

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

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

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

1. ELECTION OF CHAIRMAN

(Councillor J Stone in the chair.)

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

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

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

(Councillor DB Wilcox in the chair.)

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

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

He also welcomed new and returning councillors.

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

2. APPOINTMENT OF VICE-CHAIRMAN

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

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

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

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

A named vote was held.

For Councillor Lloyd-Hayes (12)

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

For Councillor McCaull (37)

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

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

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors PE Crockett and JLV Kenyon.

4. DECLARATIONS OF INTEREST

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

Agenda item 1 – Election of Chairman

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

Agenda item 2 - Appointment of Vice-Chairman

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

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

Agenda item 7: Election of Leader of the Council

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

5. MINUTES

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

6. CHAIRMAN'S ANNOUNCEMENTS

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

7. ELECTION OF LEADER OF THE COUNCIL

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

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

Councillor Morgan spoke in support of the nominee.

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

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

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

8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES

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

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

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

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

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

This motion was carried with no one voting against it.

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

This motion was carried with no one voting against it.

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

The consideration of each appointment was as follows:

Chairman of the General Overview and Scrutiny Committee

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

There were no other nominations.

Vice-Chairman of the General Overview and Scrutiny Committee

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

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

A named vote was held.

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

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

Abstentions (2) Councillors MJK Cooper and EPJ Harvey.

Councillor Cooper was therefore appointed.

Chairman of the Health and Social Care Overview and Scrutiny Committee

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

There were no other nominations.

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

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

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

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

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

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

A named vote was held.

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

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

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

Councillor Stone was therefore appointed.

Chairman of the Planning Committee

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

There were no other nominations.

Vice-Chairman of the Planning Committee

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

There were no other nominations.

Chairman of the Audit and Governance Committee

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

There were no other nominations.

Vice-Chairman of the Audit and Governance Committee

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

There were no other nominations.

Chairman of the Regulatory Committee

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

There were no other nominations.

Vice-Chairman of the Regulatory Committee

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

There were no other nominations.

Chairman of the Employment Panel

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

There were no other nominations.

Vice-Chairman of the Employment Panel

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

There were no other nominations.

RESOLVED:

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

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

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

9. COUNCILLORS' ALLOWANCES SCHEME

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

The Assistant Director, Governance presented the report.

RESOLVED:

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

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

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

10. DATES OF FUTURE MEETINGS

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

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

The meeting ended at 11.45 am

CHAIRMAN