candidate for office and left the meeting for the duration of this item.

## **Agenda item 7: Election of Leader of the Council**

Councillor AW Johnson declared a pecuniary interest as a candidate for office and left the meeting for the duration of this item.

### **5. MINUTES**

**RESOLVED: That the Minutes of the meeting held on 6 March 2015 be confirmed as a correct record and signed by the Chairman, subject to correcting the reference to “Pickways” in the supplementary Member question and answer on page 19 of the Minutes to read “Pykeways”.**

### **6. CHAIRMAN'S ANNOUNCEMENTS**

Council noted the Chairman's announcements as printed in the agenda papers.

### **7. ELECTION OF LEADER OF THE COUNCIL**

*(Councillor AW Johnson declared a pecuniary interest and left the meeting for the duration of this item.)*

Councillor PM Morgan proposed and Councillor PA Andrews seconded the nomination of Councillor AW Johnson.

Councillor Morgan spoke in support of the nominee.

**RESOLVED: That Councillor AW Johnson be elected Leader of the Council for the forthcoming municipal year.**

The Leader thanked Council and observed that the expectation was that the financial settlement would mean further challenges would need to be met over the next two years.

He informed council that Councillor Lester would replace Councillor Millar on the Cabinet, with all other posts and support posts remaining unchanged, subject to amendment of some portfolios. Details of the new cabinet and portfolios would be published.

### **8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES**

*(A dispensation had been granted to those councillors seeking election to posts carrying a special responsibility allowance so permitting them to remain in the meeting for this item's consideration.)*

Council considered appointments to the committees of the council and outside bodies in line with the rules of political proportionality.

The Assistant Director, Governance presented the report. He commented that following discussion with group leaders it was suggested that recommendations a-e as printed in the agenda papers giving effect to political proportionality, about which there was consensus, should be considered and voted upon as a whole. He proposed that a separate vote should then be taken on recommendation f which provided for the suspension of the rules of proportionality for a number of specified bodies. Discussion of appointments to the positions of chairmen and vice-chairmen for which several nominations were expected could then be considered.

A member requested that consideration was given to ways of providing all members with access to information on the meetings and important decisions of outside organisations to which appointments were to be made. The leader of the council indicated that he supported this request.

Councillor PM Morgan proposed and Councillor RJ Phillips seconded a motion that recommendations a-e as printed in the agenda papers be approved.

This motion was carried with no one voting against it.

Councillor PM Morgan proposed and Councillor A Seldon seconded a motion that recommendation f as printed in the agenda papers be approved.

This motion was carried with no one voting against it.

Council agreed that appointments to the positions of chairmen and vice-chairmen would be determined by named vote where there was more than one nomination for the position.

The consideration of each appointment was as follows:

#### **Chairman of the General Overview and Scrutiny Committee**

Councillor AW Johnson proposed and Councillor P Rone seconded the nomination of Councillor WLS Bowen.

There were no other nominations.

#### **Vice-Chairman of the General Overview and Scrutiny Committee**

Councillor PM Morgan proposed and Councillor JG Lester seconded the nomination of Councillor MJK Cooper.

Councillor AJW Powers proposed and Councillor A Seldon seconded the nomination of Councillor EPJ Harvey.

A named vote was held.

For Councillor Cooper (35): Councillors PA Andrews, BA Baker, WLS Bowen, H Bramer, CR Butler, PGH Cutter, BA Durkin, CA Gandy, DW Greenow, KS Guthrie, J Hardwick, DG Harlow, EL Holton, JA Hyde, TM James, AW Johnson, JF Johnson, JG Lester, RI Matthews, RL Mayo, PJ McCaull, MT McEvelly, PM Morgan, PD Newman, RJ Phillips, GJ Powell, PD Price, P Rone, AR Round, NE Shaw, WC Skelton, J Stone, EJ Swinglehurst, DB Wilcox and SD Williams.

For Councillor Harvey (14): Councillors JM Bartlett, TL Bowes, ACR Chappell, PJ Edwards, MD Lloyd-Hayes, MN Mansell, SM Michael, FM Norman, CA North, AJW Powers, A Seldon, D Summers, LC Tawn, A Warmington.

Abstentions (2) Councillors MJK Cooper and EPJ Harvey.

Councillor Cooper was therefore appointed.

#### **Chairman of the Health and Social Care Overview and Scrutiny Committee**

Councillor JG Lester proposed and Councillor PM Morgan seconded the nomination of Councillor PA Andrews.

There were no other nominations.

### **Vice-Chairman of the Health and Social Care Overview and Scrutiny Committee**

Councillor RJ Phillips proposed and Councillor P Rone seconded the nomination of Councillor J Stone.

Councillor AJW Powers proposed and Councillor FM Norman seconded the nomination of Councillor ACR Chappell.

Councillor Powers questioned whether, as a matter of principle, it was appropriate for members of the controlling political group to hold the office of chairman or vice-chairman on either of the overview and scrutiny committees, suggesting this deviated from national guidance and previous practice.

Councillor Phillips commented in reply that the chairmanships of the two committees were not held by the controlling political group

Councillor Phillips and Councillor Powers spoke respectively on the qualities of their nominees.

A named vote was held.

For Councillor Chappell (17): Councillors JM Bartlett, TL Bowes, PJ Edwards, J Hardwick, EPJ Harvey, MD Lloyd-Hayes, MN Mansell, RI Matthews, SM Michael, FM Norman, CA North, AJW Powers, AR Round, A Seldon, D Summers, LC Tawn, A Warmington.

For Councillor Stone (31): Councillors PA Andrews, BA Baker, WLS Bowen, H Bramer, CR Butler, MJK Cooper, PGH Cutter, BA Durkin, CA Gandy, DW Greenow, KS Guthrie, DG Harlow, EL Holton, JA Hyde, TM James, AW Johnson, JF Johnson, JG Lester, RL Mayo, MT McEvelly, PM Morgan, PD Newman, RJ Phillips, GJ Powell, PD Price, P Rone, NE Shaw, WC Skelton, EJ Swinglehurst, DB Wilcox and SD Williams.

Abstentions (3) Councillors ACR Chappell, PJ McCaull and J Stone.

Councillor Stone was therefore appointed.

### **Chairman of the Planning Committee**

Councillor PM Morgan proposed and Councillor JG Lester seconded the nomination of Councillor PGH Cutter.

There were no other nominations.

### **Vice-Chairman of the Planning Committee**

Councillor FM Norman proposed and Councillor AW Johnson seconded the nomination of Councillor J Hardwick.

There were no other nominations.

### **Chairman of the Audit and Governance Committee**

Councillor PM Morgan proposed and Councillor AW Johnson seconded the nomination of Councillor BA Durkin.

There were no other nominations.

### **Vice-Chairman of the Audit and Governance Committee**

Councillor JM Bartlett proposed and Councillor A Seldon seconded the nomination of Councillor FM Norman.

There were no other nominations.

### **Chairman of the Regulatory Committee**

Councillor AW Johnson proposed and Councillor PM Morgan seconded the nomination of Councillor DW Greenow.

There were no other nominations.

### **Vice-Chairman of the Regulatory Committee**

Councillor AW Johnson proposed and Councillor PM Morgan seconded the nomination of Councillor MD Lloyd-Hayes.

There were no other nominations.

### **Chairman of the Employment Panel**

Councillor P Rone proposed and Councillor GJ Powell seconded the nomination of Councillor AW Johnson.

There were no other nominations.

### **Vice-Chairman of the Employment Panel**

Councillor JG Lester proposed and Councillor RJ Phillips seconded the nomination of Councillor PM Morgan.

There were no other nominations.

### **RESOLVED:**

- That**
- (a) the list of ordinary committees listed at paragraph 8 of the report be confirmed with their current terms of reference;**
  - (b) the number of seats on each committee and the allocation of those seats to political groups as set out at appendix 2 to the report be approved;**
  - (c) the allocation of seats on outside bodies to political groups as set out at appendix 3 to the report be approved;**
  - (d) it be noted that all other representation on outside bodies be decided by the chief executive, following consultation with the group leaders, in accordance with the provisions of the constitution;**
  - (e) the appointment of five co-opted members of general overview & scrutiny committee be approved as follows:**
    - one representative as nominated by the diocese of Hereford**
    - one representative as nominated by the archdiocese of Cardiff**
    - one parent governor as elected from the primary school sector**
    - one parent governor as elected by the secondary school sector**

- one parent governor as elected by the special school sector;
- (f) the suspension of the rules of proportionality in respect of the regulatory sub-committee, the River Lugg Internal Drainage Board, the Wye Valley AONB Joint Advisory Committee and the Buchannan Trust, be approved; and
- (g) the appointment of committee chairmen and vice chairmen as set out below be approved:

<b>Committee</b>	<b>Position</b>	
Audit & governance committee	Chairman	Councillor BA Durkin
	Vice-chairman	Councillor FM Norman
Employment panel	Chairman	Councillor AW Johnson
	Vice-chairman	Councillor PM Morgan
General overview & scrutiny committee	Chairman	Councillor WLS Bowen
	Vice-chairman	Councillor MJK Cooper
Health & social care overview & scrutiny committee	Chairman	Councillor PA Andrews
	Vice-chairman	Councillor J Stone
Planning committee	Chairman	Councillor PGH Cutter
	Vice-chairman	Councillor J Hardwick
Regulatory committee	Chairman	Councillor DW Greenow
	Vice-chairman	Councillor MD Lloyd-Hayes

## 9. COUNCILLORS' ALLOWANCES SCHEME

Council was asked to approve the councillors' allowances scheme having regard to the recommendations of the independent remuneration panel.

The Assistant Director, Governance presented the report.

### **RESOLVED:**

- That: a) the independent remuneration panel be thanked for its report; and
- b) having regard to the report of the panel, the following recommendations be approved:
- 1) that the current method of calculating basic allowance be retained;
  - 2) a lower rate basic allowance be payable to all members unless all relevant mandatory training has been completed by 1 September, as

set out in the draft councillors' allowances scheme at appendix B to the report;

- 3) the lower rate basic allowance be calculated using the estimated monthly average hours worked of 90, less a public service discount of 50%, multiplied by the Herefordshire median hourly earnings, multiplied by 12 (months);
  - 4) the assistant director governance be requested to develop a report, following consultation with group leaders, on options for implementing a system of annual performance appraisal for elected members for consideration by the audit & governance committee;
  - 5) the special responsibility allowance for vice chairmen of overview and scrutiny committees be set at band 5;
  - 6) delegated authority be given to the assistant director governance, following consultation with the chairmen of general overview & scrutiny committee and health & social care overview and scrutiny committee, to establish and publicise a set of criteria against which eligibility for a special responsibility allowance of £500 for chairing a task and finish group would be assessed when the committee appoints any such chairman;
  - 7) the remaining special responsibility allowances, as set out at appendix B to the report, continue unchanged;
  - 8) basic and special responsibility allowances be updated annually in line with the national joint council for local government services pay award for a period of not more than four years;
  - 9) the current schemes of travel and subsistence, and childcare and dependants' carers' allowances be retained;
  - 10) the current childcare and dependants' carers' allowance scheme be extended to parish councils if they wish to adopt such a scheme; and
- c) taking account of the above recommendations, the revised councillors' allowances scheme at appendix B to the report be adopted.

## **10. DATES OF FUTURE MEETINGS**

**RESOLVED:** That the following dates for ordinary meetings of Council for 2015/16 be approved:

**17 July 2015  
25 September 2015  
18 December 2015  
5 February 2016  
4 March 2016  
20 May 2016**

The meeting ended at 11.45 am

**CHAIRMAN**



**Chairman's Announcements – 17 July 2015**

**Forthcoming Events**

Hereford in Bloom, Meet the Judges – Friday 17<sup>th</sup> July 2015

The Courtyard Senior Theatre – HeRo – Friday 17<sup>th</sup> July 2015

Three Choirs Festival Opening Service – Saturday 25<sup>th</sup> July 2015

Three Choirs Festival Chairman's Reception – Friday 31<sup>st</sup> July 2015

Three Choirs Festival Finale – Gathering Wave Saturday 1<sup>st</sup> August 2015

Service of Dedication of the Sulva 100 Memorial – Saturday 8<sup>th</sup> August 2015

Commemoration of the Herefordshire Regiments participation in the Sulva Bay operation at Gallipoli in 1915 – Sunday 9<sup>th</sup> August 2015

Citizenship Ceremony – Monday 10<sup>th</sup> August 2015

Citizenship Ceremony – Monday 14<sup>th</sup> September 2015

**Events Attended since Council on 20 May 2015**

Mayor Making Service, Ross-on-Wye, Monday 1<sup>st</sup> June 2015 – Chairman attended

Presentation of cheque to St Michael's Hospice, Tuesday 2<sup>nd</sup> June 2015 – Chairman and Vice Chairman attended with Councillor Stone and former Chairman Councillor Barnett's family. Amount presented was £23,177.81

Royal British Legion County Rally, Sunday 7<sup>th</sup> June 2015 – Chairman attended

Diamond Awards Ceremony, Tuesday 9<sup>th</sup> June 2015 – Chairman and Vice Chairman attended

Inauguration of the Services Memorial Gardens, Putson Community Association, Friday 12<sup>th</sup> June 2015 – Chairman attended

Three Counties Show, West Midland Reserve Forces and Cadets Reception, Saturday 13<sup>th</sup> June 2015 - Chairman and Vice Chairman attended

Thanksgiving of Magna Carta, Sunday 14<sup>th</sup> June 2015 - Chairman attended

Runnymede, Monday 15<sup>th</sup> June 2015 – Chairman attended

Powys Civic Service, Sunday 21<sup>st</sup> June 2015 – Chairman attended

Armed Forces Day Flag Raising Ceremony, Monday 22<sup>nd</sup> June 2015 - hosted by the Chairman and Lord Lieutenant, Lady Darnley

Armed Forces Day and Police Choir, Saturday 27<sup>th</sup> June 2015 – Chairman attended

HALO Leominster Leisure Centre Opening, Tuesday 30<sup>th</sup> June 2015 – Chairman attended

Herefordshire Sainsbury's School Games, Wednesday 1<sup>st</sup> July 2015 – Chairman attended

Herefordshire Cathedral Perpetual Trust, Annual Benefactors Party, Sunday 5<sup>th</sup> July 2015 – Chairman attended

Opening of Leominster Primary School, Friday 10<sup>th</sup> July 2015 – Chairman attended

Citizenship Ceremony, Monday 13<sup>th</sup> July 2015 - Chairman and Vice Chairman attended



<b>MEETING:</b>	<b>Council</b>
<b>MEETING DATE:</b>	<b>17 July 2015</b>
<b>TITLE OF REPORT:</b>	<b>Questions from members of the public</b>
<b>REPORT BY:</b>	<b>Governance Manager</b>

## Wards Affected

County-wide

## Purpose

To receive any questions from members of the public deposited more than eight clear working days before the meeting of Council.

## Introduction and Background

- 1 Members of the public may ask one question of a Cabinet Member or Committee or other Chairmen at any meeting of Council, subject to the exceptions in the paragraph below. Written answers will be circulated to Members, the press and public prior to the start of the Council meeting. Questions subject to a Freedom of Information request will be dealt with under that separate process.
- 2 No questions from the public will be considered at the Annual Meeting of Council which Council has agreed will concentrate on the civic and ceremonial role of the Annual Council meeting. No questions from the public will be considered at the Budget (February) meeting of Council except on those items listed on the agenda.
- 3 Standing Order 4.1.14.4 of the Constitution states that: a question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday eight clear working days before the day of the meeting (ie the Monday of the week preceding the Council meeting where that meeting is on a Friday). Each question must give the name and address of the questioner and must name the person to whom it is to be put.
- 4 A questioner who has submitted a written question may also put **one** brief supplementary question without notice to the person (if s/he is present at the meeting) who has replied to his or her original question. A supplementary question must arise directly out of the original request or reply. The Chairman may reject a supplementary question on any of the grounds for rejecting written questions (as set out in paragraph 3.5 below), or if the question is too lengthy, is in multiple parts or takes the form of a speech. In any event, any person asking a supplementary question will be permitted only **1 minute** to do so.

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Further information on the subject of this report is available from  
Governance Services on Tel (01432) 260659

- 5 A question may be rejected if it:
- Is not about a matter for which the Council has a responsibility or which affects the County or a part of it;
  - Is illegal, scurrilous, defamatory, frivolous or offensive or otherwise out of order;
  - Is substantially the same as or similar to a question which has been put at a meeting of the Council in the past six months or relates to the same subject matter or the answer to the question will be substantially the same as the previous answer;
  - Requires the disclosure of confidential or exempt information;
  - Relates to a planning or licensing application;
  - Relates to an employment matter that should more properly be dealt with through the Council's human resources processes.
- 6 There will be a time limit of a maximum of 30 minutes for public questions and of 30 minutes for Members' questions. There will normally be no extension of time, unless the Chairman decides that there are reasonable grounds to allow such an extension, and questions not dealt with in this time will be dealt with by written response. The Chairman will decide the time allocated to each question.

#### **QUESTIONS**

- 7 Two questions have been received and accepted by the deadline and they are attached at Appendix 1.

### **Background Papers**

- None

## Public questions to Council – 17 July 2015

**Question from Mr P McKay, Herefordshire**

Question 1

**Accuracy of administrative map**

Our Administrative Map does not show all our roads, and of particular concern are those that provide connectivity with public paths, lead to public places, and/or are through routes. The Ordnance Survey Integrated Transport Network data does according to the Technical Specification provide a list of public use roads, but the survey as undertaken fails to distinguish between public and private use roads, with OS in process of raising a disclaimer.

Will council a) record these roads with public highway rights under the new Local Street Gazetteer standards, having procedures in place for correction of any errors, as council simply must be aware of many of them, and b) advise Ordnance Survey that raising a disclaimer is unacceptable, requiring a survey as paid for in conformance with the Technical Specification ?

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**Question from Mrs E Morawiecka, Breinton**

Question 2

**Housing growth targets**

In March 2015 Herefordshire Council published "Update of Herefordshire Local Plan - Core Strategy Examination in Public - Five year housing land supply (2015-2020)". In this document the council stated para 4.3 "*The Herefordshire Core Strategy covers the period 2011-31 and provides for a minimum 16,500 homes. This target exceeds the objectively assessed need identified for between 15,400-16,200 homes over this period by 2% - 7% (300-1,100 homes).*"

The Regional Spatial Strategy is no longer a national requirement and so the council can set its own housing development target on the basis of the Objectively Assessed Need for homes. If Herefordshire Council reduced the housing target in their Core strategy on the basis of the most up to date housing figures, the council would be in a position to demonstrate that it does have a 5 Year Housing Land Supply, as required by the NPPF. This would prevent speculative planning applications across Herefordshire, often on Greenfield sites.

Would the cabinet member please explain why Herefordshire Council continues to defend a housing growth target above that required by national government, when to continue to do so leaves housing development across the county in the hands of large developers?





<b>MEETING:</b>	<b>Council</b>
<b>MEETING DATE:</b>	<b>17 July 2015</b>
<b>TITLE OF REPORT:</b>	<b>Treasury management outturn 2014/15</b>
<b>REPORT BY:</b>	<b>Director of resources</b>

## Classification

Open

## Key Decision

This is not an executive decision.

## Wards Affected

County-wide

## Purpose

To approve the treasury management outturn for 2014/15.

## Recommendation

**THAT: the treasury management outturn report at appendix 1 for 2014/15 be approved.**

## Alternative Options

There are no alternative options as the report provides factual outturn information.

## Reasons for Recommendations

- 1 To approve the treasury management outturn for 2014/15, Cabinet considered the outturn report (as at appendix 1) on 11 June and recommended it to Council for approval.

## Key Considerations

- 2 Treasury management underspent by £0.9m in 2014/15 due to:
  - a. anticipated capital expenditure in 2014/15 being deferred into 2015/16,
  - b. short-term variable interest rates being lower than expected,

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Further information on the subject of this report is available from  
Peter Robinson, director of resources (01432) 383519

- c. long-term fixed rates from the public works loan board being lower than forecast, and
- d. loans secured later in the year than budgeted.

3 Loan finance is secured to support capital investment. External borrowing totalled £165m as at 31.03.15. This includes historical borrowing where central government provided funding allocations, before the introduction of prudential borrowing in 2004/05. This supported borrowing balance totalled £116m as at 31.03.15. The remaining borrowing requirement has funded capital investment that reduces ongoing revenue costs; spend to save projects, including:

	£m
Road investment	15
Energy from waste plant	6
Leisure pool and centre improvements	7
Hereford Enterprise Zone	3
LED street lighting	2
Wheeled bins	1
<b>Total</b>	<b>34</b>

4 Prudential indicators provide a detailed analysis of the outturn report in line with the CIPFA code of practice on treasury management. The council has complied with its prudential indicators for 2014/15 approved by Council on 7 February 2014 as part of the treasury management strategy.

## Community Impact

5 The recommendations do not have a direct community impact however the effective management of resources enables the council to direct those resources to support corporate plan priorities.

## Equality and Human Rights

6 The recommendations do not have any equality implications.

## Financial Implications

7 Treasury management includes debt repayment and interest charges. Using debt to finance capital investment is subject to separate approval by Council and is generally recommended when the cost of borrowing can be funded from the revenue savings generated by the capital investment.

## Legal Implications

8 None.

## Risk Management

9 The Council is required to approve the treasury management outturn position under

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Further information on the subject of this report is available from  
Peter Robinson, director of resources (01432) 383519



financial reporting requirements with monitoring reported to Cabinet throughout the year.

## **Consultees**

10 None

## **Appendices**

Appendix 1 Annual Treasury Management Report 2014/15

## **Background Papers**

- None identified.



## Annual Treasury Management Report 2014/15

### 1. Introduction

- 1.1 The council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management. Before the start of every year the Code requires local authorities to produce Prudential Indicators and a Treasury Management Strategy Statement detailing the policies and objectives of the council's treasury management activities for the forthcoming year. After the year end an outturn report is then produced detailing the actual results for the year.
- 1.2 The council has both borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the council's treasury management strategy.

### 2. Economic Background

- 2.1 **Growth:** The pace of GDP growth of 3% in 2014 was underpinned by a buoyant services sector, supplemented by the production and construction sectors. Resurgent house prices, improved consumer confidence and healthy retail sales added to the positive outlook for the UK economy.
- 2.2 **Inflation:** Annual CPI inflation fell to zero for the year to March 2015, down from 1.6% a year earlier. The key driver was the fall in the oil price (which fell to a level not seen since March 2009), and a steep drop in wholesale energy prices, with extra downward momentum coming from supermarket competition resulting in lower food prices. Bank of England Governor Mark Carney wrote an open letter to the Chancellor in February, explaining that the Bank expected CPI to temporarily turn negative but rebound around the end of 2015 as the lower prices dropped out of the annual rate calculation.
- 2.3 **Labour Market:** The UK labour market continued to improve and remains resilient across a broad base of measures including real rates of wage growth. In February 2015 the rate of unemployment fell to 5.6% from 6.9% a year earlier. Comparing the three months to February 2015 with a year earlier, employee pay (excluding bonuses) increased by 1.8%.
- 2.4 **UK Monetary Policy:** The Bank of England's MPC maintained interest rates at 0.5% and asset purchases (QE) at £375bn. The minutes of the MPC meetings reiterated the Committee's stance that the economic headwinds for the UK economy and the legacy of the financial crisis meant that increases in the Bank Rate would be gradual and limited, and below average historical levels.
- 2.5 **Market reaction:** From July 2014 gilt yields were driven lower by a combination of factors: geo-political risks emanating from the Middle East and Ukraine, the slide towards deflation within the Eurozone and the slide in the price of oil. 5, 10 and 20 year gilt yields fell to their lowest levels in January (0.88%, 1.33% and 1.86% respectively) before ending the year higher at 1.19%, 1.57% and 2.14% respectively. Gilt yields determine the borrowing rates from the Public Works Loan Board with rates available to the council at approximately 0.80% above the equivalent gilt yield rate.

### 3. Borrowing

3.1 Because of the large differential between short and longer-term interest rates, the council continues to access lower cost short-term loans from other local authorities.

3.2 It is council strategy to maintain borrowing and investments below their underlying levels by using “internal borrowing”. This means borrowing is reduced by utilising usable reserves and keeping investment balances relatively low.

3.2 Interest rates from the Public Works Loan Board (PWLB) fell to historically low levels during the year enabling the council to replace some short-term loans with longer-term finance. In 2014/15 the following longer term loans were taken out from the PWLB:

Amount Borrowed	From	To	Period	Type of loan*	Interest Rate
£5m	16/12/14	16/12/34	20 years	EIP	2.70%
£5m	26/03/15	26/09/64	49 years 6 months	Maturity	2.87%
£3m	31/03/15	31/03/50	35 years	EIP	2.73%
*EIP = Equal Instalments of Principal, where loan is repaid in equal instalments every six months over the period of the loan. Maturity = All principal repaid at the end of the loan period.					

3.3 The premium charged by the PWLB for the early repayment of PWLB debt remained too expensive for existing loans in the council’s portfolio to be repaid and rescheduled. No rescheduling activity was undertaken in 2014/15 but this will continue to being constantly considered.

3.4 Borrowing activity during the year is summarised below:

<b>Borrowing Activity in 2014/15</b>	<b>01/04/14 Balance £m</b>	<b>New Borrowing £m</b>	<b>Debt Maturing £m</b>	<b>31/03/15 Balance £m</b>
Short-term borrowing	31.50	63.50	(76.00)	19.00
Long-term borrowing	136.53	13.00	(4.01)	145.52
<b>TOTAL BORROWING</b>	<b>168.03</b>	<b>76.50</b>	<b>(80.01)</b>	<b>164.52</b>
Other long-term liabilities	27.71	0.10	(1.20)	26.60
<b>TOTAL EXTERNAL DEBT</b>	<b>195.74</b>	<b>76.60</b>	<b>(81.21)</b>	<b>191.12</b>
<i>The above amounts show the principal outstanding. The figures in the council’s annual accounts will be higher as they will include accrued interest and other required accounting adjustments.</i>				

3.5 The council’s underlying need to borrow as measured by the Capital Financing Requirement (CFR) at 31/03/2015 was £244.29m. The difference of £53.17m between the CFR and total external borrowing represents internal borrowing from usable reserves and working capital.

3.6 The council’s chief objective when borrowing has been to strike an appropriate balance between using low cost short term finance, securing fixed low interest rates

with cost certainty over the period for which funds will be required and retaining flexibility to renegotiate loans should the council's long-term plans change.

3.7 In 2014/15 the weighted average interest rate paid on council borrowing was 3.43% (3.48% in 2013/14). The weighted average cost of long term borrowing was 4.07% compared to 0.49% for short-term borrowing (being the gross cost including brokers' commission of between 0.03% and 0.10%).

3.8 The council's capital financing costs in 2014/15 were as follows.

<b>Capital financing costs for 2014/15:</b>	<b>Budget</b>	<b>Outturn</b>	<b>Over / (under) spend</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>Minimum Revenue Provision</b> (provision for repayment of loan principal)	<b>10.19</b>	<b>9.93</b>	<b>(0.26)</b>
<b>Interest on existing longer-term PWLB and bank loans</b> (Actuals include accrued interest and other year end accounting adjustments not in budget)	<b>5.52</b>	<b>5.50</b>	<b>(0.02)</b>
<b>Interest on new PWLB loans</b>	<b>0.10</b>	<b>0.04</b>	<b>(0.06)</b>
<b>Interest on short-term variable rate loans</b>	<b>0.55</b>	<b>0.15</b>	<b>(0.40)</b>
<b>Other interest paid (including finance lease interest)</b>	<b>-</b>	<b>0.04</b>	<b>0.04</b>
<b>Less capitalised interest</b>	<b>(0.30)</b>	<b>(0.58)</b>	<b>(0.28)</b>
<b>TOTAL</b>	<b>16.06</b>	<b>15.08</b>	<b>(0.98)</b>

3.9 Substantial savings during the year have arisen from:

- Anticipated capital expenditure in 2014/15 being deferred into 2015/16;
- Short-term variable interest rates being lower than expected;
- Long-term fixed rates from the PWLB being lower than forecast and loans secured later in the year than budgeted; plus
- Additional loan interest being capitalised due to accelerated spend on leisure centre improvements.

#### 4. Investments

4.1 The council has held significant invested funds, representing income received in advance of expenditure plus balances and reserves. During 2014/15 the council's investment balances have averaged at £32m and ranged from £54m in May 2014 to £3m as at the year end.

4.2 Security of capital remained the council's chief objective. Investment income remained low due to the continued low interest rate environment and the reduction in investment maturity limits.

4.3 The reduction in maturity limits (which at the year end were 100 days for most UK banks) followed advice from the council's treasury adviser, Arlingclose and were due to:

- New legislation outlawing government bail-outs and increasing the likelihood of the council losing funds should a bank get into financial difficulty; and
- Deteriorating global growth prospects, especially in the Eurozone.

4.4 Investments held at the start and end of the year were as follows:

Investments	01/04/14 Balance £m	Investments Made £m	Maturities/ Withdrawals £m	31/03/15 Balance £m
Instant Access Accounts	5.83	318.41	(321.68)	2.56
Notice Accounts	5.00	-	(4.80)	0.20
Term Deposits	12.50	10.00	(22.50)	-
<b>Total</b>	<b>23.33</b>	<b>328.41</b>	<b>(348.98)</b>	<b>2.76</b>
<b>Decrease in investments</b>				<b>(20.57)</b>

4.5 Interest received during the year was as follows:

Month	Average amount invested		Average rate of interest earned		Amount of interest earned £000	Budget £000	(Surplus) /deficit £000
	Actual £m	Budget £m	Actual %	Budget %			
Apr-14	35.09	20	0.68	0.60	19	10	(9)
May-14	40.21	40	0.63	0.60	22	20	(2)
Jun-14	33.96	40	0.68	0.60	19	20	1
Jul-14	37.30	40	0.66	0.60	21	20	(1)
Aug-14	38.29	40	0.63	0.60	21	20	(1)
Sep-14	32.90	40	0.66	0.60	18	20	2
Oct-14	29.72	30	0.70	0.60	18	15	(3)
Nov-14	31.06	30	0.67	0.60	17	15	(2)
Dec-14	31.09	30	0.63	0.60	17	15	(2)
Jan-15	34.03	20	0.64	0.60	18	10	(8)
Feb-15	26.88	20	0.69	0.60	14	10	(4)
Mar-15	18.31	10	0.75	0.60	12	5	(7)

<b>Treasury Management outturn for year</b>	<b>216</b>	<b>180</b>	<b>(36)</b>
<b>Add other net interest receivable on loans including the energy from waste plant loan</b>	<b>209</b>	<b>304</b>	<b>95</b>
<b>TOTAL</b>	<b>425</b>	<b>484</b>	<b>59</b>

- 4.6 The interest received in the year exceeded budget due to average interest rates achieved being higher than the budgeted rates and also the amounts invested were greater for much of the year.
- 4.7 The average interest rate achieved during 2014/15 was 0.66% which compares favourably with the generally accepted benchmark of the average 7-day London Inter-Bank Bid (LIBID) rate of 0.44%.
- 4.8 During the year the waste disposal PFI was varied to include the provision of loan finance to the provider, this generated loan interest payable to us of £0.2m which will be recharged through the PFI.

## **5. Compliance with Prudential Indicators**

- 5.1 The Authority confirms that it has complied with its Prudential Indicators for 2014/15, approved 7 February 2014 as part of the council's Treasury Management Strategy Statement. No Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield. Details can be found in Annex 1.
- 5.2 The council also confirms that during 2014/15 it complied with its Treasury Management Policy Statement and Treasury Management Practices.

## Prudential Indicators

1. The council measures and manages its exposures to treasury management risks using the following indicators.

### Interest Rate Exposures

2. This indicator is set to control the council's exposure to interest rate risk. The indicator sets upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed.

	<b>2014/15 Approved Limit</b>	<b>2014/15 Maximum Exposure</b>
<b>Upper Limit for Fixed Rate Exposure</b>	100%	100%
<b>Upper Limit for Variable Rate Exposure</b>	45%	13%

3. The above indicator relates to net debt, if the council has variable rate investments at the same level as its variable rate debt it is deemed to have no variable rate exposure (all council investments are regarded as being at variable rate because no investments are for more than one year). For 184 days in the year the council's investments exceeded its variable rate short-term borrowing.

### Maturity Structure of Fixed Rate Borrowing

4. This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates. As at 31 March 2015 the Council also held £19m in short term variable debt.

<b>Maturity Structure of Fixed Rate Borrowing</b>	<b>Lower Limit %</b>	<b>Upper Limit %</b>	<b>Actual Fixed Rate Borrowing 31/03/15 £m</b>	<b>% Fixed Rate Borrowing 31/03/15</b>
Under 12 months	0%	30%	9	6%
12 months and within 24 months	0%	30%	7	5%
24 months and within 5 years	0%	30%	15	11%
5 years and within 10 years	0%	30%	16	11%
10 years and within 20 years	0%	40%	38	26%
20 years and within 30 years	0%	40%	12	8%
30 years and within 40 years	0%	40%	21	14%
40 years and within 50 years	0%	40%	28	19%
<b>Total</b>			<b>146</b>	<b>100%</b>

### Upper Limit for Total Principal Sums Invested Over 364 Days

5. The purpose of this limit is to contain exposure to the possibility of financial loss that may arise as a result of the council having to seek early repayment of the sums invested.



Upper Limit for Total Principal Sums Invested Over 364 Days	2014/15 Approved £m	2014/15 Actual £m	2015/16 Estimate £m	2016/17 Estimate £m
<b>Total</b>	<b>10</b>	<b>0</b>	<b>5</b>	<b>5</b>

6. During 2014/15 no long-term investments were made for a period exceeding 364 days.

#### Estimates of Capital Expenditure

7. This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on council tax.

Capital Expenditure	2014/15		31/03/16 Estimate £000	31/03/17 Estimate £000
	Estimate £000	Actual £000		
<b>Total</b>	<b>85,351</b>	<b>77,719</b>	<b>67,929</b>	<b>47,354</b>

Capital expenditure has been and is expected to be financed or funded as follows:

Capital Financing	2014/15		31/03/16 Estimate £000	31/03/17 Estimate £000
	Estimate £000	Actual £000		
Capital grants	24,905	34,064	23,948	13,419
Capital receipts	3,209	3,640	0	0
Revenue funding	0	1,336	0	0
Prudential borrowing	57,237	38,679	43,981	33,935
<b>Total</b>	<b>85,351</b>	<b>77,719</b>	<b>67,929</b>	<b>47,354</b>

8. Generally prudential borrowing finance is provided where the return on the investment exceeds the debt financing cost.

#### Capital Financing Requirement (CFR)

9. Estimates of the council's cumulative maximum external borrowing requirement for 2014/15 to 2016/17 are shown in the table below:

Capital Financing Requirement	31/03/15 Approved £000	31/03/15 Actual £000	31/03/16 Estimate £000	31/03/17 Estimate £000
<b>Total CFR</b>	<b>264,038</b>	<b>244,292</b>	<b>289,809</b>	<b>298,547</b>

10. Total debt is expected to remain at or below the CFR during the forecast period.

#### Authorised Limit and Operational Boundary for External Debt

11. The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit or Authorised Limit. This is a statutory limit which should not be breached.

12. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit.

13. The director of resources confirms that there were no breaches to the Authorised Limit and the Operational Boundary during the year; borrowing at its peak was £180m.

	<b>2014/15 Approved Operational Boundary £m</b>	<b>2014/15 Approved Authorised Limit £m</b>	<b>Actual External Debt as at 31/03/15 £m</b>
Borrowing	240.00	250.00	164.52
Other Long-term Liabilities	30.00	40.00	26.60
<b>Total</b>	<b>270.00</b>	<b>290.00</b>	<b>191.12</b>

14. Other long term liabilities of £26m represent payments due under our existing PFI arrangements for Whitecross school, waste disposal and Shaw homes. This is the total of the amounts payable in relation to capital expenditure under the three arrangements until their expiry over the next twenty years.

#### **Ratio of Financing Costs to Net Revenue Stream**

15. This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>2014/15 Approved £000</b>	<b>2014/15 Actual £000</b>	<b>2015/16 Estimate £000</b>	<b>2016/17 Estimate £000</b>
Net Revenue Stream	146,456	146,148	<b>141,138</b>	<b>140,474</b>
Financing Costs	18,288	17,296	<b>18,781</b>	<b>19,230</b>
<b>Percentage</b>	<b>12%</b>	<b>12%</b>	<b>13%</b>	<b>14%</b>

#### **Adoption of the CIPFA Treasury Management Code**

16. This indicator demonstrates that the council has adopted the principles of best practice.
17. The Council has incorporated the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* into its treasury policies, procedures and practices.



<b>MEETING:</b>	<b>Council</b>
<b>MEETING DATE:</b>	<b>17 July 2015</b>
<b>TITLE OF REPORT:</b>	<b>Leader's report</b>
<b>REPORT BY:</b>	<b>Leader of the council</b>

## Classification

Open

## Key Decision

This is not an executive decision.

## Wards Affected

Countywide

## Purpose

To receive a report from the Leader on the activities of Cabinet since the meeting of Council in March.

## Recommendations

**THAT: the report be noted.**

## Alternative Options

1 There are no alternative options; it is a requirement of the council's constitution.

## Reasons for Recommendations

2 To ensure members are aware of the activities of Cabinet.

## Key Considerations

3 A list of the decisions taken by the executive between the last report to Council on 6 March and 3 July is provided at appendix 1; one was taken under the general exception provision (less than twenty-eight but more than five days' notice) and the

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Further information on the subject of this report is available from  
Councillor AW Johnson, Leader of the council on Tel (01432) 260494

relevant overview and scrutiny committee chairman was notified. None were taken under the urgency provision (less than five days' notice). No decisions were subject to call-in.

- 4 Members will be aware from the reports to Cabinet in June that we successfully delivered planned savings of £15m last year and we continue to plan for further significant reductions in funding and increasing financial pressures particularly arising in relation to services to protect and support vulnerable people. The overall savings requirement over the next four years to March 2020 is estimated at £32m; this cannot be achieved without service cuts, and therefore requires the council to think very differently to ensure its future sustainability. The process and timetable for the development of a corporate plan and medium term financial strategy for that four year period is set out in the June Cabinet papers and I can't emphasise strongly enough how important it is for all members to get involved in the development of these key strategies.
- 5 The council's key planning document, the local plan, is currently with the planning inspector following completion of the examination in public. Following the publication of a ministerial statement on wind energy last month the inspector has advised of the need for a further modification to the draft plan. Consultation on this further modification will begin during July and it is expected that the inspector's final report will be received in the early autumn.
- 6 It is particularly pleasing to note that the work of the council has been recognised in a number of areas recently. The intervention notice issued by the department for education following the Ofsted inspection of children's safeguarding in 2014 has now been lifted, recognising the improvement progress made to date; the Chartered Institute of Highways and Transportation has commended the council and Balfour Beatty Living Places for its approach to highways asset management to improve highway performance; and the council's new archive and records centre for the county has won one of the Royal Institute of British Architects regional awards. I commend the work of members and officers who have contributed to these achievements in very challenging times.
- 7 The Funding Circle (a peer to peer crowd funding scheme) started in January this year and early indications are encouraging. This council invested £50k to encourage other investors, and to date some nine business have taken loans from the fund. Interest rates charged vary according to the risk but are mainly in line with commercial rates. The main advantages offered by the fund are speed to the borrower and around 6% return to the investor. A more comprehensive report will be available in the autumn; meanwhile we are happy to have been part of this valuable support to small businesses.
- 8 We await an announcement from government on the next bidding round for the Marches strategic enterprise plan, which is expected this autumn. Work has already begun on preparing potential bids and progress will be reported in due course.
- 9 As I indicated at the annual meeting of Council I have made only minor changes to the cabinet member portfolios, but do welcome Councillor Lester to the cabinet team; for information the revised portfolios are attached at appendix 2. There are a number of ways in which cabinet members try and ensure that all members are informed about decisions which affect their wards including the forward plan and briefings circulated to all members. If there are any issues of concern about a particular issue,

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Further information on the subject of this report is available from  
Councillor AW Johnson, Leader of the council on Tel (01432) 260494

or if members would like to know more about a forthcoming decision, or have a view to put forward I would encourage them to raise this with the relevant cabinet member.

## **Community Impact**

- 10 The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

## **Equality and Human Rights**

- 11 Cabinet and cabinet members have paid due regard to the public sector equality duty in their decision-making, as set out in the relevant decision reports.

## **Financial Implications**

- 12 The financial implications of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

## **Legal Implications**

- 13 The legal implications of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

## **Risk Management**

- 14 The risks associated with any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

## **Consultees**

- 15 None.

## **Appendices**

- Appendix 1 – Executive decisions
- Appendix 2 – Cabinet member portfolios

## **Background Papers**

- None identified.



## Executive decisions taken up to 3 July 2015 (since March 2015 Council)

Decision	Date	Taken By
<p><b>Delivering the strategic approach for children &amp; young people with disabilities and/or special educational needs</b></p> <p>To approve the draft children &amp; young people with disabilities (CWD) and special educational needs (SEN) services transformation programme. The partnership-wide programme will deliver the strategic approach for CWD and SEN, and their families for 2014-2017 in Herefordshire.</p>	26 Feb 2015	Cabinet
<p><b>Approval to undertake a procurement exercise in respect of pupil referral services for Herefordshire</b></p> <p>To agree the procurement process to identify a preferred provider of pupil referral services (includes Herefordshire's pupil referral function, behavior outreach function and home and hospital education function)</p>	26 Feb 2015	Cabinet
<p><b>Future of Colwall Primary School Building</b></p> <p>To agree the future arrangements for primary education in the Colwall area following the move of Colwall primary school in September 2014 into temporary accommodation adjacent to the existing site</p>	26 Feb 2015	Cabinet
<p><b>Proposed changes to street trading fees</b></p> <p>To approve a change to the basis for determining the street trading fee levels and to confirm fees and charges relating to the street trading service for the period 1 April 2015 to 31 March 2016.</p>	26 Feb 2015	Cabinet Member Corporate Services
<p><b>Corporate performance report 2014/15: quarter 3</b></p> <p>To consider performance for the third quarter of 2014/15.</p>	26 Feb 2015	Cabinet
<p><b>Budget Monitoring Report</b></p> <p>To provide an updated position on the projected outturn for 2014/15.</p>	26 Feb 2015	Cabinet
<p><b>Business Unit Scheme on plot S5 of the Enterprise Zone</b></p> <p>To approve construction of business units on the Enterprise Zone and agree the procurement mechanism of delivery</p>	05 March 2015	Cabinet Member Corporate Strategy & Finance
<p><b>Approve to payment of Council Tax (CT) and National Non Domestic Rates (NDR) payments by credit cards</b></p> <p>To approve the payment of council tax and business rates by credit card. Also to approve applying a charge where payments are made using a credit card passing on the charge incurred by the council (currently 1.6%) to the payee</p>	3 Mar 2015	Cabinet Member Corporate Strategy & Finance
<p><b>Implementation of a web-based ICT solution to provide an online information and advice, self-assessment and an e-marketplace purchasing of system (Previously known as Quickheart) to provide online information and advice and self-assessment</b></p> <p>To manage demand on adult social care and meet requirements of the Care Act</p>	4 Mar 2015	Cabinet Member Health & Wellbeing

<b>Decision</b>	<b>Date</b>	<b>Taken By</b>
<p><b>Deferred Payment Agreements</b></p> <p>To consider the impacts of the Care Act and to agree actions for implementation</p>	4 Mar 2015	Cabinet Member Health & Wellbeing
<p><b>Public Health Contract Arrangements</b></p> <p>To secure approval for the proposed contract letting and extension arrangements for public health contracts</p>	9 Mar 2015	Cabinet Member Health & Wellbeing
<p><b>Three Choirs Festival Car Parking Concessions</b></p> <p>To modify the existing parking concession policy, to recognise large events of significance which have a positive impact on both the reputation and economy locally and provide free car parking in the council's public car parks after 6.00pm during the Three Choirs Festival</p>	9 Mar 2015	Cabinet Member Transport & Roads
<p><b>Contract Award for the delivery of Health Checks and Stop Smoking Service</b></p> <p>To approve the award of contract for the delivery of the health checks and stop smoking service</p>	10 Mar 2015	Cabinet Member Health & Wellbeing
<p><b>Health Visitor Transfer</b></p> <p>To approve the transfer of the health visitor service; agree the signing of the deed of novation; and agree procurements be initiated for contract beyond 31st March 2016</p>	10 Mar 2015	Cabinet Member Health & Wellbeing
<p><b>Re-commissioning of Carers Short-Break Service</b></p> <p>To confirm future arrangements for the provision of the carers' short-break service</p>	11 Mar 2015	Cabinet Member Health & Wellbeing
<p><b>Amendment to the implementation of revised post 16 SEN transport policy</b></p> <p>To approve the alignment of the implementation of revised post 16 SEN transport policy with the other changed to school transport policies agreed by Cabinet on 13 March 2014</p>	12 Mar 2015	Cabinet Member Young People & Children's Wellbeing
<p><b>Herefordshire's co-ordinate admission arrangements for 2016-17</b></p> <p>To approve Herefordshire schools proposed admissions arrangements for 2016/2017</p>	17 Mar 2015	Cabinet Member Young People & Children's Wellbeing
<p><b>Adoption of Leisure Facilities Strategy</b></p> <p>To adopt a leisure facilities strategy</p>	18 Mar 2015	Cabinet Member Contracts & Assets
<p><b>Waste Management Services Contract Update</b></p> <p>To provide an update following execution of the variation to proceed with the energy from waste plant approved by cabinet in December 2013 and to approve the deferral of the purchase of the Hartlebury Site until the end of the private finance initiative (PFI) contract 2013</p>	19 Mar 2015	Cabinet
<p><b>2015/16 Delivery Plan</b></p>	19 Mar 2015	Cabinet



<b>Decision</b>	<b>Date</b>	<b>Taken By</b>
To agree the projects and measures within the 2015/16 corporate delivery plan		
<b>Herefordshire Older People's Housing Strategy and Pathway</b>	19 Mar 2015	Cabinet
To approve the Herefordshire older people's housing strategy and pathway action plan		
<b>Public Health Annual Report</b>	19 Mar 2015	Cabinet
To receive the annual report of the director of public health		
<b>Staying Put Strategy</b>	19 Mar 2015	Cabinet
To approve a strategy to keep young people in foster care beyond the age of 18 where it would improve their life opportunities and wellbeing.		
<b>Back Office Support Services</b>	19 Mar 2015	Cabinet Member Corporate Services
To approve the business case and agree the implementation plan for the re-commissioning of services currently provided by Hoople.		
<b>Rotherwas Rail</b>	19 Mar 2015	Cabinet Member Infrastructure
To agree the process for concluding the initial assessment of a Rotherwas rail link and note the allocation of £125K towards further feasibility work for 2015/16 should this be supported by the initial feasibility.		
<b>Capital Allocation for Marlbrook Primary School</b>	19 Mar 2015	Cabinet Member Young people and children's wellbeing
To set out the reasoning and approach to capital works at Marlbrook School		
<b>Change Control for Broadband Delivery</b>	20 Mar 2015	Cabinet Member Health and Wellbeing
To consider the change request from BT to cover current slippage in contracted delivery		
<b>Herefordshire LEADER programme 2015-2020</b>	20 Mar 2015	Cabinet Member Strategy & Finance
To confirm delivery arrangements of the European funded LEADER programme through Herefordshire Council		
<b>Herefordshire Better Care Fund Plan</b>	23 Mar 2015	Cabinet Member Adult & Wellbeing
To agree the legal and financial arrangements for implementing the better care fund plan		
<b>West Mercia Energy Electricity Supplier Contract</b>	24 Mar 2015	Cabinet Member Infrastructure
To complete the electricity supplier contract to Total Gas and Power		
<b>Additional Rural Transport Funding</b>	24 Mar 2015	Cabinet Member Transport & Roads
To agree allocation of the additional £250k one-off funding for rural transport for 2015/16		
<b>Adult and Wellbeing - policies revised in light of Care Act</b>	25 Mar 2015	Cabinet Member Health and wellbeing
To approve three policies revised in light of the Care Act (Community Care, Charging and Direct Payments)		
<b>Marches LEP Accountability and Assurance Framework</b>	25 Mar 2015	Marches LEP

<b>Decision</b>	<b>Date</b>	<b>Taken By</b>
To approve the draft framework for submission to Government.		
<b>Revised Joint Agreement with West Mercia Energy</b>		
To amend the West Mercia Energy joint agreement held between the council, Shropshire Council, Worcestershire County Council and the Telford and Wrekin Council to allow retention of customer base.	26 Mar 2015	Cabinet Member Corporate Strategy & Finance
<b>GOSC Task and Finish Group - Balfour Beatty Living Places</b>		
To agree the executive's response to the general overview & scrutiny committee task and finish group's recommendations	27 Mar 2015	Cabinet Member
<b>Hereford Enterprise Zone: Capital Interventions 2015/16 (phase 1)</b>		
To approve capital interventions to make zone ready for investment 2015/16	31 Mar 2015	Cabinet Member Corporate Strategy & Finance
<b>Disposal of The Barn, St Katherine's, Ledbury</b>		
To approve the disposal of The Barn, St Katherine's, Ledbury in accordance with council policy.	02 Apr 2015	Cabinet Member Corporate Strategy & Finance
<b>MOBILE HOMES ACT 2013</b>		
To agree to adopt the proposed fee policy.	10 Apr 2015	Cabinet Member
<b>Policy for the site management of local authority run gypsy &amp; traveller sites</b>		
To approve a revised policy.	10 Apr 2015	Cabinet Member
<b>Public Realm Annual Plan 2015/16</b>		
To confirm the annual plan for the public realm services contract with Balfour Beatty Living Places	17 Apr 2015	Cabinet Member Transport & Roads
<b>Summary of Recommendations and Executive Responses [Review of Lease Restructuring with Hereford United (1939) Ltd]</b>		
To respond to the recommendations of general overview & scrutiny committee in respect of their review of HUFC leases.	16 Apr 2015	Cabinet Member Corporate Strategy & Finance
<b>Adoption of a protocol for dealing with applications for amendments to Herefordshire Council's Highways Records</b>		
To approve the adoption a protocol to, or amending, Herefordshire Council's highways records	21 Apr 2015	Cabinet Member - Transport & Roads
<b>Direct Payment Policy</b>		
To approve the direct payments policy for social care.	29 Apr 2015	Cabinet Member Health and wellbeing
<b>2<sup>nd</sup> change control for broadband delivery</b>		
To consider the change request from BT to cover current slippage in contracted delivery.	6 May 2015	Cabinet Member Health and wellbeing
<b>To consider options in relation to legal disputes with a former contractor</b>		
To agree arrangements for authorisation of legal action in relation to post contract disputes with the council's former street scene contractor	8 Jun 2015	Cabinet Member Contracts & Assets

Decision	Date	Taken By
<p><b>Fastershire Broadband Delivery</b></p> <p>To provide an update on the current and future broadband deployment in Herefordshire.</p>	12 Jun 2015	Cabinet Member Economy & Corporate Services
<p><b>To consider options in relation to legal disputes with a former contractor</b></p> <p>To agree arrangements for authorisation of legal action in relation to post contract disputes with the council's former street scene contractor</p>	12 Jun 2015	Cabinet Member Contracts and Assets
<p><b>Realising the commercial potential of the Enterprise Zone's broadband network</b></p> <p>To approve arrangements for a joint venture to develop ultrafast broadband services for the Hereford Enterprise Zone.</p>	18 Jun 2015	Cabinet Member Corporate Strategy & Finance



## Cabinet member portfolios – May 2015

**LEADER (CORPORATE STRATEGY AND FINANCE): COUNCILLOR AW JOHNSON**  
**External Liaison Support: Councillor RJ Phillips**

- Corporate policies and strategy
  - Agreeing and leading the process for recommending the budget , council tax and NNDR to Council
  - Recommend to Council the policy framework
  - Key partnerships and external relationships
  - Local government issues
  - Financial policy and financial control
  - Council tax benefits
  - External Liaison
    - LGA/CCN
    - Local Enterprise Partnership
  - European, national and regional matters
  - Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
  - Any initiative not specifically allocated to any other portfolio
- Supported by Cllr Phillips

**CONTRACTS & ASSETS: COUNCILLOR H BRAMER**

- Major contract negotiation
- Commissioning (strategic)
- Oversight and management of contracts
- Council assets/property
- Waste
- Common land
- Community services
  - Parks and countryside
  - Leisure services
  - Cultural services
  - Libraries
  - Heritage services
  - Archives
  - Public conveniences
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the leader

**ECONOMY & CORPORATE SERVICES: COUNCILLOR GJ POWELL**

- Community engagement & development
- Economic development & regeneration
- Enterprise zone
- Broadband
- Customer services
- Community safety
- Equalities and human rights
- Emergency planning and business continuity
- Risk management
- Performance management and improvement framework
- Research
- Modern records
- Legal & democratic services
- Land charges
- Registration services
- Coroner services
- ICT strategy
- Communications strategy
- HR
- Shared services
- Bereavement services
- Gypsies and travellers
- Animal health & welfare
- Licensing
- Environmental health
- Trading standards
- Market and fairs
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the leader

**HEALTH & WELLBEING: COUNCILLOR PM MORGAN (DEPUTY LEADER)**

- To provide leadership and ensure coordination across the range of local authority adult social care services, and through engagement with partners
- Services for vulnerable adults
- Adults safeguarding
- Strategic housing, homelessness, housing allocation and condition
- Public health
- Leadership of health & wellbeing board, and partnership working with the health services
- Lead member for health and social care in accordance with the Health & Social Care Act 2012
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Deputise for the leader of the council in his absence
- Any other specific responsibilities as allocated by the leader

**INFRASTRUCTURE: COUNCILLOR PD PRICE**

- Transport and highways (policy and strategy)
- Core strategy
- Land drainage, flood alleviation, rivers and waterways
- Planning, conservation and land use strategy
- Environmental promotion, protection & sustainability
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the leader



### **TRANSPORT & ROADS: COUNCILLOR P RONE**

- Transport and highways (operations)
- Public rights of way
- Streetscene design, policy and delivery
- Traffic management
- Car parking policy and services
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the leader

### **YOUNG PEOPLE & CHILDREN'S WELLBEING: COUNCILLOR J LESTER**

**Support Team Member: Councillor J Hyde**

- To provide leadership and ensure coordination across the range of local authority children's services, and through engagement with partners, with a particular focus on children and young people's health & wellbeing, safeguarding, education and attainment
- Services for vulnerable young people/children/families
- Children's safeguarding
- Youth offending services
- Lead member for children's services in accordance with the Children's Act 2004
- Leadership and support for schools across the authority
- Post 16 education and training
- Corporate parenting
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the leader

