



**Corporate Support Centre**  
Paul Walker - Chief Executive

**To: All members of the Council**

our ref: Council - 22 May 2026  
contact: Matthew Evans, Democratic Services  
telephone: 01432 383690  
email: matthew.evans@herefordshire.gov.uk

14 May 2026

Dear Councillor,

**You are hereby summoned** to attend the meeting of the Herefordshire Council to be held on **Friday 22 May 2026** at the Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE at **10.30 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely  
**Claire Porter**

A handwritten signature in blue ink, appearing to read "C. Porter".

**Monitoring Officer**



# AGENDA

## Council

Date: **Friday 22 May 2026**

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Time: **10.30 am**

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Place: **Conference Room 1 - Herefordshire Council, Plough Lane  
Offices, Hereford, HR4 0LE**

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

For any further information please contact:

**Matthew Evans, Democratic Services**

Tel: 01432 383690

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

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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](mailto:matthew.evans@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Council

## Membership

**Chairman**  
**Vice-Chair**

**Councillor Roger Phillips**  
**Councillor Kevin Tillet**

Councillor Polly Andrews  
Councillor Jenny Bartlett  
Councillor Graham Biggs  
Councillor Harry Bramer  
Councillor Simeon Cole  
Councillor Pauline Crockett  
Councillor Dave Davies  
Councillor Mark Dykes  
Councillor Toni Fagan  
Councillor Carole Gandy  
Councillor Peter Hamblin  
Councillor Helen Heathfield  
Councillor David Hitchiner  
Councillor Terry James  
Councillor Jonathan Lester  
Councillor Ed O'Driscoll  
Councillor Rob Owens  
Councillor Daniel Powell  
Councillor Philip Price  
Councillor Stef Simmons  
Councillor Louis Stark  
Councillor John Stone  
Councillor Charlotte Taylor  
Councillor Diana Toynbee  
Councillor Allan Williams  
Councillor Mark Woodall

Councillor Bruce Baker  
Councillor Chris Bartrum  
Councillor Dave Boulter  
Councillor Jacqui Carwardine  
Councillor Frank Cornthwaite  
Councillor Clare Davies  
Councillor Barry Durkin  
Councillor Matthew Engel  
Councillor Elizabeth Foxton  
Councillor Catherine Gennard  
Councillor Liz Harvey  
Councillor Robert Highfield  
Councillor Dan Hurcomb  
Councillor Jim Kenyon  
Councillor Nick Mason  
Councillor Aubrey Oliver  
Councillor Justine Peberdy  
Councillor Ivan Powell  
Councillor Ben Proctor  
Councillor Adam Spencer  
Councillor Pete Stoddart  
Councillor Elissa Swinglehurst  
Councillor Richard Thomas  
Councillor Rebecca Tully  
Councillor Rob Williams

## Agenda

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<b>NOLAN PRINCIPLES</b>	9 - 10
<b>1. ELECTION OF CHAIRPERSON</b> To elect the Chairperson of the Council.	
<b>2. APPOINTMENT OF VICE CHAIRPERSON</b> To appoint the Vice Chairperson of the Council.	
<b>3. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>4. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>5. MINUTES</b> To approve and sign the Minutes of the ordinary meeting held on 6 March 2026 and the extraordinary meeting on 1 May 2026.	11 - 32
<b>6. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS</b> To receive the Chairman and Chief Executive's announcements.	33 - 40
<b>7. ELECTION OF LEADER OF THE COUNCIL</b> To elect the leader of the Council.	
<b>8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES</b> To make appointments to the committees of the Council and outside bodies in line with the rules of political proportionality.	41 - 54
<b>9. CONSTITUTION UPDATE</b> To propose amendments to the constitution.	55 - 92



## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Recording of meetings**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make an official recording of this public meeting or stream it live to the council's website. Such recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

## **Public transport links**

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at:

<http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>,



**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.



**Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 6 March 2026 at 10.00 am**

**Present:** Councillor Roger Phillips (chairperson)  
Councillor Kevin Tillett (vice-chairperson)

**Councillors:** Polly Andrews, Bruce Baker, Jenny Bartlett, Chris Bartrum, Graham Biggs, Dave Boulter, Harry Bramer, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Barry Durkin, Matthew Engel, Toni Fagan, Carole Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Helen Heathfield, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Nick Mason, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Philip Price, Ben Proctor, Stef Simmons, Louis Stark, John Stone, Elissa Swinglehurst, Charlotte Taylor, Richard Thomas, Diana Toynbee, Rebecca Tully, Allan Williams, Rob Williams and Mark Woodall

**Officers:** Chief Executive, Director of Governance and Law, Director of Finance, Corporate Director Economy and Environment\*, Head of Service Transformation & Improvement\* and Democratic Services Manager

\*denotes virtual attendance

**49. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dykes, Foxton, Ivan Powell, Spencer and Stoddart.

**50. DECLARATIONS OF INTEREST**

Councillor Fagan declared an interest in agenda item no. 4, Chairman's and Chief Executive's Announcements as a trustee of Llanwarne Village Hall.

**51. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 13 February be confirmed as a correct record and signed by the Chairman.

**52. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS**

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

**53. QUESTIONS FROM MEMBERS OF THE PUBLIC (PAGES 7 - 10)**

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

**54. 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 the answers, is attached to the Minutes at Appendix 2.

**55. 2026/27 COUNCIL TAX SETTING REPORT**

Council considered a report from the Leader of the Council to set the council tax precepts for 2026/27. It was noted that the report and recommendations were contained in the supplement published on 27 February and the Chairman explained a correction to the year quoted in recommendation (a) which should be amended to 2026/27.

The Leader proposed the recommendations and introduced the report.

Councillor Swinglehurst seconded the recommendations.

The council tax precepts for 2026/27 were put to the recorded vote and carried by a simple majority.

FOR (46): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Carwardine, Cole, Cornthwaite, Crockett, Clare Davies, Dave Davies, Durkin, Engel, Fagan, Gandy, Hamblin, Harvey, Heathfield, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, O'Driscoll, Owens, Peberdy, Phillips, Dan Powell, Price, Proctor, Simmons, Stark, Stone, Swinglehurst, Taylor, Thomas, Tillett, Toynbee, Tully, Allan Williams, Robert Williams and Woodall.

Against (0)

Abstentions (2): Councillors Gennard and Oliver

**RESOLVED:**

**That:**

- a) The precepting authority details included at appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2026/27 in accordance with sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011); and**
  - a. £506,912,461 being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils;**
  - b. £346,343,000 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant);**
  - c. £160,569,461 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act];**
  - d. £2,160.65 being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);**

- e. £6,912,461 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;
  - f. £2,067.63 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes); and
- b) It is agreed that the net tax base of 74,315.25 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2026/27;
- a. is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and
  - b. the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.

## 56. APPOINTMENT TO COUNCIL COMMITTEE

Council considered the appointment of the vice chairperson of the Employment Panel.

The Chairman proposed a motion that Councillor Liz Harvey be appointed as vice chairperson of the Employment Panel for the remainder of the municipal year. The motion was seconded and put the vote; the motion was carried.

**RESOLVED: That Councillor Liz Harvey is appointed as the vice chairperson of the Employment Panel for the remainder of the current municipal year.**

## 57. LEADER'S REPORT

The Leader presented his report on the activities of Cabinet since the meeting of Council in December 2025.

Council questioned the Leader and the following action was raised:

- A meeting would be arranged a meeting with the Cabinet Member Corporate Director Community Wellbeing, the Cabinet Member Adults, Health and Wellbeing and any interested member to discuss the extension of the Council's care homes (unified) contract.

*There was an adjournment at 10:55 a.m.; the meeting reconvened at 11:15 a.m.*

*Councillors Biggs and Highfield left the meeting at 10:55 a.m.*

## 58. NOTICES OF MOTION UNDER STANDING ORDERS

### **Motion – Reinstatement of Hereford, Ross and Gloucester rail link**

Councillor Stark proposed and introduced the motion.

Councillor O'Driscoll seconded the motion.

Council debated the motion.

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

FOR (21): Councillors Andrews, Baker, Bartlett, Bartrum, Carwardine, Cole, Clare Davies, Fagan, Gennard, Heathfield, James, O'Driscoll, Oliver, Owens, Peberdy, Dan Powell, Proctor, Simmons, Stark, Tillett and Woodall.

Against (18): Councillors Boulter; Cornthwaite, Crockett, Dave Davies, Durkin, Engel, Gandy, Harvey, Hitchiner, Hurcomb, Kenyon, Price, Stone, Swinglehurst, Taylor, Thomas, Allan Williams and Robert Williams

Abstentions (7): Councillor Bramer, Hamblin, Lester, Mason, Phillips, Toynbee and Tully.

**RESOLVED: That:**

### **Proposal**

**We should position Herefordshire early to take advantage of this move towards more local control of rail in shaping our rail strategy. That should include making a central pillar of the upcoming rail strategy, a bold, ambitious and visionary commitment towards the reestablishment of the Hereford, Ross and Gloucester rail link. This can then become one of our fundamental goals of rail devolution in the Midlands, as well as forming a more rounded transport infrastructure offering to Govt. for funding. As a first step, this motion proposes carrying out an initial feasibility study.**

### **Local Context**

**Council agreed the 5th Local Transport Plan in December which aspires under Policy TN10 on rail to work with partners to enhance rail services across Herefordshire as well as long distance rail services with London and B'ham. The Cabinet lead said that this would be underpinned by a supplementary Rail Strategy.**

### **Wider context**

**The Govt, laid landmark legislation, the Railways Bill, before Parliament last November which will fundamentally alter the rail landscape in Great Britain. The Bill aims to nationalise trains and reform the railway, so it better serves passengers unveiling the new look Great British Railways, bringing track and train back together. It represents a new railway, focused entirely on delivering a proper public service for passengers. Mayoral strategic authorities (MSAs) will be able to apply for full statutory and financial responsibility for local rail services, infrastructure and/or control of stations (full devolution), where this accelerates improvements for passengers and supports a more integrated network.**

### **Benefits**

**Establishment of a strategic rail corridor from the edge of England to the heart of London, Bristol and the South.**

**Reestablishment of the rail link between two of the oldest English cities and the birthplace of British tourism.**

**Provides an additional rail link from London and Bristol to South and West Wales, including ferry ports, avoiding the Severn Rail Tunnel.**

**Enabling inward investment and a step-change in economic growth through strategic infrastructure investment in rail.**

**Supports the pro-choice travel goal of LTP5 as well as its aim for equity of transport access for the less advantaged.**

**Represents a modal shift in travel across the County and beyond.**

**Allows the Council to present a much more balanced package of transport infrastructure measures to the Govt for funding.**

**Enables the start of an enhance partnership with Gloucestershire, an important neighbouring authority.**

**Puts Herefordshire at the heart of the emerging revolution in delivery of rail services.**

**The resolution**

**This Council instructs the Executive to take five actions:**

**1) Enter early discussions with Gloucestershire County Council on the possibility of a joint feasibility study on the reestablishment of the rail link.**

**2) Write to the Secretary of State for Transport to set out our stall and see the likely support and possibility of funding for a feasibility study.**

**3) In parallel, test the market for any private finance interest in backing a feasibility study.**

**4) Engage with relevant partners and the engineering sector to seek specialist expertise for writing and scoping a feasibility study, including costs.**

**5) Report back on progress to Council within 12 months.**

The meeting ended at 12.01 pm

**Chairman**



**Agenda item no. 5 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Ms Laan, Hereford	As I am a cyclist now recently owning an ebike, would it be possible to know if I will still be able to cycle to Sainsbury, Belmont post office, Hereford library and other services from Breinton Common? I believe the bypass will cut right across the lanes I use with no plans for an underpass for these delightful lanes? How will I therefore be able to get safely to the services? The bus from here only goes on a Wednesday morning allowing a minimum of an hour and a half before returning. This short time doesn't help Hereford shops or cafes which is why I go by bike.	Cabinet member transport and infrastructure
<p><b>Response:</b> There is no intention for the bypass to cut off access through any lanes. Phase One has been fully designed and construction will start later this year. The design includes bridges so that no lanes will be blocked. Phase Two which will cross the river near Breinton and go northwest around Hereford and will cross over routes that you would use to access Hereford. The detailed design of this phase is not completed but at this time there are no plans to close or block any existing lanes.</p>			
PQ 2	Mr Milln, Hereford	Planning application 184535 related to archaeological work required conditional on the consent for application 151314. On the basis of supply of a written scheme of investigation (a brief) the application won a partial discharge. The actual archaeological work was completed with a report towards the end of last year. Assuming the report is deemed to be satisfactory an application for full discharge can now be made. When can we expect to see this?	Cabinet member environment
<p><b>Response:</b> The condition has been fully discharged all details can be found here: <a href="#">Planning Application Details - Herefordshire Council</a></p>			
<p><b>Supplementary Question:</b>            The response to my question is untruthful, not alas for the first time.            Condition 9 of the consent on application 151314 has <b>not</b> been fully discharged. The published decision notice makes it perfectly clear that it (184535) is for a <u>partial discharge</u>.            The Council's Briefing notes for the Bypass Project Board meeting of 3<sup>rd</sup> June 2025, arising from the AECOM review, also make this clear. This is because, as your senior officer explained, the archaeological excavation on which full discharge is dependent had not been completed with a report. However a report has now finally been received so Herefordshire Council can now apply to itself for <b>full</b> discharge of the Condition subject to approval of our Planning Archaeologist. So I ask again, when can we expect to see this application? Next week, next year? Its a perfectly simple question Cllr Swinglehurst. Can you at least estimate as to when?</p>			

**Response:**

A written response would be provided.

*Written response provided on 16 April:*

*This planning condition was discharged. Please see the following published letter: [DOC 9 15.1.19](#)*

*Subsequently a archaeology report has been produced, which was shared with you. But this wasn't a requirement of the planning condition.*

PQ3	Mr Sherlock, Hereford	Of the 45.3 million identified in the Capital programme position for the phase 1 bypass construction in 26/27 only 4.6 million is shown as being provided through grant funding. How is the additional 40.7 million (sourced through 'prudential' borrowing) secured and what is the risk profile to the public purse should the scheme not proceed?	Cabinet member transport and infrastructure
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**Response:** Phase one of the Hereford Bypass has a total capital budget of £45.3 million, funded through £5 million of capital receipts and £40.3 million in prudential borrowing. Borrowing via the Public Works Loan Board is a standard and low-risk mechanism for councils, offering secure and affordable long-term rates in line with professional Treasury Management advice. All borrowing decisions are made by the council's Section 151 Officer in accordance with the CIPFA Prudential Code to ensure they are affordable, prudent and sustainable. The council is fully committed to delivering the bypass in full. However, in the unlikely event that the scheme did not proceed, any expenditure that had not created a capital asset would need to be decapitalised and met from revenue reserves, creating an unplanned financial pressure.

PQ 4	Mr Morfett, Hereford	The Leaders report mentions the Councils recently adopted Herefordshire Tree, Hedgerow and Woodland Strategy which I fully support. In his report he says "The resulting Herefordshire Tree, Hedgerow and Woodlands Strategy encourages residents, landowners, organisations and partners to take their own actions in support of a shared vision for a more connected treescape across the county. It sets out an ambitious but realistic long-term vision for conserving, improving and expanding Herefordshire's trees, hedgerows and woodland network". How does the construction of the Hereford Southern Link Road with the destruction of ancient woodland, (remnants of the royal hunting area of Haywood), and the felling of many ancient and venerable trees, accord with this Council adopted Strategy?	Cabinet member transport and infrastructure
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**Response:** The Hereford Bypass does not detract from the Council's ambitions in the Tree, Hedgerow and Woodland Strategy, and we are committed to delivering it in a way that protects and enhances the natural environment. Phase One includes extensive new tree and hedgerow planting, with additional land being secured for mitigation. The construction compound will also be restored and planted once works are complete. Although the route

touches only a small corner of the woodland, we will keep impacts to an absolute minimum and preserve as much as possible. The Hereford Bypass is essential for easing congestion, improving resilience and supporting the county's future, and we are determined to deliver it responsibly and sustainably.

PQ 5	Mr Stephenson, Ledbury	Herefordshire residents are sick of perceived wastage by the council and seeing little to no output for its increasingly expensive council taxes. Does the council acknowledge, that it cannot simply increase council tax by the maximum, year upon year, and that it is unfair to levee its waste and shortfalls against hard working and struggling constituents? It's time to stop with the default answer of blaming central government and be transparent about what you are doing with OUR money and what savings you are first making in house, before coming to us cap in hand. Contrary to Herefordshire council's belief, the people of Herefordshire do not have bottomless pockets.	Leader / Cabinet member finance and corporate services
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**Response:** Herefordshire Council has a long record of sound, prudent financial management and continues to be assessed as financially resilient. Over recent years the Council has delivered more than £40 million in savings while protecting essential services and investing in the county's future. The current financial pressures are driven primarily by the recent Fair Funding Review, which has left Herefordshire with one of the worst funding settlements in the country. This has created a £17.3 million reduction in Government funding over three years and assumes councils will raise council tax by the maximum allowed (without a referendum). To bridge this gap, the Council is delivering a significant £20 million savings programme through service transformation, efficiency and income generation. Despite these challenges, the Council continues to invest in infrastructure and improve services. Just last year the LGA Corporate Peer Review describing the council as "good" and striving to improve, while Ofsted recently rated Children's Services as "good", with "outstanding" leadership. We recognise the pressures many residents face and remain committed to managing public finances responsibly, transparently and in the best interests of Herefordshire.

PQ 6:	Mr Osborne-Brookes	"It is good to see that the expansion of rail services is being promoted for Herefordshire, as it fits with the Council's ambitions of promoting sustainable growth and reducing carbon emissions. The Leader of the Council has previously said that reopening a station at Pontrilas is a council priority, which is supported by the local MP, Jesse Norman. Herefordshire Council was working on a strategic Outline Business Case over a year ago, though I understand one had already been drafted in 2020 along with a feasibility study. Would the Cabinet member please update residents as to what progress is being made to deliver a new station at Pontrilas alongside wider rail initiatives?"	Cabinet member transport and infrastructure
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**Response:** The Council is carrying out a countywide rail strategy review, which includes looking at the potential for a stop at Pontrilas alongside wider priorities such as doubletracking between Hereford and Ledbury and improved regional connectivity. The purpose of the review is to identify realistic, deliverable options for strengthening rail access across Herefordshire and to provide a strong evidence base for future investment and lobbying. The study is underway, and its findings will be reported later this year.

PQ 7:	Carole Protherough	"The Cabinet announced that the 2026/27 budget is supporting the local economy by giving car drivers 30 minutes free car parking on street and in Council car parks. For young people who have paid for a £1,000 bus pass to access services and education, what assessment was undertaken to show that extending these passes for students to use on evening and weekend buses would not be cost effective	Cabinet member transport and infrastructure
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		and would not support the high street and hospitality sector as much as 30 minutes free parking every day for car owners?"	
<p><b>Response:</b> The Council is introducing the Pop &amp; Shop scheme later this year: 30 minutes' free parking in all Council-owned car parks and on-street in Hereford to support quick trips and boost local trade. This practical measure is designed to increase short-stay visits and help high-street businesses.</p> <p>We have explored extending school bus passes for 16–19-year-olds to evenings, weekends and holidays. The initial assessment found significant financial and technical barriers: additional operator payments would be required and the current pass system is not yet interoperable across multiple operators. A small allocation has been set aside in 2026/27 to design a tightly scoped pilot - testing limited extensions (by time or geography) and viability, i.e. fundable within budget, can operable across operators and demonstrably value for money.</p> <p>In parallel, on 5 February 2026, in response to a council motion, the Cabinet member for Transport and Infrastructure wrote to the Secretary of State for Transport seeking Government support and co-funding for local pilots and progress towards a national approach to discounted or free youth travel - reflecting the scale of costs identified and rural service realities.</p> <p>We will report back on the pilot design and feasibility in due course.</p>			
PQ 8:	Mrs Elizabeth Morawiecka	The Leaders report says that the Council is looking to improve access to the Hereford Enterprise Zone, particularly from south-west Herefordshire and South Wales by constructing the Hereford Southern Link Road. The railway bridge at Pontrilas has a height restriction that requires lorries over 4.4m from South Wales to travel via the A49 from Ross-on-Wye/Monmouth to Hereford. What is the council doing to address this significant road constraint to large commercial vehicles seeking to access the Rotherwas Enterprise Zone from South Wales?	Cabinet member transport and infrastructure
<p><b>Response:</b> Initial analysis of draft traffic data modelling indicates immediate benefits in relation to HGVs in this area by delivering phase one of the Hereford bypass. That data will be shared publicly in due course once the full analysis has been completed.</p>			
<p><b>Supplementary Question:</b></p> <p>Thank you. The answer indicates that vehicles or loads over 4.4m high from the South Wales area will need to continue to leave the A465 at Abergavenny and go via the A40 to Monmouth, then the A466 and come into Hereford on the northbound A49. Therefore, lorries from South Wales will not use the Southern Link Road to get to Rotherwas, as they will already be on the A49 and can access the Hereford Enterprise Zone directly and the new Southern Link road will provide no benefit to them. Due to the height constraint at Pontrilas, please confirm that the draft traffic modelling reflects that the accessible route for HGVs over 4.4m travelling from South Wales to the Hereford Enterprise Zone is via the A49 northbound into Hereford and not via the A465?</p>			
<p><b>Response:</b></p> <p>The HGV data comes from a September 2025 traffic count which we can provide. It is real data.</p> <p><i>HGV data provided to the questioner on 13 March 2026</i></p>			

**Agenda item no. 6 - Questions from members of the Council**

Question Number	Questioner	Question	Question to
MQ 1	Cllr Hitchiner, Stoney Street	<p>Now that Shropshire Council have cancelled their road project due to cost overruns, lack of funding, and poor value for money, what steps are Herefordshire Council taking to recover LEP money paid to the then Conservative led Shropshire Council by way of a conditional grant, for failure to deliver the road?</p> <p>The Committee that considers this matter is the Marches Joint Committee which has only met once with 4 meetings postponed. A key function of the Committee set out in the Terms of Reference is “Ongoing oversight, monitoring and review of ongoing grants, assets, programmes, or initiatives until such time as they cease or are transferred”.</p> <p>The Terms of Reference also require annual reports to be provided to each Council and for all decisions to be open to scrutiny by each Council. When will these obligations be fulfilled?</p>	Leader
<p><b>Response:</b> Shropshire Council has not cancelled the Oxon Link Road, which is the scheme funded by the Marches LEP. The project they cancelled in February was a different one. Shropshire will bring an update on the Oxon Link Road to the next Marches Joint Committee meeting, where any changes to the funding agreement will be considered. Since the closure of the Marches LEP, no decisions have been required from the Committee, but directors from the three councils continue to meet every two weeks to oversee the remaining legacy projects. The Committee remains committed to publishing an annual report and will do so when there are decisions and developments to report. In the meantime, Shropshire Council as the lead statutory body continues to report operational updates to UK government. While Herefordshire Council has sought to convene the Committee – it must meet in person – not all members have been able attend due to ongoing and understandably important other matters. We look forward to the Committee meeting as soon as possible.</p>			
<p><b>Supplementary Question:</b>            You refer to the Oxon relief road. The LEP recommend a clawback of the finance provided for the Oxon relief road if a contractor was not appointed by May 2024 and work not started by 31st of March 2025. Has a contractor been appointed and has work started given the possibility that clawback should have occurred. How is this likely when the terms of reference of the March's joint committee refer to the need for unanimous decision-making which will mean Shropshire voting in favour of repayment of a loan by them? Does the leader support such an</p>			

arrangement where there are clear conflicts of interest? I anticipate some horse trading between councils. Will the leader please ensure that when decisions are eventually made they will be communicated openly and subject to appropriate scrutiny?

**Response to supplementary question:**

We will make sure that the decision is made openly and transparently. With regard to the Oxon Link Road and the previous meeting that you're referring to, I will get clarification on that point.

*Response to supplementary question provided on 15 April:*

*On the 1<sup>st</sup> April 2025 the former Leader of Shropshire Council (Lezley Picton) wrote to the other members of the Joint Committee (Jonathan Lester and Lee Carter) seeking agreement to bring a deed of variation to request changes to the dates for the delivery of the Oxon Relief Road project subject to LEP funding.*

*The Marches Joint Committee members agreed that a Deed of Variation could be brought to a future meeting for consideration, once Shropshire Council were in a position to finalise their request.*

*The next meeting of the Marches Joint Committee is likely to be the 28<sup>th</sup> May 2026 where a paper will be considered.*

*The Marches Joint Committee is an open and transparent public meeting, with paper published 5 days in advance (in accordance with Herefordshire Council's constitution).*

MQ 2	Cllr Engel, Golden Valley South	I note the council's figure of 3,000 potholes being repaired since January, which equals one and a half pothole for each mile of Herefordshire's highways. Can you tell me how many reported potholes have still not been repaired as of this week? And can you estimate how long it will take to clear the backlog?	Cabinet member roads and regulatory services
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**Response:** As of 3 March, there are 5,774 reported potholes on the network at different stages of their response times. These aren't all immediately due for repair, because defects are prioritised in line with our Highway Maintenance Plan, with response times ranging from 2 hours to 56 days. Crews are currently repairing around 150 defects a day, supported by additional teams and extended working hours. This winter has seen exceptional levels of road damage, caused by prolonged wet and cold weather. This pattern is being seen across the country, not just in Herefordshire, and it has significantly increased the volume and speed of pothole formation.

To tackle this, the Council has committed record levels of investment into road maintenance. Over the past 18 months, we have invested £43 million, nearly double the level of investment made in 2022/23 by the previous administration. This has already delivered 47 miles of resurfacing and 62 miles of surface dressing this year. Last month, Council approved a further £12.3 million of capital funding for 2026/27, enabling improvements to 84 more miles of road. This unprecedented investment, combined with the increased workforce on the ground, is helping us tackle both the ongoing backlog and the new defects caused by severe weather.

**Supplementary question:**

Although it was indeed wet, it was not a cold winter; one of the warmest winters on record. Surely the Councillor has sensed the same feeling in his electoral ward as I have in mine. Residents want safe, even, well- drained, decent, puncture-free, first world roads as the number one priority rather than the southern link road which will have no impact virtually on their lives or anything except the council's debt.

**Response to supplementary question:**

It's a combination of things for potholes, which was the saturation of the roads and the cold weather. And it wasn't a particularly cold weather, I understand. Yes. But it still happens. And we have got many pothole teams out there working hard on our highways. Unfortunately, the potholes have grown exponentially this winter. So, we are working hard and we are aiming to succeed.

MQ 3	Cllr Crockett, Queenswood	<p>Theme 1, item 2 of the Leader's Report states that: 'Re-procurement of Herefordshire Independent Adult Advocacy Services' is due in July 2026.</p> <p>Please would the Cabinet Member explain how this service has been publicised and accessed, and how many residents has it served each year over the last 5 years?</p> <p>What changes, if any, are proposed for the new contract, and how has the use of the service over the past 5 years influenced the proposed contract that is out for tender?</p>	Cabinet member adults, health and wellbeing
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**Response:** Access to the service is needs-led rather than demand-led, and individuals are referred where they meet the statutory criteria for advocacy support — for example, where they have substantial difficulty in being involved in decisions about their care and have no other appropriate person able to support them.

The service is publicised through a range of appropriate channels, including the Talk Community Directory, information provided directly to residents and carers and guidance issued to social care practitioners and partner organisations.

In practice, the majority of referrals come through professional routes such as adult social care teams, NHS partners, safeguarding pathways, and mental health services, in line with statutory guidance. This reflects the fact that statutory advocacy is most often triggered through professional assessment rather than self-referral.

The contract has been delivered by Onside Advocacy for the past five years. Annual activity levels are monitored through the Council's contract management processes, and reflect fluctuations in levels of need, variations in case complexity, and wider system pressures.

Over the past 5 years 7320 people have used the service.

The new contract will continue to deliver all required forms of statutory advocacy, including:

- Care Act Advocacy,
- Mental Capacity Act Advocacy (including Independent Mental Capacity Act service and Deprivation of Liberty Standards/Liberty Protection Safeguards when enacted),
- Independent Mental Health Advocacy, and
- NHS Complaints Advocacy.

The updated service specification has been informed by learning from the current contract, including patterns of demand over the last five years, increasing case complexity, and the need for flexibility and responsiveness to changing system pressures.

Overall, the re-procurement aims to ensure continuity of a high-quality, legally compliant service that is responsive to local need and equipped to meet demand effectively over the life of the new contract.

**Supplementary question:**

I am keen to understand what the year figures were for access to this service. Really, to understand what the trend is and as far as need versus demand is concerned which is referred to in the response. Who is the arbiter where demand is the driver from an individual as regards whether or not there is actual genuine need?

**Response to supplementary question:**

A written response would be provided.

Written response provided on 9 March:

**Figures for independent advocacy September 2021 to August 2025**

	2021/22	2022/23	2023/24	2024/25	
IMCA	231	247	276	202	
RPR	925	991	907	1012	
IMHA	293	317	340	294	
IHCA	86	68	42	15	
Care Act	191	233	221	167	
Community	85	69	38	70	Total
	1811	1925	1824	1760	7320

*There is no single arbitrator who decides whether an individual should receive independent advocacy. Decisions are set out in law and flow from statutory duties (see below), with responsibility resting with the relevant professional or organisation, depending on the type of advocacy involved.*

*Independent advocates do not determine eligibility and do not act as decision-makers. Their role is to provide support once the legal criteria are met, not to decide whether advocacy should be offered.*

*Where there is any disagreement about whether advocacy applies, this is resolved through professional judgement and escalation within statutory frameworks, rather than by referral to an external arbitrator or panel.*

*In short, eligibility for independent advocacy is defined in legislation and is not a discretionary or subjective decision.*

*For **Care Act Advocacy** (Care Act 2014), the decision is made by the local authority practitioner (for example, the social worker) who is carrying out the Care Act assessment, care and support planning, or review.*

*An advocate must be arranged where the practitioner identifies that:*

- the person has substantial difficulty in being involved in the process, and*
- there is no appropriate person (such as a family member or friend) able to support their involvement.*

*This is a statutory test, not an arbitrated decision.*

***An Independent Mental Capacity Advocate (IMCA)** is required under the Mental Capacity Act 2005 in specific situations where a person has been assessed as lacking mental capacity to make a particular decision, including:*

- serious medical treatment decisions, or*
- long-term accommodation decisions,*

and where the person has no appropriate family member or friend to represent them.  
 In these circumstances, the local authority or NHS body has a legal duty to instruct an IMCA. Once the statutory criteria are met, the appointment of an IMCA is mandatory, not discretionary.

Where a person is subject to a deprivation of liberty, a **Relevant Person’s Representative (RPR)** is appointed to support and represent the person on an ongoing basis, helping them to understand their rights, maintain contact with services, and challenge the deprivation of liberty if appropriate, including by accessing IMCA support where required.

**Independent Mental Health Advocate (IMHA)**

An IMHA works only with people who are:

- detained in hospital under the Mental Health Act, or
- subject to a Community Treatment Order (CTO).

IMHA eligibility is set out in the Mental Health Act 1983 (as amended). Individuals who meet the criteria are legally entitled to IMHA support. In Herefordshire, IMHA operates on an opt-out basis, meaning eligible individuals are proactively offered advocacy and can choose whether or not to engage. The advocate does not decide eligibility; it is determined by the person’s legal status under the Act.

**NHS Complaints Advocacy** is available to people who are eligible under NHS complaints regulations. Individuals can self-refer, or be referred by professionals. Eligibility is again determined by statutory guidance rather than arbitration.

MQ 4	Cllr Harvey, Ledbury North	<p>The last budget report relates to the council’s finances back in September 2025. It showed ‘at risk’ £1.4m of undelivered recurrent savings carried in from the previous financial year.</p> <p>During the budgeting process for next financial year, these undelivered and at risk savings were not made visible and Scrutiny recommended that – given the point in the financial year when the budget is approved - the administration should make some effort to forecast the amount of undelivered ‘at risk’ savings likely to be carried into the coming financial year.</p> <p>Will the Leader place on the public record as to where the money is coming from to plug the £1.4m hole in this year’s budget and what undelivered recurrent savings are likely to be carried into next financial year in addition to the £30m of savings proposed to balance next year’s budget.</p>	Leader
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**Response:** The 2026/27 Revenue Budget report considered by Cabinet on 20 January 2026 and 5 February 2026 and Scrutiny Management Board at its meeting on 23 January 2026 included information in respect of the delivery of approved savings for 2025/26 and savings brought

forward from previous financial years. This information is explicit in paragraphs 103 to 105 of the 2026/27 Revenue Budget Report and paragraphs 15 to 17 of the Q2 2025/26 Budget Report and Annex 2 of Appendix D: Status of delivery of brought forward savings at 30 September 2025 (Quarter 2).

Of the £11.9m of savings brought forward from 2024/25, £10.5m are forecast to be delivered or on track for delivery. The remaining £1.4m is reported as 'at risk' for 2025/26. This £1.4m relates to the 2024/25 saving target S6, which aimed to reduce the Hoople SLA contract value and deliver workforce related savings. Of that target, £480k has been achieved, but £1,420k has not been delivered and is therefore recorded as 'at risk' at Quarter 2.

Activity to deliver or mitigate 'at risk' savings will continue over the remainder of the financial year as part of the robust financial management arrangements. Any savings not delivered recurrently in 2025/26 will be carried forward to be managed and monitored alongside the £20.0m approved savings target for 2026/27.

The status of savings at Quarter 3 (December 2025) will be reported to Cabinet on 26 March 2026.

**Supplementary question:**

The question wasn't actually answered. Again, there seems to be a trend here. I'm heartened to hear his commitment to openness and transparency. I'd like to see it evidenced in the way that written questions from the public and from Councillors are actually being answered by his administration. We're three weeks away from the end of the financial year. It is simply not acceptable to come to this council with the answer to a written question saying we'll tell you about how we saw things at the end of December with the Q3 report when we meet with cabinet in two weeks time when it should be clearly possible for the leader to state where this 1.4 million pounds is going to come from to plug this hole in our in-ear budget and in the budget for the coming year.

**Response to supplementary question:**

I have answered the question. It's before you and with regard to delivering the savings, we will report on that at the next cabinet meeting.



## **Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 1 May 2026 at 10.00 am**

**Present:** Councillor Roger Phillips (chairperson)  
Councillor Kevin Tillett (vice-chairperson)

**Councillors:** Bruce Baker, Jenny Bartlett, Chris Bartrum, Graham Biggs, Dave Boulter, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Barry Durkin, Mark Dykes, Matthew Engel, Toni Fagan, Elizabeth Foxton, Carole Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Helen Heathfield, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jonathan Lester, Nick Mason, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Ivan Powell, Philip Price, Ben Proctor, Stef Simmons, Louis Stark, Pete Stoddart, John Stone, Elissa Swinglehurst, Charlotte Taylor, Allan Williams and Mark Woodall

**Officers:** Democratic Services Manager, Director of Governance and Law and Director of HR and OD and Democratic Services Manager

### **59. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Polly Andrews, Harry Bramer, Jim Kenyon, Adam Spencer, Richard Thomas, Diana Toynbee, Rebecca Tully and Rob Williams.

### **60. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **61. QUESTIONS FROM MEMBERS OF THE PUBLIC (PAGES 3 - 4)**

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.

### **62. QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions from members of the Council.

### **63. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**1 Information relating to any individual.**

**64. APPOINTMENT OF THE CHIEF EXECUTIVE**

Council considered a report by the Chairperson of the Employment Panel to approve the appointment of a chief executive and head of paid service.

The Chairperson of the Employment Panel introduced the report and moved the recommendations in the report.

The Vice-Chairperson of the Employment Panel seconded the recommendations in the report.

Council debated the report.

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

**RESOLVED: That:**

**a) Paul Satoor is appointed as Chief Executive and Head of Paid Service.**

The meeting ended at 10.12 am

**Chairperson**

**Agenda item no. 5 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Ms Reid, Hereford	<p>An online article entitled 'Herefordshire Council £175K chief executive vacancy open' on the website of the <i>Hereford Times</i> published on 10 March 2026 reported:</p> <p>"Papers from an earlier meeting of the [Employment Panel] revealed that the latest published salary for the role, of £168,970 for 2024-25, was the second from lowest among England's smaller counties - the lowest being Rutland, which has nearly a fifth of Herefordshire's population."</p> <p>The council's Pay Policy Statement 2026-27 gives the Chief Executive's salary as £174,377.</p> <p>I consider that offering a competitive salary would be more likely to attract quality candidates and retain a post-holder of high calibre which would benefit those who live and work in Herefordshire. Does the Chairperson agree with me?</p>	Leader
<p><b>Response:</b></p> <p>I wholeheartedly agree with Ms Reid that a high calibre candidate will be of benefit to those who live and work in Herefordshire, and along with a competitive salary, other factors such as financial and political stability, location, reputation and culture are all important in attracting an excellent Chief Executive.</p> <p>As Chair of Employment Panel, I am delighted to recommend such a candidate for appointment today.</p>			
<p><b>Supplementary question:</b></p> <p>As only tiny Rutland County Council pay its Chief Executive less than Herefordshire Council, frankly, do not agreed that the Chief Executive's salary is competitive. There is an idiom: 'if you pay peanuts, you get monkeys'. That said, I hope that a high-calibre Chief Executive will be appointed and as importantly retained in the medium term rather than use the post as a short-term stepping stone.</p> <p>Government proposals for local government reorganisation involve the replacement of separate county and district councils with a single tier of 'unitary' local authorities. Therefore, many chief executives will be job-seeking, so, the council could be fortunate in its selection. Some people consider that the performance of certain senior post-holders selected in the past has not been completely adequate.</p> <p>Will the salary of Chief Executive be £174,377 or will the Employment Panel consider increasing the salary?</p>			

**Response to supplementary question:**

The salary will be £174,377 and the Employment Panel will not consider an increase.

## **Chairman of Council report – Council Meeting** **22 May 2026**

### **Chair of Council Report**



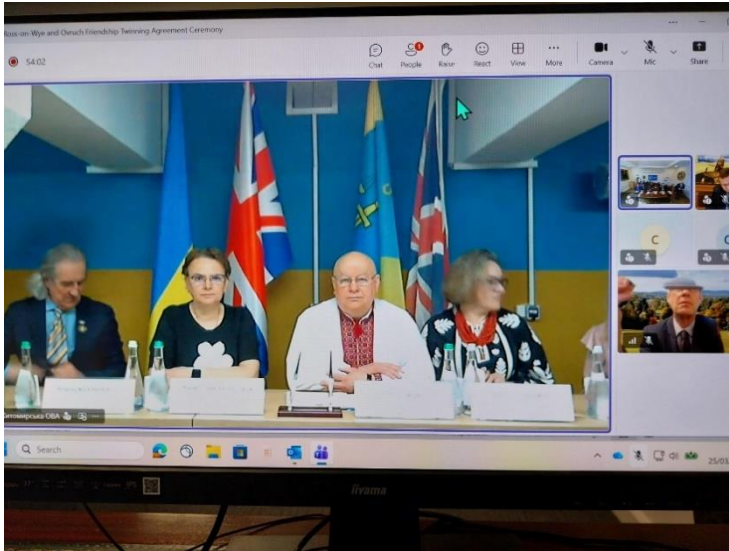
**I was delighted to attend the presentation of the King's Voluntary Award to Kington Walks recognised for their maintenance of pathways, walking festivals and public health promotion. The King's Award is granted for exceptional voluntary service to the community and Herefordshire received two recent awards the other being the Colwall Orchard group.**

**The King's award for enterprise is given to companies for exceptional delivery in five categories including innovation, sustainability and international trade. Useful for us all as elected members to be aware of these awards.**

**More details can be found on:**

**[The King's Award for Voluntary Service - official website](#)**

**[The King's Awards for Enterprise: About the awards - GOV.UK](#)**



**In recent weeks I was delighted to see two close relationships established with Ukrainian towns; Ross on Wye twinning with Ovruch and a friendship agreement between Hereford City with Zhytomyr. We have many Ukrainians in our County and establishing stronger cultural and cooperative**

**links between our communities gives support to those communities who have and are experiencing hardship and fear from the invasion of their county. It also helps us recognise the stability and peace we enjoy and better understand the plight of other nations.**

**Every year for nearly a thousand years a new High Sheriff is appointed by the Monarch and I attended the recent swearing in ceremony for Tasmine Clive from Wormbridge who succeeded Helen Bowden from Leominster. I invited both to a quarterly meeting of Town Mayors to report on their work over the year and ahead.**

**In May NMITE our local engineering university held its graduation ceremony and it is good to report the growing cohort of students and the excellent projects they are involved in. I joined over 200 delegates at the Visit Herefordshire annual conference and was impressed by the support they give individual tourism businesses and promoting our County.**

**The Vice Chair and I attended the presentation ceremony of the British Empire Medal to former Herefordshire Councillor Phil Edwards for his long standing commitment to the Belmont community. We have both undertaken many engagements including the monthly citizenship ceremonies which have now transferred from the Town Hall to Garner Hall.**

**This will be the last Council meeting attended by our Chief Executive Paul Walker before his retirement. On behalf of all of Council I thank him for his years of service to our authority and its communities. These are challenging times for local government and we have all benefited from his wise counsel and management. We wish him a healthy and happy retirement.**

**Cllr Roger Phillips OBE JP**

**Chair Herefordshire Council**





## **Chief Executive's Report to Council Herefordshire Council – 22 May 2026**

On behalf of council officers, I would like to reiterate our sincere condolences to the family, friends and former colleagues of Tony Johnson, former Councillor and Leader of Herefordshire Council, who passed away on 2 May 2026. Councillor Johnson served the county with great distinction from 2013 to 2018, overseeing major regeneration and economic development programmes. His contribution to Herefordshire and its communities was considerable and will be enduring.

I would now like to update members on key developments in delivery, investment and engagement since Council last met in March, alongside progress against our strategic priorities and the ongoing challenges facing the organisation.

Since that time, Council has approved the appointment of Paul Satoor as Herefordshire's new Chief Executive and Head of Paid Service, following a comprehensive national recruitment process. Paul is expected to take up the role at the end of June, bringing significant experience from both local and central government. He will play a key role in driving delivery of the Council Plan and supporting residents and businesses across the county. I look forward to working closely over the next few weeks with Paul to ensure a smooth transition.

Members will see that we have delivered a balanced budget for 2025/26, despite significant financial and demand pressures. The final outturn report, due to be presented to Cabinet on 21 May, shows the council ended the year with income and expenditure matched, reflecting strong financial management and the hard work of services to control spending. As a result, we have delivered £13.2 million in savings while actively managing cost pressures, particularly in adult social care, special educational needs and disabilities (SEND), home-to-school transport and temporary accommodation.

Looking forward, the paper sets out proposals to secure significant government support for SEND pressures, with potential funding covering around 90% of historic deficits. This will reduce borrowing pressures and support longer-term financial sustainability if approved.

Turning to capital expenditure, the council delivered £86.0 million of investment in key priorities during 2025/26. This includes significant programmes such as highways and local transport grants, which were fully utilised, ensuring maximum benefit for residents.

This has been a collective effort, and I am particularly grateful to Rachael Sanders, Director of Finance, for her continued financial stewardship, and to Cllr Pete Stoddart for his focus on securing value for money for residents.

In March, Cabinet approved the Delivery Plan for 2026/27, setting out an ambitious programme across all service areas. There has been continued progress in supporting children, young people and families. The council is investing £4.1 million over three years to support care leavers and families, including innovative housing solutions to provide safe and stable accommodation for some of our most vulnerable residents.

We have also launched grant funding for SEND activities, enabling local organisations to offer inclusive opportunities for children and young people with additional needs. Alongside this, we have celebrated the achievements of care-experienced children and young people through

special awards recognising resilience and success. The continued development of Child Friendly Herefordshire, formally launched in March, reinforces our commitment to placing children and young people at the heart of decision-making and ensuring the county is a place where they can thrive.

The council continues to strengthen support for adults and communities. A new community activities consultation has been launched to shape future provision for adults with care and support needs, ensuring services reflect the preferences and lived experience of residents. We have also introduced a five-year plan to reduce homelessness, supported by investment in new accommodation and innovative services to tackle rough sleeping and improve housing stability. This work continues against a backdrop of sustained financial pressure, particularly for rural authorities, and demonstrates how the council is prioritising services while responding to growing demand.

Significant progress is also being made in infrastructure investment to unlock growth and keep Herefordshire moving. This includes more than £37 million for road improvements and £1 million to enhance public rights of way and footbridges. We are also progressing a multi-million-pound programme to improve transport, expand active travel and deliver safer routes to schools. Works to enhance Great Western Way have recently been completed, and members may have seen the Hereford Transport Hub taking shape, alongside wider ambitions to improve walking, cycling and wheeling across the county.

Delivery of the Hereford Bypass continues to progress. The council has appointed a contractor to begin Phase One, marking a significant milestone in this priority project. Alongside this, the “Back the Bypass” campaign has been launched, bringing together residents, businesses and partners to build support and communicate the scheme’s economic, environmental and connectivity benefits.

The council continues to deliver a broad programme of economic development and regeneration. The Ross-on-Wye Enterprise Park has been formally launched, creating new opportunities for business growth, inward investment and job creation.

In Hereford, a new Community Board Chair has been appointed to help guide the £20 million “Pride in Place” investment in South Wye, ensuring local priorities and community input shape delivery.

To support residents, seasonal garden waste collections have resumed, and we have introduced free 30-minute “pop and shop” parking across our car parks to support local high streets and improve access to services.

Additional support is being promoted for residents, including financial assistance for low-income households reliant on oil and LPG heating, helping to address cost of living pressures in rural communities amid ongoing global energy pressures.

I was pleased to see NMITE successfully hold its second graduation ceremony this month, building on the momentum of last year’s inaugural event. As NMITE continues to establish itself as a key partner in skills and economic growth, the ceremony provided an important opportunity to celebrate student success and reaffirm the council’s commitment to opportunity and world-class education in Herefordshire.

We were also honoured to receive a gold award under the Defence Employer Recognition Scheme—the highest accolade for supporting the Armed Forces community. This reflects our long-standing commitment to supporting service personnel and encouraging employers across the county to do the same.

The public consultation on the Local Government Boundary Commission for England's draft recommendations for future electoral arrangements is now open. Members and residents are encouraged to share their views on proposals, including the retention of 53 councillors across 53 single-member wards and changes to 22 ward boundaries, before final recommendations are confirmed later this year.

At the time of writing, we are awaiting the outcome of the Care Quality Commission's inspection of adult social care services. We are also preparing for the return visit from the Local Government Association Corporate Peer Challenge team. Members will recall their assessment of Herefordshire as a "good council, striving to improve further." The return visit is an important opportunity to review progress against those findings.

To support continued improvement, we will be undertaking a staff survey in June. This will provide valuable insight to help shape future service delivery and ensure we continue to support staff effectively. Previous surveys have informed meaningful improvements in training, retention and service delivery.

We also continue to recognise the contribution of our workforce, including initiatives highlighting the professionalism and dedication of social care staff across Herefordshire.

In summary, since my last report we have made continued progress across a wide range of priorities, including infrastructure investment, strengthened support for vulnerable residents, and advances in economic development. This has been achieved in a challenging financial and national context, and I thank members, staff and partners for their continued commitment. I ask members to note these updates and the positive momentum they represent. Please contact me for any further information.

Finally, as this is my last meeting of Council as Chief Executive, I would like to express my sincere thanks to all members, across all political groups, for the professionalism, commitment and integrity you bring to your roles.

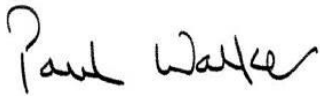
In particular, I would like to thank the Chair of the Council, Cllr Roger Phillips and his predecessor, Cllr Sebastian Bowen, and to the Leader, Cllr Jonathan Lester, and his predecessor Cllr David Hitchiner, for their support, encouragement and advice during my time as chief executive.

It has been a privilege to serve this Council and the people of Herefordshire. Over recent years, across two administrations, I have consistently seen members place the interests of residents first, often in the face of significant challenges.

Local government is not always easy. The decisions taken in this chamber matter deeply to our communities, and I recognise the time, effort and personal commitment each of you brings.

My decision to step down was an incredibly difficult one, particularly given the progress we have made together. However, I believe I leave the Council in a strong position, with firm foundations and a clear sense of direction.

That progress is a testament not only to officers, but to the collective leadership shown by members—constructive, thoughtful and focused on delivering for Herefordshire. I thank you for your support, your challenge and your shared commitment to public service. It has been a genuine privilege to work alongside you, and I wish you every success for the future.

A handwritten signature in black ink that reads "Paul Walker". The signature is written in a cursive, slightly slanted style.

**Paul Walker**  
**Chief Executive**



# Title of report: Appointments to Council Committees and Outside Bodies

**Meeting: Council**

**Meeting date: Friday 22 May 2026**

**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 10 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 10, and the allocation of those seats to political groups as set out at paragraph 11 be approved;
- c) the allocation of seats on outside bodies to political groups as set out at paragraph 13 be approved;
- d) the appointment of five co-opted members of children and young people scrutiny committee be approved as follows:
  - one representative as nominated by the diocese of Hereford
  - one representative as nominated by the archdiocese of Cardiff
  - three parent governors as elected from the school sector
- e) the suspension of the rules of proportionality in respect of the standards panel, the River Lugg Drainage Board and the Wye Valley National Landscape Joint Advisory Committee be approved;
- f) the appointment of committee chairpersons and vice chairpersons be approved (as set out in paragraph 16) ; and
- g) the size and the allocation of seats on the scrutiny management board in Appendix 2 be agreed.

## 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 Drainage Board and the Wye Valley National Landscape 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; currently Audit & Governance can appoint such members as appropriate.
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:

<b>Political Group</b>	<b>Membership</b>
Conservative Group	20
Independents for Herefordshire	8
Liberal Democrats	12
The Green Party	8
True Independents	2
Total members in a Group	50
Labour	1*
Not aligned	2
<i>Total Members not in a group</i>	<i>3</i>
<i>Total</i>	<i>53</i>

\* Under the rules concerning political groups in the constitution (section 2.2.23) a political group must have two or more members. Councillor Adam Spencer identifies as a Labour councillor but for the purposes of the political proportionality calculations is not aligned to any political group.

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. Detail of the latest committee memberships together with current chairpersons and vice chairpersons are contained in Appendix 1. 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.
7. Any member who is not aligned to a group is not entitled to an allocation of seats within these rules. It is only where the proportionality calculations have been made and if any seats remain unallocated that Council may determine to appoint a member that is not a member of one of the political groups on the Council. Currently, 1 not aligned member has been allocated to the Environment and Sustainability Scrutiny Committee and 1 not aligned member has been allocated to the Fire Authority. If Council agrees the allocation of seats to not aligned members; those members will be contacted to determine who will sit on the relevant committee or outside body.
8. These rules of political proportionality should also be applied when allocating seats on outside bodies to which the council makes three or more appointments.
9. 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.

10. 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 currently published on the Council's website (link below): <http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=332&MId=6384&Ver=4&Info=1>

<b>Committee</b>	<b>Seats</b>
Audit and governance	7
Children and young people scrutiny	7
Connected communities scrutiny	7
Employment panel	6
Environment and sustainability scrutiny	7
Health, care and wellbeing scrutiny	7
Planning and regulatory	15
Scrutiny management board	TBD
<i>Total seats</i>	<i>TBD</i>

11. The table below details the allocation of seats on the existing committees based on the political composition of the Council set out in paragraph 5 above. The previous calculation of proportionality was undertaken on 5 December 2025, the political composition of the Council has not changed since this date. The table includes the allocation of one seat, on the Environment and Sustainability Scrutiny Committee, to a not aligned member, as agreed at the meeting of full Council on 5 December 2025.

<b>Committee</b>	<b>Con</b>	<b>IfH</b>	<b>Lib Dem</b>	<b>Green</b>	<b>T Ind</b>	<b>NA</b>	<b>Total</b>
Audit and Governance	3	1	2	1	0	0	7
Children and Young People Scrutiny	3	1	1	1	1	0	7
Connected Communities Scrutiny	3	1	2	1	0	0	7
Employment Panel	2	1	1	1	1	0	6
Environment and Sustainability Scrutiny	2	1	2	1	0	1	7
Health, Care and Wellbeing Scrutiny	3	1	2	1	0	0	7
Planning and Regulatory	6	2	3	3	1	0	15
<i>Total</i>	<i>22</i>	<i>8</i>	<i>13</i>	<i>9</i>	<i>3</i>	<i>1</i>	<i>56</i>

12. The scrutiny management board has been established to oversee the co-ordination and work programming of the four other scrutiny committees. The composition of the scrutiny management board is outlined under paragraph 2.6.4 of the constitution; its membership consists of the four scrutiny committee chairpersons and other elected members as required to ensure the committee is

politically balanced. Recommendation (f) in this report will determine the appointment of the four scrutiny committee chairpersons and the chairperson and vice chairperson of the scrutiny management board. Following the appointment of chairpersons and vice chairpersons a calculation of the necessary size of the board can be undertaken and the allocation of seats to ensure that it is politically proportionate. This calculation will be tabled at the annual meeting and Council will be asked to consider recommendation (g); to agree the size of the board and the allocation of seats on the board to ensure political balance. Appendix 2 provides the blank table of the size and allocation of seats on the scrutiny management board to be completed and tabled for approval following the agreement of recommendation (f).

13. Those outside bodies to which three or more appointments are currently made on a politically proportionate basis are detailed in the table below, with the allocation of seats based on the political composition of the council as set out in paragraph 5 above. The previous calculation of proportionality was undertaken on 6 December 2025, the political composition of the Council has not changed since this date. The table includes the allocation of one seat to a not aligned member, on the Fire Authority, as agreed at the previous annual meeting on 23 May 2025.

Outside Body	Con	IfH	Lib Dem	Green	T Ind	NA	Total
Fire Authority	2	1	1	1	0	1	6
Standing Advisory Council for Religious Education	1	0	1	1	0	0	3
<b>Total</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>9</b>

14. The council is required to appoint certain education representatives onto the scrutiny committee at which educational matters are considered; in the council’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; three parent governors are sought from the school sector. 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. Additionally, the children and young people scrutiny committee can make up to two further appointments with such skills and experience as are determined beneficial by the committee in accordance with paragraph 4.5.7 of the constitution and without a further decision required of the full Council. Recommendation (d) proposes the appointment of statutory co-optees, with voting rights on educational matters, to the children and young people scrutiny committee.
15. 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. Recommendation (e) proposes the suspension of proportionality for those bodies listed below; a *nem con* vote is required to suspend proportionality i.e. no votes against the proposition.

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 National Landscape Joint Advisory Committee	4	This is a geographically focused body therefore it is appropriate to nominate members from relevant wards.
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16. Council is required to appoint the chairpersons and vice chairpersons of committees listed at paragraph 10 above. The Leader of the Council has delegated authority to appoint the Chairperson of the Health and Wellbeing Board. Existing committee chairpersons and vice chairpersons are contained in Appendix 1 to this report which provides the membership of each committee. In the event that any of the existing chairpersons and vice chairpersons are contested, the Council Chairperson will call for nominations to that post and a vote will be held in accordance with Council’s procedure rules.

**Community impact**

17. In accordance with the council’s adopted code of corporate governance, the 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**

18. 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**

19. The Public Sector Equality Duty requires the Council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.
20. The mandatory equality impact screening checklist has been completed for this decision and it has been found to have no impact for equality.

**Resource implications**

21. 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**

22. 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.
23. 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.
24. 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 not aligned grouped member to fill the seat.
25. Alternative arrangements not complying with these requirements as set out in paragraph 9 may be made so long as no member of the council votes against it.

**Risk management**

26.

	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**

27. No consultees.

**Appendices**

Appendix 1: Current committee memberships and existing chairpersons and vice chairpersons

Appendix 2: Paper to table – scrutiny management board – size and allocation of seats

**Background papers**

None identified



**Appendix 1 - Appointments to Committees – May 2026**  
(excluding co-optees and non-voting members)

**Recommendation (f) – Process to be followed at the annual meeting**

The table below provides the existing chairpersons and vice chairpersons of Council committees and the membership of those committees. At the annual meeting the chairperson will ask if any of the existing appointments are contested or changes are required to those members listed as chairpersons and vice-chairpersons.

Where a position is contested or an alternative member is proposed as a chairperson or vice-chairperson, a separate vote on that position will be taken. Where a separate vote is required, all nominees to chairperson and vice chairperson roles need to be proposed and seconded.

Once any changes to the listed positions have been agreed the remainder of the table will be moved for approval subject to the changes agreed.

**Scrutiny Committees**

Name	No. of members	Members
Children and young people scrutiny committee	7	<p><b>Cllr Toni Fagan (Chairperson)</b>  <b>Cllr Ben Proctor (Vice-Chairperson)</b>            Cllr Frank Cornthwaite            Cllr Clare Davies            Cllr Dave Davies            Cllr Robert Highfield            Cllr David Hitchiner</p>
Connected communities scrutiny committee	7	<p><b>Cllr Ed O’Driscoll (Chairperson)</b>  <b>Cllr Frank Cornthwaite (Vice-Chairperson)</b>            Cllr Bruce Baker            Cllr Helen Heathfield            Cllr Rob Owens            Cllr Roger Phillips            Cllr Diana Toynbee</p>

Environment and sustainability scrutiny committee	7	<b>Cllr Louis Stark (Chairperson)</b> <b>Cllr Justine Peberdy (Vice-Chairperson)</b> Cllr Elizabeth Foxton Cllr Robert Highfield Cllr Nick Mason Cllr Rob Owens Cllr Richard Thomas
Health, care and wellbeing scrutiny committee	7	<b>Cllr Pauline Crockett (Chairperson)</b> <b>Cllr Kevin Tillet (Vice-Chairperson)</b> Cllr Simeon Cole Cllr Dave Davies Cllr Mark Dykes Cllr Richard Thomas Cllr Rebecca Tully
Scrutiny management board	12	<b>Cllr Ben Proctor (Chairperson)</b> <b>Cllr Louis Stark (Vice-Chairperson &amp; Chair of ES SC)</b> Cllr Jenny Bartlett Cllr Simeon Cole Cllr Frank Cornthwaite Cllr Pauline Crockett (Chair of HCW SC) Cllr Dave Davies Cllr Toni Fagan (Chair of CYP SC) Cllr Liz Harvey Cllr Ed O'Driscoll (Chair of CC SC) Cllr Richard Thomas Cllr Rob Williams

## Non-executive committees

Name	No. of members	Members
Audit and Governance	7	<b>Cllr David Hitchiner (Chairperson)</b> <b>Cllr Mark Woodall (Vice-Chairperson)</b> Cllr Chris Bartrum Cllr Frank Cornthwaite Cllr Peter Hamblin Cllr Robert Highfield Cllr Aubrey Oliver
Employment Panel	6	<b>Cllr Jonathan Lester (Chairperson)</b> <b>Cllr Liz Harvey (Vice-Chairperson)</b> Cllr Clare Davies Cllr Terry James Cllr Stef Simmons Cllr Pete Stoddart
Planning and Regulatory	15	<b>Cllr Terry James (Chairperson)</b> <b>Cllr Clare Davies (Vice Chairperson)</b> Cllr Polly Andrews Cllr Bruce Baker Cllr Jacqui Carwardine Cllr Simeon Cole Cllr Dave Davies Cllr Matthew Engel Cllr Catherine Gennard Cllr Peter Hamblin Cllr Stef Simmons Cllr John Stone Cllr Charlotte Taylor Cllr Richard Thomas Cllr Mark Woodall

Licensing Sub-Committee	Composed of 3 members (including Chairperson) of the Planning and Regulatory Committee on an ad hoc basis.	<b>Cllr Polly Andrews (Chairperson)</b>
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Appendix 2: Paper to table – scrutiny management board – size and allocation of seats

	<b>Con</b>	<b>IfH</b>	<b>Lib Dem</b>	<b>Green</b>	<b>T Ind</b>	<b>NA*</b>	<b>Total</b>
Scrutiny Management Board							





# Title of report: Constitution Update

**Meeting: Council**

**Meeting date: Friday 22 May 2026**

**Report by: Monitoring Officer**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

A report to propose amendments to the constitution.

## **Recommendation(s)**

**That Council approves changes in the Constitution:**

- a) in Appendix 1 to enable a change to the process for questions from the public and members;**
- b) in Appendix 2 to enable changes to clarify substitutes on Scrutiny Management Board;**
- c) in Appendix 3 to make changes to clarify the planning rules in respect to deferrals;**
- d) in Appendix 4 to make changes to clarify the appointments and procedure for the Health and Wellbeing Board;**
- e) in Appendix 5 to makes changes to the Special Urgency procedure for executive decisions to ensure the Monitoring Officer is aware that a request has being made;**
- f) in Appendix 6 to enable motions to be allowed at some Annual Councils;**
- g) in Appendix 7 to clarify the rules relating to business cases for capital schemes;**
- h) in Appendix 8 to amend the requirements about the publication of Records of operational decisions (RoOD);**

**i) in Appendix 9 to make amendments to the Arrangements for dealing with complaints about the Code of Conduct; and**

**j) in Appendix 10 to describe the scope and purpose of Political Group Consultations.**

### **Alternative options**

1. Council may choose not to approve the proposals and agree that functions will remain as currently described in the Constitution. This is not recommended

### **Key considerations**

#### **Appendix 1 – Questions from the Public and Members**

2. Part 4 Section 1 of the Constitution describes the procedure involved when a member or a member of the public raises a question to council, cabinet or a committee of either. The current process is detailed as 'Questions on Notice' starting at paragraph 4.1.38.
3. In its current form, the rules are the same for all committees. However, at Annual Council meeting on 23 May 2025, a review of [effectiveness of scrutiny committees](#) was considered and in relation to public questions, it was agreed that a question or supplementary question raised by the public would not be accepted if it had been raised at any meeting in the previous 6 months, or if the answer had already been provided. In addition, all questions by the public including supplementary questions must be submitted in writing first to the council.
4. The effect of this is that questions raised to scrutiny have a 6 month/previous answer limitation but questions to any other body can be raised repeatedly. In addition, supplementary questions must be submitted in writing at a scrutiny committee meeting (even if the questioner attends) but for all other meetings, the questioner can raise this without notice.
5. The proposed amendments at Appendix 1 aim to apply the same principles as agreed by Council for scrutiny for all meetings of council, cabinet or any other committee listed in paragraph 4.1.39 in relation to questions by the public. The proposal is that where a question is not accepted as the answer would be the same or similar to that provided in a public answer in the last 6 months, then the questioner would simply be redirected to that answer whether by reference to the minutes of the previous meeting or by maintaining a public register of questions.
6. In addition to the above, supplementary questions can be raised by the public giving only 90 minutes notice to the meeting. This means that there is a rush by the council to receive, analyse and agree an appropriate response with the relevant member. A meeting starting at 10am means that the question is received before an officer may have started work. A 2pm meeting is received during a lunch break. Officers consider that better and more complete replies can be provided if more time was provided.
7. The proposed amendment in Appendix 1 is that supplementary questions must be submitted at least the working day before the meeting. This is considered a balance as initial questions are received 3 working days before and answers published 2 working days before the meeting.
8. Consultations with groups and Audit and Governance Committee has raised the question about what other councils do and what is best practice. Officers are of the view that best practice is what suits this Council rather than has been adopted by others. We have considered four councils in the locality and have documented in the table below their standing orders on the matters under consideration. No council has the same approach and this includes (i) a bar for some in respect to supplemental questions for residents (ii) different rules for members and

residents (iii) a limitation on same questions being raised in the last 6 months (iv) a requirement whether the question must also be submitted in writing.

<b>Council</b>	<b>What notice for questions is provided</b>	<b>How are answers provided</b>	<b>Is a written copy of question required?</b>	<b>Is there a 6 month exclusion to asking the same question</b>	<b>Supplemental questions?</b>
Shropshire	By 12 noon 3 WD prior to meeting	Question must be raised and answered at the meeting only. In person or reading out written question	No	Yes (rule 14.5)	No for residents (unless chairman agrees rule 14.8).  Yes for members, no qualification time required (rule 15.9).
Telford & Wrekin	By 5pm 3 WD prior to meeting (members).  By 5pm 7 clear WD prior to meeting (residents)	Question can only be raised in person at the meeting.	No – but person must be in attendance at meeting to raise question.	States that repeat questions cannot be raised (rule 7.8)	No - residents  Yes - Members only (rule 7.3)
Redditch	5 clear WD notice (rule 9.3)	Question must be raised and answered at meeting. Can be read out.	No unless the person is present at the meeting.	Yes (rule 9.5 (b))	Yes (rule 9.8)
Worcestershire	By 9am 1 WD before meeting (public)  By 12pm 9 calendar days before meeting (at Council meetings)	Question must be raised and answered at meeting. Can be read out.  Chair has discretion whether to accept the question at the meeting.	Yes – in outline  Yes – for council meetings	Yes (rule 15.5(c))	No – residents only in exceptional circumstances  Yes – in respect to member questions

	(for members)				
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9. A working group of Audit & Governance considered whether different rules could apply for residents and councillors for supplemental questions. The recommendation is that councillors could be given more allowance for ad-hoc supplemental questions (without the need to submit the question in writing in advance) as they are subject to the Councillor’s Code of Conduct. This means that where a resident is asking a supplementary question, it must first be submitted in writing even if they intend to ask the question in person at the meeting – this then the same as that for Scrutiny Committees. The working group also raised an issue about late reports or late responses to questions and the impact that would have on timescales. As such an ability to raise questions up to 1 working day after a late report or initial response has been added.
10. Audit and Governance Committee considered that the changes are not being recommended to put off or make asking public questions more difficult. Instead, the purpose of seeking a question in public is to obtain an informed answer. The changes are designed to achieve this but seeking a sensible way to deliver the best answer that can be provided within the time available.

**Appendix 2 – Scrutiny Management Board & Substitutes for chairs**

11. Ordinarily, a group leader may elect to appoint a substitute to a particular meeting or committee if the original appointee from that group is unable to attend the meeting or committee. This facilitates the Council’s duty to give effect to the wishes of political groups for the purposes of political balance.
12. Scrutiny Management Board is constituted differently to other panels. It consists of chairs of the other scrutiny panels and other members to maintain political balance. If a chair of a panel is unavailable, then there is a question whether the substitute should be the vice chair of the panel (meaning that SMB is not politically balanced if the vice chair is from another group) or the group appoints a replacement chair (maintaining political balance on SMB).
13. The recommendation is that the vice chair should be the substitute at SMB even if SMB is not politically balanced for a single meeting. If a chair of a scrutiny committee is unavailable for a longer period (for example due to illness), then it is always open to the political group to appoint a replacement chair for that longer basis.
14. The alternative is that for a single SMB meeting, a member possibly unfamiliar with the detail of the underlying scrutiny committee is appointed as chair of that committee by the relevant group. That member then attends SMB. After the return of the existing chair, the group then has to remove the substitute and reappoint the existing chair.
15. The proposed amendment is to change paragraph 4.1.169 to reflect the above.

**Appendix 3 – Planning Rules**

16. Part 4 Section 8 of the Constitution contains rules that apply during consideration of a planning application.
17. The rules do not include procedural points where a matter is adjourned or deferred between meetings. Ordinarily, this is to allow a particular point to be investigated further or to allow a site visit.

18. It is unclear from the current rules if a matter is adjourned (whether before or after some substantive consideration of the application) whether only the members who have attended both meetings are permitted to vote on the application. In addition, it is unclear what happens if a site visit is called and a member cannot make that meeting – are they permitted to consider the application even though they have not visited the site despite the first meeting deciding it was important to do so.

The recent Supreme Court case of [Spitalfields](#) confirmed that it was acceptable for a council to determine in its standing orders how to regulate its internal proceedings. It is therefore correct that the council can decide how and which members can consider and vote on matters.

19. The Spitalfields case upheld a restriction for deferrals. Tower Hamlet's standing orders restricted voting to members who had been in attendance at both meetings even though it limited councillor participation.
20. Paragraph 42 of schedule 12 and section 106 of the Local Government Act 1972 allow the council to make standing orders to regulate proceedings. The proposal is to add clarity in respect to deferred applications and/or where site visits where the members at the deferred (final) meeting were not present at the previous meeting.
21. The proposed amendment is that members present at the deferred (final) meeting are able to consider and vote on application even if they did not attend the initial or a site visit. This is contingent upon the members at the deferred meeting reviewing and reconsidering all relevant facts and information in full. That is, the entire matter is reconsidered again in its entirety and the officers report includes all relevant considerations including points raised at the initial meeting and during any site visit. This means that the final meeting, the members present are there to consider all material considerations.
22. The recommendation is that new paragraphs 4.8.36 to 4.8.41 are added to Part 4 Section 8 Planning Rules.
23. In addition to the above, planning applications are approved by a planning committee on the basis that a condition (such as a satisfactory report being received or a s106 agreement being completed) is satisfied before the planning permission is issued by officers. Recent 2025 cases of [Greenfields \(IOW\) Ltd](#) and [Wild Justice](#) demonstrates that conditional decisions must still comply with the requirements of the 100D(1) of the Local Government Act 1972 (background papers) and publicity requirements in para 40 of the Development Management Procedure.
24. There is also a further amendment in respect to verbal updates to committee that reflects the working practices (paragraph 5.6.59).

#### **Appendix 4 – Health and Wellbeing Board**

25. On 25 September 2023, the Board approved changes to its terms of reference. It resolved that 'The Health and Wellbeing Board considers the revised terms of reference at appendix 1 and provides comments before [being ratified by Full Council](#)'.
26. The terms of reference document included changes to the membership of the board, principally the addition of a nominated representative from the Voluntary and Community Sector and updates to organisation titles. Council is requested to note the changes in the terms of reference which are mainly technical changes that have been delegated to the Monitoring Officer.
27. The terms of reference document resulted in an incongruity by identifying that membership of the board includes:

*'A nominated representatives from the Integrated Care Board'*

28. This is reflected in the council's constitution (paragraph 2.8.9, bullet point 8). It is uncertain whether the board intended this to read 'Two nominated representatives' or 'A nominated representative' from the Integrated Care Board. However, it is noted in paragraph 2.8.10 that a vice chairperson was to be appointed from '...one of the board members representing NHS Herefordshire and Worcestershire Integrated Care Board...'
29. Up to and including the meeting on 25 September 2023, NHS Herefordshire and Worcestershire Integrated Care Board appointed two representatives; prior to July 2021, two representatives (the chair and the managing director) were appointed by its predecessor, NHS Herefordshire and Worcestershire Clinical Commissioning Group.
30. No change in the number of seats for the Integrated Care Board was highlighted within the covering report or discussed during the meeting.
31. Council is recommended to confirm that the membership should provide for 'Two nominated representatives from the Integrated Care Board'.
32. The terms of reference document identified arrangements for the appointment of the vice-chairperson as follows:

*'The Vice-Chairman of the Board shall be the chair of the One Herefordshire Partnership. Should this be an already identified member of the board, that person shall also represent their respective organisation.'*

33. The council's constitution (paragraph 2.8.10) was not updated to reflect this and it currently reads:

*'...one of the board members representing NHS Herefordshire and Worcestershire Integrated Care Board will be appointed vice chairperson annually by the board.'*

34. However, the revised Terms of Reference in paragraph 10 doesn't appear to reflect the original intention. For example, if the Chairperson of One Herefordshire Partnership is from an organisation with existing nomination rights, but isn't that organisations actual nominee, then the wording above would allow a further appointee by that organisation. It is considered that the original intention was to avoid this and to ensure that the Chair of One Herefordshire Partnership was appointed as the representative of the relevant nominating organisation. As such the recommendation is that paragraph 2.8.10 is modified to:

*'...The vice-chairperson of the board shall be the chairperson of the One Herefordshire Partnership. Should this person be from an organisation that has the right to nominate to the Board, then that person shall also represent their respective organisation.'*

35. The recommendation to Council is requested to confirm that it wishes the change identified in paragraph 2.8.10 above. This change has already been agreed by the Health and Wellbeing Board at a meeting on 15<sup>th</sup> September 2025.

**Appendix 5 Special Urgency procedure**

36. The proposed amendment is to paragraph 4.2.53 of Part 4 Section 2 Access to Information Rules.
37. This paragraph is concerned with the notice that needs to be provided for a key executive decision. Currently, the process simply requires the decision maker to seek consent of the chairperson of the relevant scrutiny board.

38. The concern is that currently, neither the decision maker or the chairperson has to seek guidance from statutory officer as to the appropriateness of this decision. The proposed amendment is that any request to use the Special Urgency procedure for key decisions must be made by the Monitoring Officer at the request of the decision maker. The consent of the scrutiny board must still be obtained.

### **Appendix 6 Motions on Notice**

39. Part 4 Section 1 of the Constitution (Council and Committee Meeting Rules) at paragraph 4.1.15 (20) is clear that motions on notice are not possible at the Annual Meeting.
40. The amendment is to allow motions on notice for the Annual Meetings except the Annual Meeting immediately following an all-council election.

### **Appendix 7 Clarification for business cases for capital schemes**

41. Part 4 Section 7b of the Constitution provides guidance in relation to council finances. Paragraph 33 provides little information around what is required for a new (i) a capital scheme to be included within the Capital Investment Budget (the capital programme) and (ii) what is required to enable Cabinet to authorise the spend.
42. The amendment specifies that full Council will expect an outline business case to be included for any new capital spend and a full business case is required before any executive decision (whether by an officer, individual cabinet member or cabinet) to authorise the spend can be made. The change specifies that complex capital schemes can be staged and that approvals (and the supporting business cases) can also be staged.
43. A full business case for capital schemes that are considered to be ongoing, repeat or business as usual (such as IT refresh, asset & highways upgrades) is not required unless the decision maker requires such information to be presented. A decision agenda, report and minutes are still required in accordance with the Council's standing orders.

### **Appendix 8 Record of Operational Decisions**

44. At Part 3 Section 7 (Officer Functions) provides the definition of an operational officer decision and the circumstances under which it must be recorded.
45. This includes where there is a financial sum of £50,000 or more. In addition, it includes granting or revoking of a permission or license or change to an individual legal rights. This goes further than the requirements of [The Openness of Local Government Bodies Regulations 2014](#) and includes a further requirement of 'a change to a service'.
46. At Part 4 Section 6 (Contract Procedure Rules), the constitution currently requires that a Record of Operational Decision (RoOD) is published where an award of a contract is above the value of £50,000.
47. However, Part 4 Section 6 also says that an award of a contract between the value of £25,000 and £75,000 must be published as a Contract Details Notice on the Central Digital Platform, meaning that there is already provision for contracts between the value of £25,000 and £75,000 to be published.

48. Part 4 Section 7b of the constitution currently requires disposals in excess of £50,000 to be published. It is proposed this is also uplifted to £75,000 to reflect the same values as apply to publication in cases of contract awards.
49. Consequently, it is proposed that in relation to Records of Operational Decisions that the limit is changed to £75,000 so that there is no need to duplicate publication of awards of contract between the value of £50,000 and £75,000.
50. The original £50,000 limit was agreed in 2014 when the regulations were introduced. Using CPI as the indicator, this figure would now be £69,733 as of December 2025. This change is therefore to align the limit to approximately the same as when the regulations were introduced in 2014 but uplifted slightly so it aligns with the threshold in Part 4 Section 6 Contract Procedure Rules between 'Medium Value ' and 'High Value' procurements
51. It is proposed that Part 3 section 7 of the constitution regarding Officer functions, is amended to reflect the above proposals.
52. Additionally, an amendment is proposed at Part 3 section 7 of the constitution not to require publication of RoODs only where decisions are:
  - published on another statutorily required and publicly available register (for example a planning register), or
  - to be kept confidential to avoid compromise to the commercial position of the council or another individual or organisation under Part 5 Section 8 at 5.8.56.
53. The proposals above are detailed in appendix 8.

### **Appendix 9 Members Code of Conduct**

54. There are two points of consideration here. The first relates to a proposal to try to simplify the task of the Council's consideration of complaints under the Code of Conduct. In 2024/25 almost 88% of code of conduct complaints received by Herefordshire Council were complaints against members of Parish and Town Councils ('PTCs'). Of this number, over 40% of all complaints against PTC members were raised by members of the same PTC. It appears that the Code of Conduct process is routinely being used to resolve differences of opinion or expression between members.
55. With the agreement of Herefordshire's Council's Standards Panel, proper officers of the PTCs and Group Leaders within Herefordshire Council were notified of a possible change, by way of a proposal for changes to the published arrangements, as they relate to Parish and Town Councils, which were sent to all PTCs on 2<sup>nd</sup> October 2025.
56. PTCs have been asked to consider a proposal for a Local Resolution Protocol ('LRP'). Herefordshire Council does not intend to insist that a LRP is adopted or specify what or how a LRP should be conducted. It shall be for each PTC to determine the content. Templates would be provided as assistance, but it would be the PTC's decision whether to use this route to resolution of complaints.
57. The proposal is that, in relation to a complaint against a PTC Member raised by another Member, or raised by members of the public/officers of a PTC which alleges a breach of the code of conduct in relation to minor matters (such as a lack of respect, or bullying or harassment, or bringing the authority into disrepute only) then where a PTC has a LRP, Herefordshire Council will allow them time to resolve this without it going to the formal process.

58. The intention is that Audit & Governance be delegated the authority to change the arrangements for dealing with complaints. Further that such includes the ability to include a LRP step when a PTC wishes to try and resolve their complaint.
59. The second point is a proposal to enable the Monitoring Officer to make a finding of technical breach of the Code of Conduct, without the need for full investigation, in appropriate circumstances.
60. Currently, the Arrangements for dealing with complaints about the Code of Conduct say that a finding of breach is only permitted following a formal investigation. This means that in a case where a technical breach is clear but there is no public interest in proceeding to formal investigation, the arrangements result in the Monitoring Officer taking no further action, but the fact of a breach is not acknowledged. In such cases, the Monitoring Officer will sometimes offer advice, but it is suggested that a more overt noting of technical breach would be appropriate. This often leads to a complainant feeling that the Council simply does not wish to look at it further even though there is a breach.
61. The recommendation that technical breaches determined by the Monitoring Officer at the Initial Assessment stage are not to be published. This is to continue to encourage early agreement and settlement.
62. Feedback from PTCs on this proposal has been mixed. Some support this proposal with some saying this simply reflects their working practices in any event. Others support the concept but do not wish to adopt this. The majority of responses believe that the current process should continue. The recommendation to Council can facilitate all these views as the intention is not to force any PTC to adopt a LRP if they do not wish to do so – the proposal is not to make it compulsory.
63. The recommendations are that Council approves the amended Arrangements for dealing with complaints about the Code of Conduct for members at Appendix 9.

#### **Appendix 10 Political Group Consultation**

64. It is proposed that the scope and purpose of Political Group Consultation is formalised and described in the Constitution.
65. A 'political group' is one which has been constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 and consists of at least two Members.
66. A political group consultation ('PGC') provides a political viewpoint to inform officers' preparation of key decision reports and demonstrates the Council's commitment to encourage cross party engagement in decisions before they are taken.
67. All key decisions require a PGC to be undertaken unless it falls within one of the exceptions.
68. At the PGC questions should be focussed around the 'political' positions, enabling attending cabinet member(s) to respond with their position on the matters under consideration. Officers should focus on technical explanation/evidence underpinning the decision.
69. The PGC should be recorded and made available to allow members who cannot attend to review afterwards, and a summary of the key political positions should be captured by the officers following a PGC, which is added to the consultation section of the decision report.

70. Appendix 10 indicates the proposed amendment to the constitution at Part 2 Article 2 to reflect the above summary.

### **Community impact**

71. The proposals do not have any community impact, nor do they link to other local or national strategies or policies. They are proposals that fall within Council's powers to make local arrangements.

### **Environmental Impact**

72. The proposals do not have any environmental impact.

### **Equality duty**

73. 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.
74. The equalities assessment has been completed and could that there is a no/low impact for equalities.

### **Resource implications**

75. There are no resource implications to the proposed amendments.

### **Legal implications**

76. Legal implications are referred to in the sections above, where relevant.

### **Risk management**

77. There are no risks arising directly from the report.

### **Consultees**

78. Relevant lead officers were consulted on 10<sup>th</sup> November 2025.
79. Group Leaders have been consulted 10<sup>th</sup> November 2025 and 3<sup>rd</sup> February 2026. The Green Group was consulted on 9<sup>th</sup> December 2025.
80. Audit and Governance Committee was briefed on 15<sup>th</sup> January 2026.

81. In relation to the change to the Standards arrangements, the proper officer of each parish or town council was notified on 3<sup>rd</sup> October 2025.
82. Further amendments were received from a group on 23 March 2026.
83. Audit and Governance reconsidered this Report on the 24 March 2026

## Appendices

- Appendix 1 Process for questions from the public
- Appendix 2 Scrutiny Management Board
- Appendix 3 Planning Rules
- Appendix 4 Health and Wellbeing Board
- Appendix 5 Special Urgency procedure for executive decisions
- Appendix 6 Council Procedure Rules
- Appendix 7 Capital schemes and virements
- Appendix 8 Records of operational decisions (RoOD)
- Appendix 9 Code of Conduct
- Appendix 10 Political Group Consultation

## Background papers

None

### Useful links:

- [Part 4 Section 1 Council and Committee Meeting Rules.pdf](#)
- [Part 4 Section 8 Planning Rules.pdf \(herefordshire.gov.uk\)](#)
- [Part 2 Article 8 Planning licensing and other functions.pdf](#)
- [Part 4 Section 2 Access to Information Rules.pdf](#)
- [Part 4 Section 6 Contract Procedure Rules.pdf](#)
- [Part 1 \(Part 4 Section 7b\)](#)
- [Part 3 Section 7 Officer Functions.pdf](#)
- [Part 5 Section 8 Public participation guide.pdf](#)
- [Arrangements for dealing with complaints about the Code of Conduct for Members V1.1 June 2025.docx](#)
- [Part 2 Article 2 Councillors.pdf](#)



## Appendix 1 - Questions from the Public and Members

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 3
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### 4.1.38 Questions on notice

4.1.39 Appropriate questions may be asked by members of the public who live or work in Herefordshire and by elected members at the following public meetings of the council:

- Full Council
- Cabinet
- Audit and governance committee
- Health and wellbeing board
- Employment panel
- Scrutiny committees\*

4.1.40 A 'question on notice' means that the question must be in writing (including email) and submitted to the council ~~4~~ 3 clear working days before the day of the meeting (not including the day of the meeting) and supplemental questions ~~1 clear the working day~~ before the meeting.

Members or the members of the public are encouraged to submit questions as soon as agenda papers are released to give the council more time to provide a considered answer as soon as practical. ~~however~~ The following deadlines are set out below:

Meeting Day Question deadline – (Where the day given below is a bank holiday, the deadline will be the previous working day.)

<u>Deadline for initial questions (5pm in all cases)</u>	<u>Deadline for initial responses</u>	<u>Deadline for supplemental questions (5pm in all cases)</u>	<u>Day of the meeting</u>
Tuesday	<u>Thursday</u>	<u>Friday</u>	Monday
Wednesday	<u>Friday</u>	<u>Monday</u>	Tuesday
Thursday	<u>Monday</u>	<u>Tuesday</u>	Wednesday
Friday	<u>Tuesday</u>	<u>Wednesday</u>	Thursday
Monday	<u>Wednesday</u>	<u>Thursday</u>	Friday

~~4.1.41~~ ~~If a member or a member of the public has you have asked a question, they you will also be able to ask a supplementary question. The wording of all supplementary questions including those if not asked in attendance at the meeting must be provided in writing 90 minutes~~ by 5pm at least 1 working day ~~before the meeting.~~

~~4.1.41a~~ ~~**Scrutiny Committees:** supplementary questions (whether a written question or question raised in attendance) from the public will not be considered at a meeting if the question is not first provided in writing at least 90 minutes before the meeting.~~

~~**4.1.41ab** **Scrutiny Committees:** A question (whether an initial or supplementary question) from the public will not be accepted if the same or similar question has been raised to council, cabinet or other committee in the previous **6 months** or if an answer has already been provided by Council (whether from an officer, member, council, cabinet or other committee~~

4.1.41 At each public meeting a period of up to **30 minutes** at full Council or **15 minutes** at other public meetings of the council where written questions are permitted will be allocated for questions and supplementary questions. This period may be varied at the discretion of the chairperson.

4.1.42 Where a question or a supplementary question relates to a report on the agenda and the report is published late, initial questions should be accepted for up to 1 working day after the report is published and supplementary questions will be accepted up to 1 working day after the initial question is published (but no later than 90 mins before the meeting).

#### 4.1.43 **Urgent questions**

4.1.44 Elected members are able to ask a question that relates to an urgent matter provided they have the prior written consent of the member to whom the question is to be put, and the question is delivered, along with the members written consent to the monitoring officer by **9.30 am** on the day of the meeting, or half an hour before the start of the meeting whichever is the earlier.

#### 4.1.45 **Supplementary questions**

4.1.46 A questioner may ask one supplementary question if they have asked an initial question. A supplementary question must be a question and not a statement and arise directly out of the original question or the reply and must take no longer than one minute to ask.

4.1.46a Notice of a supplementary question asked on the day of the meeting must that have not been submitted by the deadline of **90 minutes 5pm at least 1 the working day** before the start of the meeting. will be acknowledged at the meeting.

4.1.46b Notice of a supplementary question raised by a member of the public must include the wording of the supplementary question that will be asked. Councillors raising a supplementary question are not required to provide written notice.

4.1.46c A supplementary question may be asked in writing if the questioner prefers or cannot attend the meeting.

4.1.46d A response to a supplementary question will either be given on the day or in writing within 10 working days of the meeting.

4.1.46e Depending on the number of public questions, it will be at the discretion of the chairperson as to how they manage the taking of all supplementary questions

4.1.46f The chairperson may reject a supplementary question if the chairperson considers that it is inappropriate (even if initially accepted under paragraph 4.1.53).

~~**4.1.46a** **Scrutiny Committees:** all supplementary questions raised by the public must be submitted in writing at least **90 minutes** prior to the start of the meeting. Any~~

~~received after this time will be considered at the next meeting of the committee or a written response will be provided.~~

- 4.1.46g Scrutiny Committees:** All supplementary questions raised by the public who are in attendance at the meeting shall be limited to and in accordance with the written supplementary question already submitted.
- 4.1.47 Order of questions**
- 4.1.48 Questions and supplementary questions will be answered in the order in which they are received, unless grouping the questions into themes is appropriate.
- 4.1.49 Number of questions**
- 4.1.50 One question and one supplementary question per person is allowed at any meeting of the council.
- 4.1.51 Scope of public questions**
- 4.1.52 Questions must relate to the function of the committee or relate to a matter on the relevant agenda. The monitoring officer can redirect questions to the correct officer, executive member, committee, panel or meeting. They should be of a strategic nature, i.e. not personal to the questioner or a person employed by the council. Questions can be addressed to any chairperson or cabinet member and must relate either to something that the council is responsible for or that affects the county. It is accepted that questioners may highlight their experiences to support their question.
- 4.1.52a Scrutiny Committees:** questions will only be accepted for scrutiny committees if it relates to the agenda, task or finish group terms of reference or final report, or to the management of the committee's programme or its recommendations. This means that it will be the scrutiny chair (on behalf of the committee) to determine (in consultation with the Statutory Scrutiny Officer) who is the most appropriate person to respond to the question.
- 4.1.53 The Monitoring Officer will reject a question or Supplementary Question if it is not appropriate to be asked at a public meeting, reasons for rejection or redirection may include but are not limited to:
1. It is not about a matter for which the council has a responsibility, or which affects Herefordshire; or
  2. It requires the disclosure of confidential or exempt information; or
  3. It relates to an identifiable individual or employee of the council; or
  4. it is more than 140 words; or
  5. A question (whether an initial or supplementary question) from the public will not be accepted if the same or similar question has been raised to council, cabinet or other committee in the previous 6 months and the answer has already been provided by Council (whether from an officer, member council, cabinet or other committee) and the answer would be the same or similar if raised again.
  6. It relates to a planning or licensing application.
  7. It is deemed to substantively relate to a request for data (including statistical information) under EIR or FOI rules. For these purposes, a dataset is a collection of factual, raw data that Herefordshire Council gathers as part of providing services and delivery of our functions as a public authority.
- 4.1.53a Scrutiny Committees:** ~~A question (whether an initial or supplementary question) from the public will not be accepted if the same or similar question~~

~~has been raised to council, cabinet or other committee in the previous 6 months or if an answer has already been provided by Council (whether from an officer, member council, cabinet or other committee).~~

4.1.54 If a question is deemed to be inappropriate, the person who submitted it will be notified ~~in writing before the meeting~~ and given the reasons. This is a decision for the Monitoring officer/deputy monitoring officer in advance of the meeting (under para 4.1.53) or the chairperson ~~legal officer in attendance~~ at the meeting (under para 4.1.46f).

**4.1.55 Answers to questions**

4.1.56 Answers to accepted initial questions will be published two working days before the meeting ~~normally at 5pm~~. An answer to a supplementary question will be provided by the member to whom the question was put or his/ her nominee. The answer may be either a direct oral answer, a referral to an existing publication, or a referral to an officer to respond in writing. If the reply cannot conveniently be given orally, if the member to whom the question is put is absent, or the time allowed for public questions has expired, a written answer will normally be provided within **ten clear working days** of the meeting. A record of all questions, supplementary questions and answers provided whether orally or in writing will be published on the website as an appendix to the minutes of the meeting.

**4.1.56a Rejected Questions**

4.1.56b In respect to questions that have been rejected due to a same or similar question being raised within the last 6 months, then the questioner shall be redirected to the previously provided public answer.

4.1.56c In respect to questions that have been rejected due to non-compliance with timescales in this protocol then a written answer will normally be provided within ten clear working days of the meeting.

**4.1.56d Questions at Cabinet & Council Meetings**

4.1.56e The paragraphs 4.1.38 to 4.1.56 do not apply to questions raised by Group Leaders and other invited attendees under paragraph 4.4.11 in Section 4 of Part 4 of this Constitution.

4.1.56f The paragraphs 4.1.38 to 4.1.56 do not apply to questions raised during the Leader's report under paragraph 4.1.1 in Section 1 of Part 4 of this Constitution.

Section	Part 5 Section 8
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## Section 8 – Public Guide to Participation

### 5.8.8 Asking questions at meetings of the council

This part relates to questions raised by the public only. Member questions are covered in the process in Part 4 Section 1 Council and Committee Meeting Rules.

**5.8.9 Which meetings can the public ask questions at?**

5.8.10 Questions can be asked at public meetings of:

- Full Council
- Audit and governance committee
- Cabinet
- Employment panel
- Health and wellbeing board
- Scrutiny committees

**5.8.11 Who can ask questions?**

5.8.12 Appropriate questions can be put by anyone living or working in Herefordshire ~~and any elected member of Herefordshire Council~~

**5.8.13 What notice is required for questions?**

5.8.14 A question must be delivered by email ([councillorservices@herefordshire.gov.uk](mailto:councillorservices@herefordshire.gov.uk)) or in writing to the monitoring officer, Herefordshire Council, County Offices, Plough Lane, Hereford, HR4 0LE by no later than 5.00 pm ~~three clear~~ four working days **before** the date of the meeting and supplementary questions the **working day** before the meeting. A working day is defined for this purpose as Monday through Friday, excluding days designated as bank holidays in England and Wales. Each question must provide the name and address of the questioner. See table below:

<b><u>Deadline for initial questions (5pm in all cases)</u></b>	<b><u>Deadline for initial responses</u></b>	<b><u>Deadline for supplemental questions (5pm in all cases)</u></b>	<b><u>Day of the meeting</u></b>
Tuesday	<u>Thursday</u>	<u>Friday</u>	Monday
Wednesday	<u>Friday</u>	<u>Monday</u>	Tuesday
Thursday	<u>Monday</u>	<u>Tuesday</u>	Wednesday
Friday	<u>Tuesday</u>	<u>Wednesday</u>	Thursday
Monday	<u>Wednesday</u>	<u>Thursday</u>	Friday

5.8.14a The Council's Monitoring Officer will reject questions which are not submitted in writing, within the time limit. You will be notified if your question is rejected for these reasons and you may be able to re-submit your question, provided your question is in accordance with constitution rules relating to public questions.

**5.8.15 How many questions can be asked?**

5.8.16 One question and one supplementary question per person is allowed at any public meeting of the council as listed above. Questions must not take longer than one minute to ask or to read out.

**5.8.17 What is the purpose and scope for questions?**

5.8.17a The purpose of questions is to enable ~~both~~ members of the public ~~and any councillor~~ to ask the council about an issue that is of local concern ~~and is the most practical way of progressing the members concerns.~~

5.8.18 Questions must relate to the function of the committee or relate to a matter on the relevant agenda. The monitoring officer can redirect questions to the correct meeting. They should be of a strategic nature, i.e. not personal to the questioner or a person employed by the council. Questions can be addressed to any chairperson or cabinet member and must relate either to something that the council is responsible for or that affects the county. It is accepted that questioners may highlight their experiences to support their question.

5.8.19 The Monitoring Officer will reject a question if it is not appropriate to be asked at a public meeting, reasons for rejection or redirection may include but are not limited to:

1. It is not about a matter for which the council has a responsibility, or which affects Herefordshire; or
2. It requires the disclosure of confidential or exempt information; or
3. It relates to an identifiable individual or employee of the council; or
4. it is more than 140 words; or
5. It relates to a planning or licensing application.
6. A question (whether an initial or supplementary question) from the public will not be accepted if the same or similar question has been raised to council, cabinet or other committee in the previous 6 months and the answer has already been provided by Council (whether from an officer, member council, cabinet or other committee) and the answer would be the same or similar if raised again.
7. It is deemed to substantively relate to a request for data (including statistical information) under EIR or FOI rules. For these purposes, a dataset is collection of factual, raw data that HC gathers as part of providing services and delivery of our functions as a public authority.

If a question is rejected because it is not appropriate the Monitoring Officer will give the reason(s) for the rejection

## 5.8.20 What happens at the meeting?

5.8.21 Time is made available early on the agenda for any accepted questions to be dealt with. Copies of any questions and answers will be published on the council's website before the start of the meeting, and will be made available to members of the public who attend the meeting.

5.8.22 The chairperson will invite the questioner to put a supplementary question to the councillor named in the notice provided that the question has been submitted in writing to the council by the deadline above. If the questioner is unable to attend the meeting a written supplementary question will be permitted, in line with the council and committee meeting rules at paragraph 4.1.46c, and read on the questioner's behalf. ~~Written su-~~ The wording of all supplementary questions must be provided in writing by 5pm at least 1 the working day ~~90 minutes~~ before the start of the meeting.

5.8.23 A questioner ~~who has put a question in person or in writing~~ can also ask one supplementary question, ~~without notice~~, in response to the reply to their question provided that the question has been submitted in writing to the council by the deadline above. A supplementary question must arise directly out of the original question or the reply given. The chairperson can reject a supplementary question in consultation with the Monitoring officer/deputy monitoring officer/legal officer in attendance at the meeting on any of the grounds detailed in the section above.

## Appendix 2 - Scrutiny Management Board & Substitute for Chairs

Note: strikethrough indicates text removed. Underline indicates new text.

<b>Section</b>	<b>Part 4 Section 1 Council and Committee Meeting Rules</b>
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- 4.1.169** The monitoring officer on behalf of the chief executive may receive notice from a group leader or authorised nominee on behalf of that group that a different member of their group shall be substituted at a meeting for the member previously allocated to a place on a committee, sub-committee or other body to which the proportionality rules apply for the duration of that meeting. Where apologies are given by a standing member of Scrutiny Management Board (whose position on the committee is by virtue of their position as Chair of one of the other four scrutiny committees) their vice-chair (who may be a member of a different political group) will substitute. If the substituting vice-chair already has a place on Scrutiny Management Board (by virtue of their committee allocation of seats) the group leader for the standing member (whose apologies have been given) will allocate the vacant seat for that meeting only to a member of their political group. The giving of notice by email no later than 3.00pm on the last working day prior to the date of the meeting is encouraged.



## Appendix 4 – Planning Rules

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 8 – Planning Rules
4.8.36	<b><u>Deferrals</u></b>
4.8.37	<u>In this section a ‘deferral’ means where a planning application is considered at a meeting (‘deferral meeting’) but then deferral or adjourned before a decision is made. The final decision on the planning application is made at a later meeting of the planning committee (‘decision meeting’). The reasons for the deferral or adjournment are usually where the committee is seeking further information from officers or where the members of the committee determine that a site visit is appropriate.</u>
4.8.38	<u>If a planning application is deferred, the members present at the decision meeting may decide on it.</u>
4.8.39	<u>At the decision meeting all information shall be presented and made available to the members of the committee including that presented at the deferral meeting and that available from the site visit. The full merits of a planning application and all relevant considerations will be presented to the planning committee at the decision meeting. The public shall be notified of any deferral and opportunity to address the committee (irrespective if they had done so at the deferral meeting).</u>
4.8.40	<u>The members present shall not be prevented from taking part in the vote at the decision meeting simply because they did not attend either a deferral meeting or site visit. However, the members present at the decision meeting must satisfy themselves that that have all relevant information to them to enable a fully informed decision to be made on the planning application.</u>
4.8.41	<u>Where a planning application has been part decided (for example, the committee has resolved to grant planning permission conditional on the heads of terms of a section 106 agreement being approved), then at the deferred meeting, the members of the planning committee would only consider the part of the planning application that has yet to be decided (in this example, the committee would only consider the terms of the section 106 agreement and not the merits of the decision to grant permission. If the section 106 terms are agreed, then the full decision would have been made to grant permission subject to the s106 agreement. If the terms are not agreed, then the application would be refused due to lack of suitable mitigation in the s106 agreement).</u>
<b><u>Conditional Approvals</u></b>	
4.8.42	<u>In this section a ‘conditional approval’ means where a planning committee approves a planning application, but the issue of the planning permission is only granted when the condition is satisfied. The decision to determine if the condition is satisfied is delegated by the planning committee to the Planning Development Management Service Manager.</u>
4.8.43	<u>If the condition relates to the completion of a s106 planning agreement or section 278 highways agreement then the planning permission shall only be granted where a copy of the proposed agreement has been placed on Part 1 of the local planning authority planning register for a minimum of 5 working days.</u>

4.8.44 If the condition relates to any other matter that amounts to a material consideration, then the terms of the delegation to officers shall include full details of how the condition is to be discharged and the period of publication on Part 1 of the register (if any) required.

**Verbal updates**

<b>Section</b>	<b>Part 5 Section 6 – Planning Code</b>
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5.6.59 Any material planning information which is received after the written report has been prepared and after ~~before~~ the cut-off time specified in paragraph 5.6.284-above will be presented orally to the Planning and Regulatory Committee by officers provided that the officer considers that the information raises new and relevant material planning matters.

## Appendix 4 – Health and Wellbeing Board

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Article 8 – 2.8.7 onwards - Health and wellbeing board
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2.8.8      **Composition**

2.8.9      ....

- A Two nominated representatives from the Integrated Care Board

2.8.10    ~~‘...one of the board members representing NHS Herefordshire and Worcestershire Integrated Care Board will be appointed vice chairperson annually by the board.’~~

‘...The vice-chairperson of the board shall be the chairperson of the One Herefordshire Partnership. Should this person be from an organisation that has the right to nominate to the Board, then that person shall also represent their respective organisation.’



## Appendix 5 - Changes to the Constitution – Special Urgency

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 – Section 2 – Access to Information Rules
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### 4.2.52 Special Urgency

4.2.53 If because of the date by which a decision must be taken, paragraph 4.2.49-51 (general exception) cannot be followed, then the decision can only be taken if the decision maker (if an individual) or the chairperson of the body making the decision, has notified the Monitoring Officer and has obtained the agreement of:

(a) the chairperson of the relevant scrutiny committee .....



## Appendix 6 - Changes to the Constitution – Motions on Notice

Note: strikethrough indicates text removed. Underline indicates new text.

<b>Section</b>	<b>Part 4 Section 1 Council and Committee Meeting Rules</b>
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	<b>Item of business</b>	<b>Annual</b>	<b>Ordinary</b>	<b>Extra-ordinary</b>
20	Consider motions <u>on notice</u> and debate those motions in the order in which they have been received, at the budget meeting motions must relate to the agenda or be time critical. Report will also include progress of all outstanding resolutions.	✓ <u>(except annual meeting following all council elections)</u>	✓	



## Appendix 7 – Finance Procedure Rules – Business Cases for Capital Schemes

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 7b Financial Guidelines
Proposed Changes	<p data-bbox="288 398 884 439"><b>Capital Expenditure - Control</b></p> <p data-bbox="288 443 1185 483"><b>33 <del>Council Approval of Capital Investment Budget</del></b></p> <p data-bbox="288 524 1474 629">33.1 The capital investment budget (<del>Council's approval of the Capital Investment Budget, known as the capital programme</del>) forms part of the Council's <del>—The Budget and Policy Framework.</del></p> <p data-bbox="288 669 967 703">33.2 This consists of: <del>—constitutes allocation of:</del></p> <ul data-bbox="288 743 1481 1070" style="list-style-type: none"> <li>• Capital expenditure to be incurred in the budget year and for commitments to be made on capital schemes included for the budget year and for the previous years to the extent that provision has already been made. <del>This is not an authority to spend, this requires executive approval to proceed;</del></li> <li>• Expenditure to be incurred or commitments to be made for advance site acquisition, design fees and other associated preliminary expenditure but only if an appropriate budget allocation has been approved in the relevant year within the Capital Strategy and Programme.</li> </ul> <p data-bbox="288 1111 1490 1252">33.3 <u>Approval of the Capital Investment Budget</u> authority is to be in line with the adopted <u>Capital Guidance Policy</u> <del>isolation policy</del> that describes the process to be followed in relation to feasibility works, new capital schemes and monitoring of those schemes.</p> <p data-bbox="288 1292 1497 1435"><u>33.4 Each capital scheme within the programme may require different planning, management and delivery of a scheme including phase or stage approvals as part of the design and feasibility of each scheme. As a minimum each scheme must comply with the approvals process in this paragraph 33.</u></p> <p data-bbox="288 1476 1417 1547"><u>33.4 Each capital scheme requires the following (which could include phase or stage approvals):</u></p> <p data-bbox="288 1588 1465 1879"><u>33.4.1 Inclusion in Capital Investment Budget: Full Council approval is required to include a new scheme in the Capital Investment Budget. Each request must be supported by an <b>Outline Strategic Business Case</b> (which as a minimum must include an initial scope, aims and objectives, benefits, risks, constraints, dependencies, links to existing policies and strategies and estimated costs and source of funding). The Outline Strategic Business Case should provide as part of costs, what is necessary to develop a Full Business Case. A Full Business Case could be submitted to full Council if a project is sufficiently developed.</u></p> <p data-bbox="288 1919 1477 1991"><u>33.4.2 Full Council approval for inclusion in the Capital Investment Budget is not an authority to spend, this requires an executive approval to proceed.</u></p>

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33.4.3 A recommendation to full Council can be made either via officers or from Cabinet.

33.4.4 **Implementation of Capital Scheme:** This can only be made by an executive decision by officers, individual cabinet member or cabinet. Any decision must be supported by a **Full Business Case**. This at a minimum should revisit the scope, aims and objectives, benefits, risks, constraints, dependencies, links to existing policies and strategies and estimated costs and source of funding. This should also include procurement process, financial implications, project timescales and project management arrangements.

33.4.5 **Complex Capital Schemes** – The Council recognises that complex schemes often involve a significant degree of spend as part of the development of the Full Business Case and/or project/funding necessities/restrictions mean that a scheme may be delivered in stages or phases. Accordingly, the Outline Strategic Business Case requirements in this paragraph 33 are required for the delivery of the entire scheme and the Full Business Case requirements are as required for each stage/phase only as they are refined and delivered. A final or complete Full Business Case will be required at the earliest feasible stage/phase. A Full Business Case for each phase/stage should stipulate at the earliest stage the likely spend requirements to achieve the next stage/phase and the work streams/outcomes to be produced and impact on overall project (if any).

33.4.6 **Repeat Capital Schemes** – Business as usual capital schemes (such as estates and school property maintenance, IT refresh, highways upgrades etc) does not require a Full Business Case unless any decision maker requires such during approval of the **Outline Strategic Business Case**.

## Appendix 8 - Record of operational decisions (RoOD)

Note: strikethrough indicates text removed. Underline indicates new text.

<b>Section</b>	<b>Part 4 Section 6 Operational or non-key executive decisions</b>
<b>Proposed Changes</b>	<p><b>Operational or non-key executive decisions</b></p> <p>4.6.15 Where an award of a contract is above <del>£50,000</del> <u>£75,000</u>, a Record of Operational Decision (RoOD) and/or Key Decision dependent on value will be required and will need to be published, including the financial amount in the decision / recommendation. Additionally, a decision will be required for procurements of contracts jointly with one or more other contracting authorities.</p> <p>4.6.84 A Record of Operational Decision to award a contract must be published for contract values above <del>£50,000</del> <u>£75,000</u> and the financial value included within the decision.</p>
<b>Section</b>	<b>Part 5 Part 5 Section 8 Public participation guide</b>
<b>Proposed Changes</b>	<p>5.8.53 Are all decisions recorded and published?</p> <p>5.8.54 Many are, but there are lots of day to day decisions which are not published. The council has decided that officer decisions with a financial value of less than <del>£50,000</del> <u>£75,000</u> will not be published unless there is a legal requirement to do so. This is because the number of such decisions would make it impractical to publish.</p>
<b>Section</b>	<b>Part 4 Section 7b Financial guidance</b>
	<p>77 Recording Disposal A record of each disposal should be maintained (i.e. the approval, the price obtained and if appropriate the alternative method of disposal used). Inventories or stock records should be up-dated in a timely fashion to reflect the disposal. Officer decisions for disposals in excess of <del>£50,000</del> <u>£75,000</u> must be published.</p>
<b>Section</b>	<b>Part 3 Section 7 Officer functions</b>
	<p>3.7.4 The chief executive has the ability to take six types of decisions.</p> <p>3.7.5 Operational decisions</p> <p>An operational decision involves the day to day management of the council. They are usually incidental to a function being exercised by the council. Such decisions are taken by the chief executive, in accordance with the scheme of delegation and any financial or</p>

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contracting requirements specified in the finance or contracts procedure rules and will be classed as operational so long as:

- Is within an approved budget
- Is not in conflict with the council's policies, strategies or relevant service plans
- Does not amend existing or raise new policy issues

Such operational decisions ~~are will not be recorded and published where it unless they~~ relates to:

- The letting of contracts with a value (over the lifetime of the contract) of ~~£50k~~ £75,000 or more
- The disposal or purchase of land or assets with a value of ~~£50k~~ £75,000 or more
- The granting or revoking of a permission or license
- A change to an individual's legal rights
- A change to a service (e.g. opening hours, location or service level)

Decisions are not published if :

- they are recorded on another statutorily or published register, or
- they disclose exempt or confidential information as set out in paragraphs 4.2.28 and 2.2.19 of Part 4 Section 2 (Access to Information Rules)

### 3.7.7 Council decisions

The council has decided that some of its decisions can be taken by the chief executive. Where the effect of the decision is to grant a permission or licence; changes the legal rights of an individual; or awards a contract (above ~~£50k~~ £75,000) or incurs expenditure (~~£50k~~ £75,000) which in either case materially affects the council's financial position there is a requirement to publish the decision.

4.2.79 For the purposes of these rules:

- (a) specific express authorisations are those decisions which contain a delegation from council, their committees or sub-committees;
- (b) general authorisations to officers are those set out in the council's scheme of delegation; and
- (c) 'material effect' is deemed to be in excess of ~~£50k~~ £75,000.

## Appendix 9 - Members Code of Conduct

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Arrangements for dealing with complaints about the Code of Conduct
<p><b>Proposed Changes</b></p>	<p>At Stage 1, add at 1f.</p> <p><u>In relation to complaints against Parish and Town Council Members raised by:</u></p> <ul style="list-style-type: none"> <li>a. <u>other Members; or</u></li> <li>b. <u>Members of the public/officers of a PTC</u></li> </ul> <p><u>that alleges a breach of conduct in relation to a lack of respect, of bullying or harassment or bringing the authority into disrepute only, where a PTC has a local resolution protocol (LRP) then Herefordshire Council will <b>NOT</b> accept a complaint under the current arrangement, <b>UNLESS</b></u></p> <ul style="list-style-type: none"> <li>i. <u>the LRP has concluded; or</u></li> <li>ii. <u>The PTC or Monitoring Officer considers that the LRP process has finished (including where it has not achieved an outcome or is incomplete).</u></li> </ul>
<p><b>Proposed Changes</b></p>	<p>At Stage 3, amend as follows:</p> <p>3 i. The MO will decide on one of the following three outcomes at Initial Assessment:</p> <ul style="list-style-type: none"> <li>1. No further action should be taken on the allegation (e.g. there is no breach or no jurisdiction);</li> <li>2. The matter should be dealt with through a process of informal resolution in the first instance (e.g the member has agreed to apologise);</li> <li>3. <u>The matter indicates a technical breach of the code of conduct, but it is not in the public interest to refer it for a formal investigation; or</u></li> </ul> <p><del>4.</del>3. The matter should be referred for a formal investigation.</p> <p>Transparency Arrangements</p> <p>5a All decision notices where there is a finding of a breach of the Code of Conduct, either following a decision by the Monitoring Officer after formal investigation, or by a Standards Panel, will be published on the Council’s website. Such notices will be retained until the later of 6 years. <u>For the avoidance of doubt, a breach determined at Initial</u></p>

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	<u>Assessment stage 3 will not be published unless the Monitoring Officer determines under paragraph 5b.</u>
<b>Section</b>	<b>Arrangements for dealing with complaints about the Code of Conduct - Appendix 1 General Guidance</b>
<b>Proposed Changes</b>	19 <u>The Council delegates to Audit &amp; Governance Committee authority to make changes to these arrangements.</u> The MO is authorised to change the 'Guidance' sections of these Arrangements in consultation with the Chairperson of the Council's Audit and Governance Committee where improvements and clarifications are required.

## Appendix 10 - Political Group Consultation

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 2 Article 2 Political or other groups
Proposed Changes	<p><b>2.2.22 Political or other groups</b></p> <p>2.2.23 Councillors may join a political group of two or more councillors who belong to the same political party or have some other common interest. Political groups are recognised by law and in the constitutional arrangements within the council.</p> <p>2.2.24 The number of places that each political group has on the council determines how many places are allocated to members of that political group on council committees and other bodies.</p> <p>2.2.25 There is no constitutional or legal requirement that a member of a group must vote on any matter in the same way as their political group. Usually on policy matters a political group will have a collective view and will vote together on the issue.</p> <p>2.2.26 There are certain functions of the council that are regulatory or quasi-judicial e.g. planning. A political group may not direct its members how to decide such matters.</p> <p><b><u>2.2.27 Political Group Consultation</u></b></p> <p><u>2.2.28</u> A 'political group' is one which has been constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 and consists of at least two Members</p> <p><u>2.2.29</u> A political group consultation ('PGC') provides a political viewpoint to inform officers' preparation of key decision reports and demonstrates the Council's commitment to encourage cross party engagement in decisions before they are taken.</p> <p><u>2.2.30</u> All key decisions require a PGC to be undertaken prior to the decision unless:</p> <ol style="list-style-type: none"> <li>i. <u>They are key officer decisions deemed as non-key due to being delegated from a member key decision</u></li> <li>ii. <u>GLs agree not to conduct a PGC at the request of officers</u></li> <li>iii. <u>The Decision maker has no discretion (e.g. decision to receive a grant with objectives to meet – and the decision is simply to accept the grant or not).</u></li> <li>iv. <u>a confidential matter is discussed or where exempt information under relevant sections Schedule 12A of the LGA1972 is discussed</u></li> <li>v. <u>a decision is made using the General Exception, Special Urgency provisions or the provisions restricting a call-in where there is requirement to implement urgently (para 4.5.73 Par 4 Section 5 Scrutiny Rules)</u></li> </ol> <p><u>2.2.31</u> At the PGC questions should be focussed around the 'political' positions, enabling attending cabinet member(s) to respond with their position on the matters under consideration. Officers should focus on technical explanation/evidence underpinning the decision.</p>

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	<p><b><u>2.2.32</u></b> <u>The PGC may be recorded and made available to allow members who cannot attend to review afterwards.</u></p> <p><b><u>All Member Briefings (AMB)</u></b></p> <p>2.2.33 <u>AMB are briefings by officers on matters that impact on the county. They include matters outside of the council but could impact the council and its residents. e.g An AMB could be used by officers to seek all member views in respect to a consultation by government. AMB is not a replacement for a PGC for a relevant Key Decision.</u></p>
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The requirements of a PGC and AMB:

	<b><u>Political Group Consultation (PGC)</u></b>	<b><u>All Member Briefing</u></b>
<u>What is it?</u>	<u>A consultation event with all members</u>	<u>Briefing to all members of the Council</u>
<u>How is it triggered?</u>	<u>Key Decision</u>	<u>Notification by Chief Executive Officer</u>
<u>How is it done?</u>	<u>A single meeting with all members of the Council by Teams.</u>	<u>(i) A single meeting with all members of the Council by Teams or (ii) issuing an email / briefing note</u>
<u>How is it performed?</u>	<u>Officers will either (i) offer a consultation meeting or (ii) request written group response on a specific key decision. They will provide a good summary of the decision at hand. If a consultation meeting is offered, then an online Teams Meeting or hybrid will occur and will be recorded for those not in attendance/wishing to view again. Political views are consulted on.</u>	<u>Where a meeting is called, an invite will be set by officers for any live meeting to all members prior to the decision or matter occurs. An online Teams Meeting will occur and will be recorded for those not in attendance/wishing to view again.</u>
<u>What is its purpose?</u>	<u>Information dissemination in relation to a key decision to seek feedback from individual political groups on their views.</u>	<u>An information dissemination exercise to all members</u>
<u>When is it done?</u>	<u>On confirmation from relevant cabinet member that a Key Decision is ready for a PGC. This should be at least 10 days prior to publication of any agenda for a key decision</u>	<u>As soon as required - Ideally within a few days of a significant event happening. E.g. Ofsted report; devolution impacts on the county, electoral review</u>
<u>Any exclusions - when they are NOT done</u>	<ul style="list-style-type: none"> <li>(i) <u>Key officer decisions deemed as non-key due to being delegated from a member key decision)</u></li> <li>(ii) <u>If GLs agree not to conduct a PGC at the request of officers</u></li> <li>(iii) <u>Where the decision maker has no discretion (e.g. decision to receive a grant with objectives to meet – the decision is simply accept the grant or not).</u></li> <li>(iv) <u>Where a confidential matter is discussed or where exempt information under relevant sections Schedule 12A of the LGA1972 is discussed</u></li> <li>(v) <u>Where a decision is made using the General Exception, Special Urgency provisions or the provisions restricting a call-in where there is</u></li> </ul>	<u>None but they will only be performed where required as determined by the Chief Executive and/or relevant director to deal with significant matters affecting the county.</u>

	<u>requirement to implement urgently (para 4.5.73 Par 4 Section 5 Scrutiny Rules)</u>	
<u>What is the meeting seeking to achieve?</u> -	<u>The report or meeting is to inform members of the proposal and to seek the views of the political group on the proposal and answer any questions that may arise.</u> -	<u>To inform all members of the council of a decision or other matters that occur.</u>
<u>Member questions?</u> -	<u>Questions can be raised by the members of the group about the detail of the proposal. Depending on the nature of the question officers may be able to answer them at the meeting or by written response. Unanswered questions will be received and a response provided at the earliest point. The purpose of answering questions is to provide points of clarification, contextual background. The purpose is a clear political viewpoint on the decision.</u> -	<u>Questions can be raised at any meeting but this will usually be to ask for clarity on specific points. The principal function of this briefing, however, is about dissemination. Questions can be raised to the relevant director after the meeting.</u>
<u>Next Steps</u>	<u>Each political group has the opportunity to put any political points forward to the relevant officer within 5 days of the briefing through the group leader.</u>	<u>None further.</u> -
<u>Reporting of Group feedback</u>	<u>Where a PGC has been performed at least 10 days before the meeting, the officers will summarise the key views put forward in the consultation part of the report (either in the consultation or as an appendix to accompany the key decision report).</u>  <u>Where a PGC has not been performed at least 10 days before the meeting, the officers will either summarise the key views put forward in the consultation part of the report (either in the consultation or as an appendix to accompany the key decision report) if time permits before the agenda is published or shall publish any political group representations as an addendum to the report/agenda item.</u>	<u>None</u>

