

Corporate Support Centre
Alistair Neill – Chief Executive Officer

To: All members of the Council

our ref: Council - 11 September 2020
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3 September 2020

Dear Councillor,

You are hereby summoned to attend the online meeting of the Herefordshire Council to be held on **Friday 11 September 2020 at 10.30 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely

C Ward

Claire Ward

Solicitor to the council

AGENDA

Council

Date: **Friday 11 September 2020**

Time: **10.30 am**

Place: **On line meeting only -**
<https://www.youtube.com/HerefordshireCouncil>,

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

For any further information please contact:

Matthew Evans, Democratic Services

Tel: 01432 383690

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If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairman **Councillor Sebastian Bowen**
Vice-Chairwoman **Councillor Kema Guthrie**

Councillor Graham Andrews	Councillor Paul Andrews
Councillor Polly Andrews	Councillor Jenny Bartlett
Councillor Chris Bartrum	Councillor Christy Bolderson
Councillor Dave Boulter	Councillor Tracy Bowes
Councillor Ellie Chowns	Councillor Pauline Crockett
Councillor Gemma Davies	Councillor Barry Durkin
Councillor Toni Fagan	Councillor Elizabeth Foxton
Councillor Carole Gandy	Councillor John Hardwick
Councillor John Harrington	Councillor Liz Harvey
Councillor Jennie Hewitt	Councillor Kath Hey
Councillor David Hitchiner	Councillor Phillip Howells
Councillor Bernard Hunt	Councillor Helen I'Anson
Councillor Terry James	Councillor Peter Jinman
Councillor Tony Johnson	Councillor Graham Jones
Councillor Mike Jones	Councillor Jim Kenyon
Councillor Jonathan Lester	Councillor Trish Marsh
Councillor Bob Matthews	Councillor Mark Millmore
Councillor Jeremy Milln	Councillor Felicity Norman
Councillor Roger Phillips	Councillor Tim Price
Councillor Paul Rone	Councillor Alan Seldon
Councillor Nigel Shaw	Councillor Louis Stark
Councillor John Stone	Councillor David Summers
Councillor Elissa Swinglehurst	Councillor Paul Symonds
Councillor Kevin Tillet	Councillor Diana Toynbee
Councillor Ange Tyler	Councillor Yolande Watson
Councillor William Wilding	

Agenda

	Pages
1. ELECTION OF CHAIRPERSON To elect the Chairperson of the Council.	
2. APPOINTMENT OF VICE-CHAIRPERSON To appoint the Vice-Chairperson of the Council.	
3. APOLOGIES FOR ABSENCE To receive apologies for absence.	
4. DECLARATIONS OF INTEREST To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members in respect of items on the Agenda.	
5. MINUTES To approve and sign the minutes of the ordinary meeting of Council on 17 July 2020 and the extraordinary meeting of Council on 4 August 2020.	9 - 32
6. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS To receive the Chairman's and Chief Executive's announcements.	33 - 36
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.	37 - 50
9. CHANGES TO THE CONSTITUTION - COVID-19 INTERIM STANDING ORDERS To ratify changes to the constitution relating to the inclusion of COVID-19 interim standing orders.	51 - 58

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- 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.
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- 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.
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Minutes of the meeting of Council held online on Friday 17 July 2020 at 10.30 am

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Jennie Hewitt, Kath Hey, David Hitchiner, Bernard Hunt, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Chief executive, Director for children and families, Director for economy and place, Director for adults and communities, Chief finance officer, Director of public health, Solicitor to the council and Democratic services manager.

58. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Liz Harvey and Phillip Howells.

59. DECLARATIONS OF INTEREST

There were no declarations of interest.

60. MINUTES

RESOLVED: That the minutes of the meeting held on 6 March 2020 be confirmed as a correct record and signed by the Chairman.

61. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman and Chief Executive's announcements as printed in the agenda papers and the supplement published on 16 July containing details of an emergency decision taken after the publication of the agenda for the current meeting.

The Chairman introduced his announcements and provided his thanks for the work of all Council staff during the coronavirus outbreak. He referred to a visit undertaken to the Hillside care centre and a flag raising ceremony at the Suvla barracks.

The Chief Executive introduced his announcements and provided an update on actions taken in response to the outbreak of coronavirus among workers on a farm in Mathon. The council had worked with public health West Midlands and other local agencies and partners and there was no indication that the infection had spread beyond the farm.

Members raised the following points and questions on the Chief Executive's announcements:

- Clarification was requested concerning the status of care homes referred to in the Chief Executive's announcements; whether the absence of confirmed cases concerned private care homes. *The Chief Executive confirmed that council did not run the 89 care homes in the county but had provided support including the provision of personal protective equipment (PPE).*
- Queries were raised regarding the preparations that had been put in place to deal with potential outbreaks of coronavirus at other locations throughout the county and forms of accommodation housing farm workers. *The Chief Executive explained that the response to the outbreak at Mathon had provided valuable learning to the council as well as the government. The learning would inform the response of the council to future outbreaks. The council had written to all residents, businesses and farms to provide a reminder of the need for covid-safe practices during the easing of the lockdown.*
- It was queried whether the police had been consulted on the proposed 20 mph zones in the emergency active travel measures to ensure that they would be enforced. *The Director Economy and Place explained that the proposals had been subject to consultation with the police and would be enforceable by the police.*
- The reopening of the Hillside centre was queried including the occupancy of the centre and whether reopening costs had been recouped through the Bellwin scheme. *The Director Adults and Communities explained that there were 22 beds at the centre which was used as a step-up facility; currently the centre was being used to support people with coronavirus and with discharges from hospital. An amount of £38k had been recovered from the Bellwin scheme for the redevelopment of the centre and further support through the covid fund would also be accessed.*
- The suspension of food safety inspections was queried. *The Director Economy and Place explained that close work with the Food Standards Agency had taken place and flexibility had been given to councils with respect to hygiene inspections. The suspension of visits was intended to reduce officers accessing businesses and redeploy staff to the response to the outbreak. The suspension was temporary until 30 September.*
- The contribution of seasonal workers to the county was raised and it queried whether testing for coronavirus could be conducted on farms. *The Director of Public Health explained that mobile testing on farms was being investigated.*
- Funding from central government to support the response of the council to coronavirus was queried. *The chief executive explained that central government was being approached to provide funding to the council, it was expected that the local MPs would assist in these efforts.*
- It was suggested that a press release should be provided to explain that recent reports of coronavirus infections in the workforce at Avara were historic reports. *The chief executive explained that this would be looked into. The Director Public Health explained that there was no outbreak at Avara. The response of Avara to cases of coronavirus had been examined by the council to assist learning from good practice.*
- Reports that workers had left the Mathon farm after the outbreak were raised. *The Chief Executive and Director of Public Health confirmed that Public Health England had traced the individuals and they were understood to be self-isolating.*

62. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 9 - 10)

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

63. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 11 - 18)

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

There was a brief adjournment at 12:00 noon. The meeting reconvened at 12:15 p.m.

64. AMENDMENTS TO THE CONSTITUTION

Council considered a report by the Chairman of the Audit and Governance Committee which contained amendments to the constitution including the membership of the Health and Wellbeing Board and appeal arrangements for pavement licensing.

The Chairman of the Audit and Governance Committee proposed the report and recommendations. In introducing the report he explained that the Audit and Governance committee had considered the outcomes of a review of the Health and Wellbeing Board and had recommended a change to its membership. The solicitor to the Council had advised that changes to the constitution were also required to take account of pavement license legislation introduced in response to the coronavirus pandemic.

Councillor Christy Bolderson seconded the recommendations in the report as the Vice Chairperson of the Audit and Governance Committee. The Committee had considered the changes to the health and wellbeing board membership but had been unable to consider the changes to the right of appeal for pavement licenses due to time pressures. Both constitutional changes were felt to be routine and were commended to Council.

A point was raised that the functions of the Health and Wellbeing Board should include reference to holding providers to account and that the balance of the membership on the Board was weighted towards representatives of providers. It was queried whether the functions of the Board could include reference to holding providers to account and the membership could be amended to include a greater number of patient representatives from rural and urban areas and from the market towns. *The Solicitor to the Council explained that such proposals would need to be considered by the Health and Wellbeing Board and the Audit and Governance Committee before it could be determined by Council. It was noted that the Committee would undertake a review of the Board in 12 months time which could consider these proposals.*

The amendments to the constitution were put to the vote and agreed unanimously.

RESOLVED: That –

- (a) the amendments to the constitution in appendix 1 of the report are agreed with implementation immediately; and**
- (b) the monitoring officer is authorised to amend the constitution to include a right of appeal for pavement licenses to the licensing subcommittee in the committee's functions.**

65. LEADER'S REPORT TO COUNCIL

Council received and noted the Leader's report on the activities of the Cabinet since the meeting of Council on 6 March 2020 as contained in the supplement published on 16

July containing a corrected version of the report. The Leader introduced his report and provided a correction to paragraph 13 to include mention of Staffordshire as a member of the Shire Leaders. The Leader also referred to the announcement from government that the Council would receive an extra £1.5million to assist in the response to coronavirus.

The Leader received the following questions:

- If the capital programme was amended to release money for flooding repairs can you confirm that no projects to benefit rural areas would be cut? *It was hoped that more money would be forthcoming from government to fund the flooding repairs, if cuts to the capital programme were required this would be a decision of the full Council. It was hoped that any cuts would not affect the investment identified for market towns.*
- The intervention of the MP for North Herefordshire in efforts to secure funding from government for flooding repairs was welcome but was there concern that only minor influence had been brought to bear. *It was hoped that the MP retained influence with the government. The Leader regularly wrote to ministers in the government and copied his correspondence to the MP.*
- It was queried why there was no mention of the £7.6 million funding from the Department of Transport (DfT) for highways bringing total grant funding up to £20 million. *The Leader explained that this funding was part of the capital programme and was committed to potholes although its purpose had been updated by government to include mention of recovery from flooding. The administration was intent on using the whole fund for potholes and accessing other capital funding to pay for repairs to flooding damage; this would be a collective decision of the Council.*
- The revenue implications of the purchase of the Maylords Centre and the Hillside centre were queried. *It was confirmed that the Maylords Centre had a positive cash flow and the reopening of the Hillside centre was undertaken as an emergency measure in response to the flooding of a care home in the South of the county.*

The meeting was adjourned at 12.50 p.m. due to technical problems. The meeting was reconvened at 1.20 p.m.

- The community working arrangements with partners during the coronavirus was very valuable and it was asked whether the council could commit to retain the links established. *It was important to not lose the links and Talk Community could work with local communities to sustain the arrangements established.*
- The non-profit principle behind the acquisition of the Maylords Centre was queried. *It was explained that there was not a profit incentive attached to the purchase of the centre which allowed the council to explore options with the local community to realise its social value.*
- As the existing freeholder of the site the purchase of the Maylords Centre concerned the acquisition of 145,000 sq ft of retail space only. *The purchase provided the Council with control over the whole site to develop its use in the future.*
- The delay to the implementation of the Community Infrastructure Levy (CIL) was raised and an update requested. *An update was contained in the papers for the meeting which explained that the core strategy review would address the potential adoption of CIL but this had been delayed by the pandemic.*
- The timescale for the nutrient management plan for the Lugg and Wye catchment was queried. *A decision was currently being prepared to invest £2 million on the integrated wetlands project. Following the commencement of the work on the wetlands a determination would need to be made as to whether planning permissions in the catchment could begin to be granted. Work was being*

undertaken with Powys County Council where the rivers rose and with the local MPs.

- *It was queried what the drainage team would do to address a complex drainage issue on the C1125. The cabinet member infrastructure and transport explained that the capacity in the drainage team had been reduced due to the reduction in central government funding. The £7.6 million funding from the DfT was intended to resolve such highways issues and clarification from government over the use of the funding for flooding repairs was being sought. The cabinet member would contact the member to discuss.*
- *The inclusion of waste management plans in agricultural based planning applications was raised and a public awareness raising exercise to inform the public of their responsibility to reduce water pollution. The administration was keen to raise the profile of such issues and would look to consider in the integrated wetlands decision.*
- *The work of practitioners with children during the lockdown was raised. Tribute was paid to teachers and officers who worked with children and the manner in which they had adapted to circumstances under the lockdown and the use of new ways of working.*
- *The influence the acquisition of the Maylord centre could exert over the regeneration of Hereford was raised and the cultural and community opportunities it presented. The centre could be converted for social, cultural use or commerce. Ownership of the site meant that there might be the opportunity for the development through the Towns Fund if the Board managing the fund allocated investment to the site. The cabinet member commissioning, procurement and assets explained that no concerns regarding the purchase had been raised with the portfolio holder, the acquisition had not been called in and the decision had concerned the acquisition of the leasehold of the site. The social value of the site included the role it could play in the health and wellbeing of Herefordshire residents, promoting tourism, cultural initiatives and providing retail space for small business.*
- *Will the council consider other, similar opportunities to the purchase of the Maylords centre as they become available in Hereford city centre and would they be 'not for profit'? The council was not seeking to become a property company particularly as the capital budget was stretched but there may be merit in the purchase of other individual sites. The term 'not for profit' implied a charitable arrangement; the Maylord centre was commercially viable but the council had placed an emphasis on the social value of the site.*

66. NOTICES OF MOTION UNDER STANDING ORDERS

Motion 1 – Tree Strategy

In moving the motion Councillor Christy Bolderson made the following points:

- The motion would assist the council in moving to net zero carbon emissions and enhance the natural environment for the benefit of local residents. It supported efforts at the council to address the climate emergency.
- The motion called for the increase in tree coverage and improvement in arrangements for the management and protection of trees in the county.
- Similar tree planting strategies existed in other local authority areas including Surrey, Cornwall and Bristol.
- Trees absorbed carbon dioxide and water. Tree planting would contribute to efforts to reduce carbon and protect against flooding.
- Trees had beneficial health and wellbeing impacts.
- A draft strategy from 2014 existed which together with the consideration of the steering groups could form the basis of a strategy.

- The motion was timely with an England tree strategy under consultation.
- Planning policies at the council needed to be strengthened to take account of the protection of trees.

The following principal points were raised during the debate:

- The motion was supported but action was required in place of words.
- The enthusiasm for planting trees in the motion was welcomed and the executive would work with the mover of the motion to implement the proposals.
- The motion outlined the need for tree protection as well as tree planting which was an important complement.
- It was important to acknowledge the wider ecological challenge; the proposals in the motion were a positive contribution but would not address the challenge alone.
- A tree planting programme was planned for winter 2020.
- It was important that appropriate trees were planted in the right places.
- Council land could be used to plant trees but a consideration of the cost of maintenance was required.

Councillor Christy Bolderson, as the mover of the motion, closed the debate and explained that there was overall enthusiasm to plant and protect trees.

The motion was put to the vote and was carried by a simple majority.

RESOLVED: That

We call upon the executive to expedite the delivery of a detailed tree strategy for the county. A 2014 draft document exists that might provide the basis for a new strategy which will reinforce our commitment to the environment and align with our declaration of a climate emergency.

The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.

Furthermore, in the interim and as a matter of urgency, we ask the executive to consider what can be done to protect existing trees and to take immediate action by planting, maintaining and protecting trees in order to have established growth by 2030.

Motion 2 – Building back better; a green and fair recovery from coronavirus

In moving the motion Councillor Chowns made the following principal points:

- The motion was intended to unite the Council around principles to help respond to the pandemic.
- The motion acknowledged the devastating impact of coronavirus.
- The motion also looked forward to the type of recovery that the Council sought on green and fair principles.
- Residents had spoken positively about the community spirit that had been in evidence during the lockdown and a desire that this was sustained during the recovery.

In seconding the motion Councillor Alan Seldon explained that the recovery should be swift, economically viable and environmentally sound.

The motion was put to the vote and was carried unanimously.

RESOLVED: That

In light of the coronavirus crisis of recent months, we:

- **Fully recognise, and express our deep sorrow over, the devastating impact of coronavirus on local people's lives and livelihoods;**
- **Express our heartfelt thanks to all who have worked so hard to care for others and keep essential services going;**
- **Reaffirm our determination to improve the lives of all Herefordshire residents, based on the three County Plan pillars of environment, community, and economy;**
- **Welcome the recent commitments to the principles of 'building back better' and a 'green recovery' that have been expressed across the political spectrum, including by central government and its local representatives;**
- **Ask the executive to integrate these principles into all its decisions; and to work with all parts of the community to promote a green and fair recovery;**
- **Recognise the need to ensure that partnerships are strengthened across all sectors in public life in Herefordshire so that all partners are engaged in working together to achieve this common goal, because we cannot do it alone;**
- **Urge central government to provide the resources needed to sustain local services and to invest in Herefordshire's green recovery as we work together to build back better.**

The meeting ended at 2.30 pm

Chairperson

Appendix 1 - Questions from members of the public and supplementary questions

Question Number	Questioner	Question	Question to
PQ 1	Mr Willmont, Hereford	<p>The Council have/are about to commission One Creative Environments Ltd to progress a master plan for development of the North Magazine.</p> <p>In preparing this masterplan what account will be taken of the remaining former munitions factory structures in the area. These include the Blast Walls (and their access paths that remain), the above ground air raid shelters and the loading dock. These are, notwithstanding that they are not Listed Buildings, historic structures which should be preserved as the last remnants of the ROF.</p> <p>Please confirm that there will be a public consultation process once the masterplan is produced?</p>	Cabinet member environment, economy and skills
<p>Response:</p> <p>One Creative Environments Ltd have been commissioned to advise on how best to build out the development platform that has already been created at the North Magazine site at Hereford Enterprise Zone. This is primarily about engineering the infrastructure – such as access roads, utilities and drainage – that is needed to open up the site for businesses to invest and build.</p> <p>One Creative Environments Ltd have full knowledge of the presence and location of the former munitions factory structures at the North Magazine and the importance that Hereford Enterprise Zone and the Council has put on them remaining. They know that none of the infrastructure solutions that they propose are permitted to impact on those structures – which are all situated outside the development platform area that is the focus of this project. Given that all the structures are to the north of the site and the infrastructure will need to connect in from the south, this should be straightforward to achieve.</p> <p>It is not intended to carry out further public consultation on this technical piece of work required to enable the development of this large industrial site.</p>			
PQ 2	Mr Peel, Hereford	<p>In 2019 the newly elected Herefordshire Council delayed plans to build a Bypass that, after years of planning and deliberation, would have finally taken traffic away from the City Centre setting up the conditions that could realise a cycle and walking friendly City Centre. Since then the Administration has provided little regarding how it intends to remove traffic from the City Centre less suggesting introducing cycle lanes. Now all the funding opportunities for a Bypass have been lost and removing sections of road to create cycle lanes will compound the longstanding congestion issues. What is the Council's plan to remove traffic from the City Centre now the Bypass will not be built and traffic will continue to be reliant on the route through the City Centre using the single road bridge over the river Wye?</p>	Cabinet member infrastructure and transport
<p>Response:</p> <p>Thank you for your question Mr Peel. Your definition of bypass 'plans' is an interesting one, as is your understanding of our City's traffic congestion. For clarity, when we arrived as a new administration, after 12 years of Conservative control – a period which saw no measurable improvements in congestion as far as I</p>			

and many others could see – we were not in a position to start building any new roads and we had no completed business cases for either the SWTP or HTP. There were matters that prevented immediate progression, even before you consider the electorate mandate we were given at the ballot box to consider alternative approaches to local transport networks and congestion. It is also important to note that latest figures show that only 7% of traffic through Hereford is completely through traffic with an origin and destination outside the city. All other trips have either an origin or destination within the city and 40% of traffic is entirely internal.

I took the decision last year to pause and review the bypass project because I was concerned that the road scheme as part of the Hereford Transport Package was not compatible with the climate change challenge and the previous Conservative Council's declaration of a climate emergency. It is my view that there are other options that could deliver transport (including congestion) and growth objectives and given the lasting impact of major road schemes I believe it is imperative that these should be considered. Therefore I authorised a review to commence earlier this year which is anticipated to finish in the Autumn.

This review is essential to ensure that the council's decision making is fully informed by the latest information and best practice. It is incumbent on the council to ensure that projects are consistent with the council's declaration of a climate emergency and will contribute to reducing the carbon output of the county whilst also addressing the transport problems of the city and supporting economic growth. Whilst the review is being carried out the council will continue to develop and deliver active travel projects to encourage a shift of travel mode and reduce congestion.

Supplementary question:

Thank you for the response, if the review into the proposed routes is due in Autumn, what date will the outputs be available and anticipating a negative view, in the meantime what other measures have been considered other than the removal of road space for cycle lanes?

Cabinet member response:

Many other measures have been considered to remove traffic from Hereford including initiatives to promote walking and cycling. A written response would be provided.

Appendix 2 - Questions from members of the council

Question Number	Questioner	Question	Question to
MQ 1	Councillor Kema Guthrie, Sutton Walls	I was told by Balfour Beatty at the recent Members' Briefing that "If a Parish can fund a Traffic Regulation Order (TRO) then we can start the process through Community Commissioning". Sutton St. Nicholas Parish Council have applied for a TRO and can demonstrate that they are able to fund the project but Balfour Beatty have only put them on a list! What's the problem, what's holding things up?	Cabinet member infrastructure and transport
<p>Response:</p> <p>Thank you for your question Cllr. Guthrie. I appreciate that the matter of this TRO has been the subject of some discussion. As I understand the correspondence has to date covered funding of this order from developer contributions but this money has not yet been released for this purpose. The timescale for delivery is therefore limited until these funds are released and available. If the parish wish to progress this TRO using parish funds the Community Commissioning process would enable this but would require parish council funding to deliver in this way. I am advised that an application has not been made to progress in this way but if this is intended then a Community Commissioning request should be made to BBLP to begin this process and ensure delivery of the TRO is not further delayed until the developer funding is released. I am also happy to discuss with the parish either the Section 106 or Community commissioning route further asap.</p>			
<p>Supplementary question:</p> <p>The parish council have the funds to progress the TRO and are not reliant on section 106 contributions which was confirmed in an email to balfour beatty living places (BBLP) on 13 February. It was queried why BBLP had not started the process or sent the community commissioning forms to the parish council.</p>			
<p>Cabinet member response:</p> <p>There was some confusion concerning whether a technically correct application had been submitted. An officer would be in contact with the Councillor Guthrie to discuss the situation.</p>			
MQ 2	Councillor Louis Stark, Ross West	In February Cllr. Symonds' sensible motion for a £3m fund for investment in market towns' public realm, to address under-investment as a consequence of spending skewed to Hereford and busier A/B roads, was lost.	Leader

		<p>Since then, a cabinet support role has been created to work with town councils and parishes to enhance local services/assets, develop shared service partnership models, and enable parishes to have an active role in delivering and managing local priorities and assets. While laudable, what we have as usual is focused on Hereford, through the creation of a Hereford Town Deal Board to lead on a bid for £25m for Hereford city.</p> <p>In that light, can you confirm exactly what performance targets the cabinet support role has, including timescales for delivery and how market towns will be engaged?</p>	
<p>Response:</p> <p>Thank you Cllr Stark for your question which is very timely.</p> <p>Part of the support role is to work with town councils and parishes to enhance local services and assets, develop a shared service partnership model, and enable parishes to have an active role in delivering or managing local priorities and assets.</p> <p>Cllr Bartlett is especially qualified given her work over many years in Leominster. She worked with fellow Leominster Town Councillors in a number of ways including the challenges of taking on public toilets in two locations when they were closed by the previous administration, investing in a new Town Council multi hub premises and bringing the Tourist Information Centre in-house, taking on assets including public open spaces and play areas, investment in new play equipment through grant and Section 106 awards, grass cutting and planning for better biodiversity management of open spaces and appropriate verges. Leominster Council encouraged taking part in annual public consultation and participatory budgeting every year, to shape residents priorities for the town and parish of Leominster.</p> <p>Of particular note is the work she has done in securing the award of £1.8m of Heritage Action Zone funding to Leominster which will be the subject of a Cabinet decision at its meeting on 23 July. In appointing Cllr Bartlett I am hopeful that opportunities will be opened up for other Market Towns, drawing on her experience of pulling together the economic, social and environmental plans and aspirations Leominster has, into a coherent business case suitable for attracting grant and inward investment money.</p> <p>Your question refers to the Town Deal Board which is a project specifically for the City of Hereford. This is a central government offering. In November 2019 government selected 101 towns across England, including Hereford, for Stronger Towns Funding, with the potential to access up to £25m to enable the regeneration and growth of towns and cities. A requirement of accessing the funding is to form a Town Board, and to develop a Town Investment Plan. The board has now been formed, and work will commence on the Town Investment Plan for submission to government in January 2021.</p>			

I have continued the initiative begun by Cllr Lester to have half yearly Parish Summits to which Market Town Councillors are invited. The purpose is to give a voice to, and engage with, representatives of all Parishes and Market Towns. We have a Parish Summit meeting planned for 23rd July 2020 to highlight parish's responses to the Covip-19 virus, focusing on community resilience, recovery and renewal.

For market towns we have invited representatives to attend an Economic Development Forum on 22nd July 2020. The purpose of this initial meeting is to initiate the process of developing Market Town Economic Development Investment Plans. Following this we intend to hold individual market town meetings.

Recognising the critical role market towns play in terms of employment and access to community services, earlier this year the council allocated £14m in the capital programme to enable the development of business space and employment land in the towns. The development of these Investment Plans for each town will identify their growth needs and opportunities, providing a basis for prioritising how the funds can be best utilised to support each area.

To complete the picture we now have regular meetings with the Mayor and Deputy Mayor of Hereford to exchange information on projects and share views.

So far as performance targets are concerned I, and previous Leaders I am sure, have very motivated cabinet and cabinet support who know what they want to achieve. Their commitment together is to deliver the County Plan, with a view to being re-elected at the next election.

How long it will take to develop Economic Development Investment Plans for The Market Towns will depend on the enthusiasm of the participants. Cllr Bartlett, Cllr Chowns and I look forward especially to working with the Ward and Parish Councillors for Ross who have no shortage of enthusiasm. If Ross would like to have other regular meetings with me and other cabinet members I am sure this could be arranged, but I am hopeful that the meetings to discuss the Economic Development will enable a good dialogue to take place making such additional meetings unnecessary.

Supplementary question:

Why was Leominster the only market town involved in the bidding for the high street heritage action zone fund?

Leader's response:

A written response would be provided.

Response sent on 31 July 2020:

The decision to enter Leominster into the first stage of the linked Heritage Action Zone scheme was made by the cabinet member for Economic Development under the previous administration. This decision was based on an assessment of which market town best met the English Heritage criteria at that time.

MQ 3	Councillor Roger Phillips, Arrow	<p>In the interests of pedestrian safety due to the extremely narrow footway of the highway bridge and high level of traffic on the B4362 (4,000 per day including 1,000 HGVs); Shobdon Parish Council has identified the provision of a pedestrian crossing at Tanbridge a community priority. I have been working with them and Balfour Beatty in order to provide this important project which will be paid for out of the parish precept.</p> <p>Given its proximity to the existing road bridge we require Balfour Beatty to sign off the works. I wrote to the Cabinet Member on the 8th June with a gentle reminder on the 29th June. Can the Cabinet member confirm he is willing for the Council to cover the design costs so that this scheme can progress?</p>	Cabinet member infrastructure and transport
<p>Response:</p> <p>Thank you Cllr Phillips for you question and apologies for any delay in getting back to you. For future clarity – and courtesy - if you are requiring a direct response, which I always do my best to provide members, it is best to address me by name rather than ‘Dear All’ with my name third on the list in the address bar’ – it helps me to understand how much of my time and intervention you are requiring or whether you are simply copying me in on discussion with officers.</p> <p>I’d like to start by congratulating the parish for the work they have undertaken. It is a great credit to them that they have taken this responsibility upon themselves and a source of concern that we as an authority cannot do more to support such initiatives financially. Unfortunately, as you well know, substantial cuts by the Conservative governments – cuts shamefully supported by both our MPs in the voting chamber – have left us considerably less funded as a rural authority, losing £60 million a year (£90 million if adjusted for inflation) with the almost complete withdrawal of the Revenue Support Grant for example, making it harder and harder to support residents as the physical fabric of our communities continues to erode and decline. This makes it challenging for authorities to undertake their statutory responsibilities let alone support requests or initiatives like this.</p> <p>That all said and done – and apologies for appearing political but it is important to be honest – I am determined that parishes such as Shobdon, that are prepared to do so much of the heavy lifting themselves, should have that determination and commitment matched by the local authority and I am happy to agree to a site meeting as a matter of priority, with further detailed discussion following that on the best way to proceed to enable the parish to achieve its ambition of a separate foot crossing.</p>			
Supplementary question:			

The offer of a site meeting and detailed discussions were welcomed but it was felt that this happened at the virtual meeting on 8 June. What outcomes of the meeting were unacceptable that required further discussions?

Cabinet member response:

The cabinet member was unaware of the meeting and would follow up the outcomes from it.

MQ 4	Councillor Nigel Shaw, Bromyard and Bringsty	<p>Holden Aluminium Technologies have announced their closure in my ward. The loss of 50 direct jobs is distressing news for Bromyard. Additional to the loss of livelihoods for the workforce, living locally and shopping in the town, there will be the knock on effects of their loss of purchasing power for retailers already suffering from the economic effects of Covid.</p> <p>Bromyard's recycling centre was late to open, it's library remains indefinitely shut, the council's housing development on it's old depot site has been mothballed yet the council invests £600k in Hereford's theatre and ignores requests for capital assistance from Bromyard's Conquest Theatre for their plans. This administration throws £4.5m of council funds at a moribund shopping centre in the centre of Hereford, but what initiatives are they bringing forward to encourage economic investment and hope in market towns like Bromyard?</p>	Cabinet member environment, economy and skills
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Response:

I and all my colleagues were very saddened to hear of Holden Aluminium Technologies' announcement last week. During these unprecedented times we recognise that businesses across Herefordshire are facing significant challenges and are having to make some very difficult choices about their future. The council has been doing all it can to support businesses during this difficult period. We have paid out over £56 million of central government grant funding to 4,825 businesses in Herefordshire; we launched a Discretionary Grant Scheme; provided online training on subjects such as planning your finances; secured funding to support the recovery of the visitor economy, and provided advice and guidance to hundreds of businesses.

In planning for recovery of the local economy it is essential that we support both our city and our market towns to thrive. They all play a critical role in terms of employment and access to community services.

To take your points in order:

Re the recycling centre: The approach to reopening household recycling centres across the county has been phased recognising the restrictions imposed by government in response to Covid-19 and the primary need to ensure the safety of both staff operating the sites and the public. This required detailed planning on a site by site basis and the Bromyard site was opened as soon as possible earlier this month with appropriate social distancing arrangements in place.

Re the library: Council staff are working closely with Halo to secure the re-opening of Bromyard's Library, located within the Leisure Centre, to ensure the safety of customers and staff in accordance with Covid-19 guidelines.

Re the Courtyard in Hereford: The council has agreed to loan (not give) £611k to the Courtyard Theatre to enable their continued successful growth, helping create the conditions to attract people to live, work, learn, visit and invest in the county.

Re the Conquest Theatre in Bromyard: We are keen to do what we can to support the cultural sector across the county and I know Cllr Davies is in communication with the Conquest Theatre and is looking forward to supporting them. She is currently arranging a visit where they will be able to discuss their plans. This administration is fully committed to supporting the arts in Herefordshire hence why we removed the previous budget saving of £250,000 savings target in this year's budget.

Regarding the Council's purchase of Maylord Orchards: This purchase was made in order to ensure that a strategically important site in the centre of Hereford did not further fall into disrepair with increasing numbers of vacant units and declining footfall. The council has proactively intervened to prevent such a decline, and secure this strategic site so that it can help drive the transformation of the city, to the benefit of all our residents, for many years to come. The Maylords Orchards site a) is a going concern that 'washes its face' financially; b) provides us in the short term with excellent opportunities to proactively support post-Covid recovery in the city centre, and c) offers exciting long-term opportunities for regeneration of the city centre. As I reported to councillors last month, Hereford is one of 101 towns across the country that have each been invited by central government to apply for up to £25 million of investment. The newly-formed Hereford Town Deal Board is currently working to develop a Town Investment Plan for our city.

This administration has always been deeply committed to supporting economic development in the market towns. That is why, several weeks ago, I pushed for initiation of Market Town Economic Development Investment Plans to begin. You may recall that, earlier in the year, the council allocated £14 million in the capital programme to enable the development of business space and employment land in the towns – precisely because we recognise the importance of this work. We have now launched the process of working with the town councils, ward members and local residents to establish Economic Development Investment Plans for each market town. These will identify investment needs and development opportunities, and will a) enable us to prioritise how the earmarked funds can be best utilised to support each area, and b) identify viable projects for which further funding can be proactively sought. A meeting with the town councils is already scheduled for the 22 July to commence this process, and town-specific meetings will follow shortly afterwards. We have set aside £200k to support the process of developing these investment plans over the coming 18 months and I am very much personally committed to supporting this process. While central government is offering funds only for Hereford City, we as an administration are proactively working, using our own resources, to support the market towns – because we recognise that they play such a vital role in our local economy and community.

Supplementary question:

There was concern that there was no date for the reopening of Halo in Bromyard. Would the cabinet member support a review of the capital spending plans to evidence if there was a fair allocation of investment in the market towns?

Cabinet member environment, economy and skills response: The council was committed to equal treatment across the county, the market town economic development investment plans was evidence of the approach of the administration to a fairer allocation of funding for improvements. It was a matter for scrutiny to determine what issues were considered.			
Cabinet member commissioning, procurement and assets: A water issue at Halo in Bromyard was preventing the reopening of the centre. Plans were being progressed to utilise an alternative building for a click and collect service for library books.			
MQ 5	Councillor Barry Durkin, Old Gore	<p>At June's cabinet meeting part of the statement on proposed active travel measures by the Member for Infrastructure and Transport was false; viz '<i>....if the council does not implement them, the government are going to do it for us</i>'. I believed this an untruthful statement and thus misleading the residents of Herefordshire. The DoT subsequently verified, in writing "<i>....it is not the case that the Department will step in itself to do the works if the council fails to do so</i>".</p> <p>Leader would you agree with me that any untruthful statement does not represent the expected personal qualities required to underpin essential ethical standards in public life? Such statements do nothing to give confidence to the residents of Herefordshire on decisions now and in the future and thus undermines confidence in the council and impairs the credence of the administration.</p>	Leader
Response: The Cabinet member made this reference after reading this article in the respected industry journal https://www.transport-network.co.uk/Councils-wait-on-details-of-250m-allocation-but-warned-they-must-act/16633 which describes that " <i>councils are forced to make the changes and central government could step in to take powers away from councils to ensure interventions are made</i> ", "according to legal advice received by the All Party Parliamentary Group for Cycling and Walking". The statement made by the cabinet member to the June meeting was made based on the above information which was what the cabinet member honestly understood to be the position.			

When the DFT made its announcement it did not contain this reference. At the time of the cabinet member's statement he was not aware of this omission. The cabinet member accepts that the assumption he made was incorrect, apologises for providing information which wasn't accurate and thanks Mr Bill Wiggin MP for writing to the department for clarity.

Supplementary question:

How may the council and residents of Herefordshire be reassured that statements on which decisions based will be based on verifiable facts and sound judgement? Clarification was sought on the element of the original question concerning public life.

Leader's response:

The issue of public life was being addressed. The cabinet member made the statement in the honest belief that it was true which was entirely appropriate.

Cabinet member infrastructure and transport response:

The cabinet member explained that the advice that was being issued was being updated rapidly but he had made a mistake and apologised.

Minutes of the meeting of Council held at Online meeting only on Tuesday 4 August 2020 at 2.00 pm

Present: Councillor Sebastian Bowen (chairman)
Councillor Kema Guthrie (vice-chairwoman)

Councillors: Graham Andrews, Paul Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Bernard Hunt, Helen l'Anson, Terry James, Peter Jinman, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Director for economy and place, Acting Assistant Director for Highways and Transport, Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery, Chief executive, Director for adults and communities and Solicitor to the council

67. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Polly Andrews, Bowes, Johnson and Seldon.

68. DECLARATIONS OF INTEREST

Agenda item 5: In year changes to the capital programme budget for priority flood works.

Councillor Hardwick declared an other declarable interest as a resident of Fownhope.

69. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the public question and written answer, together with the supplementary question asked at the meeting and the answer, is appended to the minutes.

70. QUESTIONS FROM MEMBERS OF THE COUNCIL

None.

71. IN YEAR CHANGES TO THE CAPITAL PROGRAMME BUDGETS FOR PRIORITY FLOOD WORKS

Further to consideration at Cabinet on 23 July 2020, Council considered approving the allocation of funding for priority flood damage repairs and for works to enhance the resilience of the county's infrastructure.

The Cabinet member finance and corporate services introduced and moved the report, seconded by the cabinet member infrastructure and transport.

Councillor Shaw moved an amendment, seconded by Councillor Gandy as follows:

(The proposed changes to the wording of the original motion are shown in bold.)

“This amendment proposes that the recommendations be amended as follows:

(a) The £7.674m (Pothole and Challenge Fund 2020/21 grant allocation) be added to the capital programme as a new programme;

(b) The £4.027m (Priority Flood Repair Works) be added to the capital programme as a new programme;

(c) Priority flood repair works totalling £4.027m, as set out in paragraph 27 of this report, **are funded through allocation from the financial resilience reserve;** and

(d) In the event that new funds are made available by Government specifically to address the priority flood repair works, then those funds **would first be used to refinance the financial resilience reserve with any funding over and above £4.027m added to the Priority Flood Repair Works programme.** “

Council debated the amendment. The amendment was put to a recorded vote and lost.

For (22): Councillors Bartrum, Bolderson, Durkin, Gandy, Guthrie, Hunt, l’Anson, James, Graham Jones, Mike Jones, Kenyon, Lester, Matthews, Millmore, Phillips, Price, Rone, Shaw, Stone, Swinglehurst Symonds and Tillett.

Against (27): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowen, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, Jinman, Marsh, Milln, Norman, Stark, Summers, Toynbee, Tyler, Watson and Wilding.

A recorded vote was then taken on the original motion. The motion was carried.

For (35): Councillors Graham Andrews, Paul Andrews, Bartlett, Bartrum, Boulter, Bowen, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, Hunt, James, Jinman, Mike Jones, Kenyon, Marsh, Matthews, Milln, Norman, Price, Stark, Summers, Tillett, Toynbee, Tyler, Watson and Wilding.

Abstain (14) Councillors Bolderson, Durkin, Gandy, Guthrie, l’Anson, Graham Jones, Lester, Millmore, Phillips, Rone, Shaw, Stone, Swinglehurst and Symonds.

(There were no votes against the motion.)

RESOLVED:

- That
- (a) **the £7.674m (Pothole and Challenge Fund 2020/21 grant allocation) be added to the capital programme as a new programme;**
 - (b) **the £4.027m (Priority Flood Repair Works) be added to the capital programme as a new programme;**
 - (c) **priority flood repair works totalling £4.027m, as set out in paragraph 27 of this report, are funded by extended prudential borrowing; and**

- (d) **in the event that new funds are made available by Government specifically to address the priority flood repair works, then those funds would be added to the Priority Flood Repair Works programme.**

72. ADDITIONAL ITEM - URGENT NOTICE OF MOTION

Council considered a motion concerning an urgent matter directly affecting part of the county and which it was not practical to defer to the next ordinary meeting of Council.

The motion, proposed by Councillor Kenyon and seconded by Councillor Lester was as follows:

“We ask that the temporary infrastructure measures brought in across the county to encourage cycling and walking be debated at the full Council meeting on 4 August 2020 and in light of the debate the executive is asked to reconsider its decision to implement the temporary measures.”

The motion related to an officer decision taken on 13 July 2020: Development and delivery of emergency transport measures associated with the response to COVID 19 outbreak.

Recent central government funding to local authorities had been brought forward to 2020/21 as an emergency active travel fund. Herefordshire had been successful in a bid for funding. Guidance required councils to reallocate road space and make additional provisions for cyclists and pedestrians wherever possible. This was to facilitate the easing of the lockdown restrictions by making provisions that supported social distancing, including providing alternatives to public transport.

Councillor Kenyon moved the motion. He commented that many residents and businesses in Hereford City had contacted him expressing their concerns about the measures that had been introduced. He wanted council to discuss the measures and possible amendments.

The following principal points arose in discussion:

- Government had provided funding as part of the response to Covid 19. Initial measures had to be implemented as swiftly as possible and in any event within 8 weeks of the funding being awarded.
- Measures had been introduced in Hereford City. They were in the process of being implemented in the Market Towns.
- There had been prior consultation with ward members, town and city councillors, local businesses, traders, transport providers and other organisations. The cabinet member – infrastructure and transport had listened to representations and had been accommodating. He indicated that he would continue to seek and receive feedback and consider adjustments where practicable.
- Members outlined specific issues relating in the main to their wards. Some expressed concerns. Others welcomed the proposals. A consensus emerged that it would be most productive if any further discussions were held on an area basis where the local knowledge of councillors would be most constructive.

The cabinet member offered to undertake a series of online area based meetings involving ward members and stakeholders, with measures in Hereford City to be scheduled for discussion first.

Councillor Kenyon indicated that he was willing to withdraw the motion he had proposed on that basis.

The debate concluded accordingly.

The meeting ended at 5.02 pm

Chairman

Appendix - Questions from members of the public and supplementary questions

Question Number	Questioner	Question	Question to
PQ 1	Mrs Roberts, Hereford	<p>The lack of a second bridge across the Wye was demonstrated last week when a RTC occurred on the Belmont road - this then paralysed the new bridge for hours. Obviously this council apart from ignoring the referendum regarding the bypass surely uses the term 'green' while resolving nothing. Slowing all the traffic across the city means that cars and lorries are sitting and emitting fumes from their engines which can't be doing much to reduce global warming.</p> <p>What can be done about a second bridge if the public is ignored when money was made available for the bypass and is now gone?</p>	Cabinet member infrastructure and transport
<p>Response: Firstly, it is important to clarify that funding had not been secured to progress the western bypass which would include a new river crossing.</p> <p>In terms of your wider point, I share your concerns about the fragility of the city's transport network and the reliance on the Greyfriars Bridge for local and longer distance travel needs. As you will be aware we are progressing a review of the transport strategy because we feel it is important to take into account the local and national climate emergency declarations and ensure that carbon reduction is fully considered in relation to our major schemes. The review explicitly includes options which would provide additional river crossings for the city as we recognise the potential benefits of such schemes in addressing network resilience issues. It is also looking at options which will encourage more walking and cycling and bus use noting that these are modes which can bring wider health benefits and can reduce transport related carbon emissions. We consider that in undertaking this review now and taking into account the increasing importance of decarbonising transport in national policy we will be able to ensure that our local evidence base is robust with a view to helping secure external funding for any major transport proposals which we may wish to take forward.</p>			
<p>Supplementary Question I am really not satisfied with the answer to my question - it's just padding that says nothing. My question is not answered - where is the second bridge for motorised vehicles? As per the bypass and second bridge - this has been going on since the 1950's and now it's 2020 and it's still being stonewalled by the council.</p> <p>From your answer there is a general belief by the council that everyone can walk everywhere or cycle everywhere within the city. Mobility issues means for me that I can neither cycle at all due to a knee injury and equally I am unable to walk very far; so what are the alternatives for people with mobility problems? To say that I am unimpressed with the response is putting it mildly.</p>			
<p>Cabinet member response The council was mindful that not everyone could walk or cycle everywhere. Many journeys in the city by car were less than 2 miles. Reducing the number of these journeys would be beneficial.</p>			

In relation to the provision of a second bridge the transport review was to conclude in September. As a small city a move to increased cycle use where possible was necessary. He invited the questioner to contact him if she required further information.

Chairman's Announcements – Council Meeting – 11th September 2020
Events attended by the Chairman since the last
ordinary Council meeting on 17th July 2020

22nd July – Virtual Royal Visit from HRH The Earl of Wessex, meeting staff, service users and partner organisations from Children & Families Directorate and Adults & Communities Directorate
1st August – Opening of The Bell Inn at Yarpole
15th August – VJ Day 75th Anniversary, unveiling of memorial plaque for the Prisoners of the Far East War, St Peter's War Memorial, Hereford
15th August – VJ Day 75th Anniversary, re-naming of the greenway bridge to be Canary Bridge in honour of the Rotherwas munition workers
16th August – VJ Day 75th Anniversary, a service of thanksgiving and reflection, Hereford Cathedral
4th September – Farewell Service for Her Majesty's Lord-Lieutenant, The Dowager Countess of Darnley CVO, Hereford Cathedral

All necessary decisions in cases of emergency

Under paragraph 3.7.9 of the constitution the chief executive is authorised to take necessary decisions in cases of emergency.

‘All necessary decisions’ includes decisions to take such action as is necessary within the law to protect life, health, safety, the economic, social or environmental wellbeing of the county, its communities and individuals living, working or visiting, and to preserve property belonging to the council or others.

An emergency is defined as any situation in which the chief executive believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual, or that the interests of the council may be compromised.

In the chief executives scheme of delegation emergency decisions are delegated to the chief executive and directors. Before exercising this delegated authority any officer shall use their endeavours if, in their opinion, time or circumstances permit, to consult the Leader, or, in their absence, the appropriate cabinet member, and the chairman of the relevant scrutiny committee and in any case, inform them of their actions as soon as practicable.

There have been 2 emergencies in 2020: the February floods and the coronavirus pandemic. At the meeting of the full Council on 17 July a schedule of emergency decisions taken in response to these emergencies was presented.

Paragraph 15 of the chief executive scheme of delegation, requires that all emergency decisions taken by officers are reported to full Council at the next meeting, including the extent to which it has been necessary to operate outside the contract and financial procedure rules. Each decision contains an assessment of risk including finance, legal and equality considerations.

Below is a schedule of all necessary decisions in cases of emergency taken since the previous ordinary meeting of the Council on 17 July 2020.

Covid-19 – July 2020

To directly award Hereford Voluntary Organisations Support Services (HVOSS) with a two year contract to provide a strategic partnership role with the third sector to support with the recovery of Covid-19 and continue the development of Talk Community

Decision Maker: Director of Adults and Communities

Date of decision: 29/07/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7045&LLL=0>,

Adult and Community Learning service's exceptional arrangements for awarding qualifications: the Qualifications Estimated Results policy: summer 2020 - COVID 19

Decision Maker: Director of Adults and Communities

Date of decision: 31/07/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7054&LLL=0>,

Revision of emergency active travel measures (EATM) associated with the response to COVID-19 outbreak

Decision Maker: Acting Assistant Director for Highways and Transport

Date of decision: 20/08/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7094&LLL=0>,

Initial development of tranche 2 of emergency active travel measures (EATM) associated with the response to COVID-19 outbreak

Decision Maker: Acting Assistant Director for Highways and Transport

Date of decision: 20/08/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7095&LLL=0>,

Hereford Transport Package – Payment of fees and compensation incurred

Decision Maker: Acting Assistant Director for Highways and Transport

Date of decision: 21/08/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7104&LLL=0>,

South Wye Transport Package – Southern link road (SLR) payment of fees and compensation incurred

Decision Maker: Acting Assistant Director for Highways and Transport

Date of decision: 21/08/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7105&LLL=0>,



Meeting:	Council
Meeting date:	Friday 11 September 2020
Title of report:	Appointments to Council committees and outside bodies
Report by:	Solicitor to the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

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 review the representation and determine the allocation of seats on committees and relevant outside bodies to political groups for the coming year;
- (c) To make appointments to the positions of chairpersons and vice-chairpersons of committees; and
- (d) To make arrangements for such appointments to committees and other bodies as may be necessary, including co-optees.

Recommendation(s)

That:

- (a) the list of ordinary committees listed at paragraph 9 be confirmed with their

terms of reference as set out in the council's constitution;

- (b) the number of seats on each committee as set out at paragraph 9, and the allocation of those seats to political groups as set out at appendix 1 be approved;**
- (c) the allocation of seats on outside bodies to political groups as set out at appendix 2 be approved;**
- (d) the appointment of five co-opted members of children and young people scrutiny committee be approved as follows:**
 - i. one representative as nominated by the diocese of Hereford**
 - ii. one representative as nominated by the archdiocese of Cardiff**
 - iii. one parent governor as elected from the primary school sector**
 - iv. one parent governor as elected by the secondary school sector**
 - v. one parent governor as elected by the special school sector;**
- (e) the suspension of the rules of proportionality in respect of the standards panel, the River Lugg Internal Drainage Board, and the Wye Valley AONB Joint Advisory Committee be approved; and**
- (f) the appointment of committee chairpersons and vice chairpersons of the committees listed at appendix 3 be approved.**

Alternative options

1. To draw up a different set of committees of a different size and composition with different terms of reference.
2. Council could decide to not suspend the rules of proportionality with respect to the outside bodies; the River Lugg Internal Drainage Board, and the Wye Valley AONB Joint Advisory Committee. This may result in those members with a local interest in the work of these bodies being unable to contribute to their discussions and decision-making. If the rules of proportionality were not suspended for the standards panel then only members of the largest political groupings would be eligible to sit on the panel or the size of the panel would need to increase to ensure that political proportionality could be achieved.
3. Council could decide to suspend the rules of proportionality for all committees and establish its own criteria for appointing members to its committees. This would require a vote to do so in respect of each committee to which these rules apply and without any member of the council voting against each proposal. However such a blanket approach is inconsistent with the spirit of political proportionality within the Local Government and Housing Act 1989 and would additionally require Council to approve which councillor would take each individual seat on the relevant committees and outside bodies.

Key considerations

4. 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.
5. The membership of the respective political groups at the council is shown in the table below:

Group	Number
Conservative group	13
Green group	7
Herefordshire Independents	12
It's Our County	8
Liberal Democrats	7
True Independents	5
Ungrouped	1
<i>Total</i>	<i>53</i>

6. Council is under a duty to ensure membership of those committees and outside bodies covered by the relevant rules reflects the political composition of the council, as far as practicable, by allocating seats on the committees to political groups in proportion to their numerical strength on the council, whilst also maintaining a similar proportional balance of overall seat numbers. Once Council has approved the allocation of seats to political groups, it is a matter for the relevant political group leaders to confirm which of their members will take up any seats allocated to their group. Cabinet (as the executive), the licensing sub committee (a statutory committee) and the health and wellbeing board (with a membership set out by statute) are exempt from the requirements of political proportionality. Any member who is not a member of a group is not entitled to an allocation of seats within these rules.
7. These rules of political proportionality should also be applied when allocating seats on outside bodies to which the council makes three or more appointments.
8. It is open to Council to suspend the rules of political proportionality in relation to allocation of seats on any particular body. To do so requires approval by Council with no member voting against the proposal; this is known as a *nem con* vote. Abstentions do not invalidate such a vote.
9. Council has agreed to establish committees of council as listed in the table below. The terms of reference for these committees are set out within the functions scheme of the constitution:

<http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=332&MId=6384&Ver=4&Info=1>

Committee	Seats
Adults and wellbeing scrutiny	7
Audit and governance	7
Children and young people scrutiny	7
Employment panel	5
General scrutiny	7
Planning and regulatory	15
<i>Total seats</i>	<i>48</i>

10. The table in appendix 1 details the allocation of seats on the above committees based on the political proportionality of the council as set out in the table in paragraph 5 above. Appendix 1 reflects the current allocation of seats on the Council's committees.

Proportionality of the Council has not changed since the previous allocation of seats at the meeting of Council on 11 October 2019. Any changes to the proposed allocation of seats following the group leaders meeting on 7 September will be circulated as a supplement to the agenda for the annual meeting of Council.

11. Those outside bodies to which three or more appointments are currently made on a politically proportionate basis are detailed in the table in appendix 2, with the allocation of seats based on the political proportionality of the council as set out in paragraph 5 above. Appendix 2 reflects the current allocation of seats on those outside bodies which are politically proportionate. Proportionality of the Council has not changed since the previous allocation of seats at the meeting of Council on October 2019. Any changes to the proposed allocation of seats following the group leaders meeting on 7 September will be circulated as a supplement to the agenda for the annual meeting of Council.
12. The council is required to appoint certain education representatives onto the scrutiny committee at which educational matters are considered; in Herefordshire's case this is the children and young people scrutiny committee. Specifically the council must co-opt representatives from parent governors and relevant diocesan representatives (Church of England and Roman Catholic). There is a statutory election process by which the parent governor representatives are selected, with one representative being sought from each of the primary, secondary and special school sectors. Each relevant diocese is asked to nominate a diocesan representative. All appointments of co optees follows the council's appointment process set out in the co optee protocol.
13. In line with previous practice, it is proposed to suspend the rules of political proportionality in relation to a small number of specified bodies. These are detailed in the table below together with the reason for seeking the suspension.

Body	Seats	Reason for suspension
Standards panel	Up to 3 seats	This panel is formed on an as required basis; its elected membership is drawn from the membership of the audit and governance committee which is itself politically proportionate.
River Lugg Internal Drainage Board	7	This is a geographically focused body therefore it is appropriate to nominate members from relevant wards.
Wye Valley AONB Joint Advisory Committee	4	This is a geographically focused body therefore it is appropriate to nominate members from relevant wards.

14. Council is required to appoint the chairpersons and vice chairpersons of committees listed at paragraph 9 above. The Leader of the Council has delegated authority to appoint the Chairperson of the Health and Wellbeing Board. The Council Chairperson will call for nominations to each post in turn and in the event of there being more than one nominee for any one post a vote will be held in accordance with council procedure rules.
15. Under section 30 and 31 of the Localism Act 2011 ('the Act'), any members who are nominated for positions which attract a special responsibility allowance under the councillors' allowances scheme have a schedule 1 disclosable pecuniary interest in that item. As a result the members may not participate in any discussion or vote on the matter.
16. However the monitoring officer, having received a written request on behalf of all members affected by the preceding paragraph, has granted a dispensation to all members who have

a schedule 1 interest.

17. The dispensation is granted under section 33 (2)(a) of the Act, as it is considered that without the dispensations the number of persons prohibited by section 31(4) from participating in the item in question would be so great a proportion of the members of Council as to impede the transaction of the business. This dispensation is from both section 31(4)(a) and section 31(4)(b) of the Act.
18. Those members affected may therefore participate in the discussion and vote on all of the recommendations, although individual members should refrain from voting in respect of recommendation (f) where they are nominated.

Community impact

19. In accordance with the council's adopted code of corporate governance, Herefordshire Council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies.

Environmental Impact

20. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to how it is in line with the Council's Environmental Policy.

Equality duty

21. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
22. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on the administrative functions of the Council, we do not believe that it will have an impact on our equality duty.

Resource implications

23. Budgets are in place to cover allowances for any appointments made. In the event that Council decides on the establishment of additional committees a budget will need to be identified to meet the cost of any special responsibility allowance associated with the new

committee. If Council agrees additional committees, appointments to the position of chairperson and vice chairperson will be agreed, if appropriate, during consideration of this report. All members appointed to positions of special responsibility and to committees are provided with training to enable them to fulfil their duties.

Legal implications

24. 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.
25. In summary these regulations require that in determining the allocation of seats the council must apply the following four principles as far as reasonably practicable:
 - a. that not all the seats on the body are allocated to the same political group;
 - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c. subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - d. subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
26. The proposals in this report comply with these requirements. Once the proportionate allocation of seats has been made in accordance with the above principles, if any seats remain unallocated Council may determine to appoint a non grouped member to fill the seat.
27. Alternative arrangements not complying with these requirements as set out in paragraph 13 may be made so long as no member of the council votes against it.
28. The requirements for political balance apply to ordinary committees of the council. The licensing sub committee is appointed under the Licensing Act 2003 and is not included in the definition of an ordinary committee. As a result the rules of political proportionality do not apply and there is no need to suspend the rules of proportionality for this committee.
29. The chairperson of the licensing sub committee will be a member of the planning and regulatory committee. The vice chairperson of the planning and regulatory committee is not necessarily the standing chairperson of the licensing sub committee. Whilst the two posts may be held by the same member this is not a constitutional requirement.

Risk management

30.

	Risk / opportunity	Mitigation

	Failure to appoint to committees and outside bodies could render them inquorate or unlawful	The recommendations in this report mitigate these risks
	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

31. None

Appendices

Appendix 1: Table of allocation of seats on committees of council

Appendix 2: Table of outside bodies with politically proportionate appointments

Appendix 3: Chairperson/vice chairperson posts

Background papers

None identified

Please include a glossary of terms, abbreviations and acronyms used in this report.

Appendix 1: Table of allocation of seats on committees of Council

	Conservatives	The Green Party	Herefordshire Independents	It's Our County Herefordshire	Liberal Democrats	True Independents	Total committee seats
Adults and wellbeing scrutiny	2	1	1	1	1	1	7
Audit and governance	2	1	2	1	0	1	7
Children and young people scrutiny	1	1	2	1	1	1	7
Employment panel	1	1	1	1	1	0	5
General scrutiny	2	0	2	1	1	1	7
Planning and regulatory	4	2	4	2	2	1	15
<i>Total</i>	12	6	12	7	6	5	48

Appendix 2: Table of outside bodies with politically proportionate appointments

	Conserv atives	The Green Party	Hereford shire Indepen dents	Its Our County Herefordshire	Liberal Democrat s	True Indepen dents	Total seats on body
Fire authority	2	1	1	1	1	0	6
Standing advisory council for religious education	1	0	1	1	0	0	3
<i>Total</i>	3	1	2	2	1	0	9

Appendix 3: Committee chairperson and vice chairperson posts

Committee	Post
Adults and wellbeing scrutiny	Chairperson
	Vice chairperson
Audit and governance	Chairperson
	Vice chairperson
Children and young people scrutiny	Chairperson
	Vice chairperson
Employment panel	Chairperson
	Vice chairperson
General scrutiny	Chairperson
	Vice chairperson
Planning and regulatory	Chairperson
	Vice chairperson
Licensing sub-committee	Chairperson



Meeting:	Council
Meeting date:	Friday 11 September 2020
Title of report:	Changes to the Constitution - Covid19 Interim Standing Orders
Report by:	Solicitor to the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To ratify changes to the constitution relating to the inclusion of COVID-19 interim standing orders.

Recommendation(s)

That:

- (a) The COVID-19 interim standing orders contained in appendix A are approved

Alternative options

1. An alternative option to the recommendation would be to not ratify the inclusion of the COVID-19 interim standing orders. This is not recommended as the standing orders have enabled meetings of the Council to have been conducted remotely since *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* came into force in April 2020. An alternative to the use of the COVID-19 interim standing orders to host remote meetings of the Council would be the continuation of physical meetings

where it was legal to do so and where social distancing could be observed. This is not recommended and would have resulted in the cancellation of most, if not all, meetings in the initial coronavirus lockdown phase and later coronavirus restrictions on gatherings. Such widespread cancellations would have impacted adversely upon the functioning of the Council and been at odds with the prevailing efforts by local authorities across the UK to enable remote meetings.

Key considerations

2. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (SI 2020/392) came into force on 4 April 2020. The regulations concern the scheduling of local authority meetings and remote participation.
3. The regulations apply until 7 May 2021 and allow local authorities to alter the frequency of, move or cancel meetings (regulation 4) including the annual meeting. The regulations also permit remote participation on electronic, digital or virtual platforms (regulation 5 (1)) and outline the requirements that must be fulfilled to allow a member of a local authority to attend and participate in a remote meeting (regulation 5 (2)).
4. Local authorities are given power to make and implement interim standing orders to give effect to the provisions in the regulations (regulation 5 (6)). The COVID-19 interim standing orders – Herefordshire Council are attached as appendix A to this report. In accordance with part 3 section 1 of the constitution the monitoring officer has the power to make technical changes or changes required by law to the constitution including standing orders. Using these powers the monitoring officer incorporated the COVID-19 interim standing orders into the constitution of Herefordshire Council on 22 April 2020 and meetings of the local authority, since this date, have been undertaken in accordance with these rules.
5. The standing orders, as contained in the Annexe to the constitution, are presented to the current annual meeting of Council for ratification. The updated virtual meetings protocol is presented to the meeting to be noted.

Community impact

6. The constitution is a key part of the council's governance arrangements and sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The format of the content of any amendments to the constitution should help make these arrangements clearer to understand and how the public can effectively engage with them.
7. The COVID-19 interim standing orders allow Herefordshire Council and meetings of the local authority to continue during restrictions on gatherings and social distancing requirements imposed during the lockdown.

Environmental Impact

8. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to how it is in line with the Council's Environmental Policy. It is considered that the hosting of remote meetings at the council

will assist in the reduction of carbon emissions as participants and attendees of meetings will not be required to travel to a physical meeting location.

Equality duty

9. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
10. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
11. The council and its partners are committed to equality and diversity using the public sector equality duty (Equality Act 2010) to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. All equality considerations are taken into account.
12. It is not envisaged that the recommendation in this report will negatively disadvantage the following nine groups with protected characteristics: age, disability, gender, reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
13. The COVID-19 interim standing orders have a positive impact upon some groups with protected characteristics by increasing the remote access of members of the Council and the public to meetings of the local authority. Members of the Council are enabled to participate in meetings without travelling to a physical location and members of the public can observe meetings without attending a venue of the local authority.

Resource implications

14. None arising from the recommendations. The council already makes provision within its existing budgets to enable publication of the constitution on its website and to ensure that members and officers have the training necessary to ensure awareness and understanding of the requirements within the constitution.
15. Any resource implications, such as member and officer time and expenses, associated with the implementation of the COVID-19 interim standing orders, will be accommodated within existing resources and budgets, and will be kept under review.

Legal implications

16. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (SI 2020/392) came into force on 4 April 2020. The COVID-19 interim standing orders contained in appendix A give effect to these regulations at meetings of Herefordshire Council.
17. Under part 3 section 1 of Herefordshire Council's constitution meetings of the full Council have the power to adopt and change the constitution including standing orders. Under the same section of the constitution the monitoring officer has the power to make technical changes to the constitution or those required by law.

Risk management

18. If the council's constitution is not accurate, up to date and understood then there is a risk that governance arrangements are not clear and robust leaving the council open to judicial review, contractual challenge or financial risk. The ratification of the COVID-19 interim standing orders seeks to mitigate this risk by improving clarity within the constitution about the governance arrangements for meetings of Herefordshire Council.

Consultees

19. None

Appendices

Appendix A – The COVID-19 interim standing orders

Background papers

None identified.

Please include a glossary of terms, abbreviations and acronyms used in this report.

COVID19 INTERIM STANDING ORDERS HEREFORDSHIRE COUNCIL

1. Introduction

- 1.1 As required by the [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#), certain changes are required to the Herefordshire Council Constitution (May 2017 as amended) (the constitution). The provisions in this legislation are effective from 4th April 2020 until 7 May 2021 or earlier if revoked by further legislation
- 1.2 These standing orders, as approved by the Monitoring Officer, shall apply from 22 April 2020 until 7 May 2021 or earlier if revoked by further legislation and shall be known as the COVID19 Interim Standing Orders
- 1.3 Also, these standing orders shall apply to all meetings of the council including committees.
- 1.4 The Monitoring Officer has power arising from the constitution Part 3 Section 1 (Council Functions) to change or alter the constitution either for technical reasons or those required by law.
- 1.5 At the next annual meeting of the Council, if before 7 May 2021, it is proposed that these changes to the constitution are ratified by the Council.

2. Interpretation

- 2.1 In the constitution and these standing orders the following words, phrases, meaning shall have the following interpretation

“attend” means attending by remote access

“attendance” means attending by remote access

“chamber” means the remote meeting

“delivered” means by electronic means only

“designated office” means the council’s website only

“meeting” means the remote meeting

“open to inspection” means available on the council’s website only

“place” means the remote meeting

“present” means attending by remote access

“public forum” means a remote meeting

“public gallery” means public access to a remote meeting

“published, posted, or made available at the offices of the council “ means available on the council’s website or available by email.

“Remote access” means attending or participating in a meeting by electronic means, including telephone conference, video conference, live webcasts and live interactive streaming

“room” means the remote meeting

3. Amendments

3.1 In the current constitution version (May 2017 as amended) the following standing orders are amended:

3.2 Further amendments to COVID19 Standing Orders

Part 3 Section 1 Functions

The Monitoring Officer is authorised to make further changes to the COVID19 Standing Orders as a result of any further legislation, guidance and including best practice and learning relating to the conduct of virtual meetings of the council or committees.

3.3 Right to speak

Paragraphs 2.3.2 (a) & (b), 4.1.36, 4.1.52, 4.1.72, 4.4.11, 4.4.36, 4.4.45, 4.5.106, 4.5.116, 4.8.9, 4.8.35, 5.6.32

Where a member of the public or councillor (that is not a member of the meeting) has the right to speak under the constitution they *will* be invited to participate by either providing their text in writing to be read out by a democratic services officer at the meeting, providing an audio and video recording to be played at the meeting or speaking via a live stream.

3.4 Public Inspection of Background Papers

Paragraph 4.2.24

For all purposes of the constitution, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:

- (a) “open to inspection” shall include for these and all other purposes as being published on the website of the council; and
- (b) to be published, posted or made available at offices of the council shall include publication on the website of the council.

3.5 Council Meetings and Attendance

Part 4 Section 1 is amended so as to include the following standing order in relation to Remote Attendance. Where there is a conflict between this standing order and the current standing order, this standing order prevails.

A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.

- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chair may, as they deem appropriate;
 - (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;
 - (ii) count the number of Members in attendance for the purposes of the quorum; or
 - (iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

3.6 Appointments

Paragraph 2.4.10

Any appointment which is specified as 'annual' continues until the next annual meeting.

3.7 Voting

Paragraphs 4.1.10, 4.1.139

Wherever possible, voting will be undertaken electronically using the voting software within the virtual meeting platform. Training for all members on the use of electronic voting will be provided.

In the event that electronic voting is not possible to use, or there is a technology failure, a named vote will be taken for each item on the agenda. Each individual member will be asked by the chairperson by means of a roll call to indicate if they are for, against or are abstaining.

Only, where there is a requirement to record the named vote, will the results of the roll call be recorded in the minutes of the meeting.

3.8 Interests

Paragraphs 4.1.174

Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed whilst any discussion or vote takes place in respect of the item or items of business which the member or co-opted member may not participate.

4. Suspension

- 4.1 In the current constitution version (May 2017 as amended) the following standing orders are suspended:

Paragraph 4.1.13 - the annual council meeting will not take place in March, April or June 2020 and can only be called before 7th May 2021 by the chairman or a resolution passed at an ordinary or extraordinary meeting.

Paragraph 4.1.34 - the chairman will not be available to receive petitions in person before an ordinary council meeting. In the event ordinary council meeting takes place, the process for receiving petitions will be published on the council's website.

Paragraph 4.2.15 - hard copies will not normally be supplied. However, if members of the public request hard copies, then these can be sent by email or post.

Paragraph 4.4.14 – the cabinet will not sit at a table with attendees accommodated separately. Members and officers will have virtual name plates to identify them.