

**MINUTES of the meeting of Council held at Council Chamber,
The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Friday
20 May 2016 at 10.30 am**

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

Councillors: PA Andrews, BA Baker, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, MJK Cooper, PE Crockett, 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, JLV Kenyon, 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, WC Skelton, J Stone, D Summers, EJ Swinglehurst, LC Tawn, A Warmington and SD Williams

1. ELECTION OF CHAIRMAN

(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 made the statutory declaration of acceptance of office.

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.

2. APPOINTMENT OF VICE-CHAIRMAN

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

Councillor RI Matthews proposed and Councillor TM James seconded the nomination of Councillor PJ McCaull.

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

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors JM Bartlett and NE Shaw.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

The chairman advised that members had received a dispensation in relation to item 8 and that this would be explained by the solicitor to the council at that item.

5. MINUTES

RESOLVED: That the minutes of the meeting 4 March 2016 be confirmed as a correct record and signed by the Chairman.

6. CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman went on to highlight the civic events that had taken place over the last year. These included:

- Visits by HRH the Duke of Kent, HRH the Duke of Gloucester and HRH the Countess of Wessex.
- The 300th anniversary of the Three Choirs Festival which had been held in Hereford Cathedral.
- The 900th anniversary of the signing of the Magna Carta.
- That Hereford Cathedral School's Cantabile Choir won the 'Songs of Praise' School Choir of the year and that Hereford Sixth Form College had been chosen as the inaugural winner of the 'Sixth Form College of the Year', a national award in recognition of its innovative provision and impressive student outcomes.
- That the new Hereford Football Club would be playing at Wembley in the finals for the FA Vase Trophy. The team were also Midlands Football League Champions, HFA Challenge Cup Winners and Polymac Packaging Cup Winners.

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 H Bramer seconded the nomination of Councillor AW Johnson.

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

8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES

The solicitor to the council explained that any members who had been nominated for positions which attracted a special responsibility allowance under the councillors' allowances scheme had a pecuniary interest in that item. Following a written request she had granted a dispensation and therefore those members who were affected could participate in the discussion, remain in the room and vote on all of the recommendations in item 8. She advised, however, that members should refrain from voting in respect of recommendation (h) where they were nominated for an individual appointment.

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

The chairman presented the report. He said that it had been suggested that recommendations a-f as printed in the agenda papers should be considered and voted upon as a whole. A separate vote should then be taken on recommendation g which provided for the suspension of the rules of proportionality for a number of specified bodies. Leaving recommendation h on the appointments to the positions of Chairmen and Vice-Chairmen for which several nominations were expected to be considered.

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

This motion was carried with no one voting against it.

Council was advised 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 Audit and Governance Committee

Councillor PM Morgan proposed and Councillor PGH Cutter seconded the nomination of Councillor BA Durkin.

There were no other nominations.

Councillor Durkin was therefore appointed

Vice-Chairman of the Audit and Governance Committee

Councillor BA Durkin proposed and Councillor PM Morgan seconded the nomination of Councillor FM Norman.

There were no other nominations.

Councillor Norman was therefore appointed

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.

Councillor Bowen was therefore appointed

Vice-Chairman of the General Overview and Scrutiny Committee

Councillor PM Morgan proposed and Councillor RJ Phillips seconded the nomination of Councillor CA Gandy.

Councillor A Seldon proposed and Councillor FN Norman seconded the nomination of Councillor AJW Powers.

A named vote was held.

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

For Councillor Powers (18): Councillors TL Bowes, ACR Chappell, PE Crockett, PJ Edwards, J Hardwick, EPJ Harvey, JLV Kenyon, MD Lloyd-Hayes, MN Mansell, RI Matthews, SM Michael, FM Norman, CA North, AR Round, A Seldon, D Summers, LC Tawn, A Warmington.

Councillor Gandy was therefore appointed.

Chairman of the Health and Social Care Overview and Scrutiny Committee

Councillor ACR Chappell proposed and Councillor EPJ Harvey seconded the nomination of Councillor MD Lloyd-Hayes.

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

Councillor Chappell and Councillor Morgan spoke respectively on the qualities of their nominees.

A named vote was held.

For Councillor Andrews (31): Councillors BA Baker, WLS Bowen, H Bramer, CR Butler, MJK Cooper, 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, RL Mayo, MT McEvilly, PM Morgan, PD Newman, RJ Phillips, GJ Powell, PD Price, P Rone, WC Skelton, J Stone, EJ Swinglehurst, DB Wilcox and SD Williams.

For Councillor Lloyd-Hayes (18): Councillors TL Bowes, ACR Chappell, PE Crockett, PJ Edwards, EPJ Harvey, JLV Kenyon, MN Mansell, RI Matthews, PJ McCaull, SM Michael, FM Norman, CA North, AJW Powers, AR Round, A Seldon, D Summers, LC Tawn, A Warmington.

Councillor Andrews was therefore appointed.

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 PE Crockett.

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

A named vote was held.

For Councillor Crockett (19): Councillors TL Bowes, ACR Chappell, PJ Edwards, J Hardwick, EPJ Harvey, JLV Kenyon, MD Lloyd-Hayes, MN Mansell, RI Matthews, PJ McCaull, SM Michael, FM Norman, CA North, AJW Powers, AR Round, A Seldon, D Summers, LC Tawn, A Warmington..

For Councillor Stone (30): 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, WC Skelton, EJ Swinglehurst, DB Wilcox and SD Williams.

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.

Councillor Cutter was therefore appointed

Vice-Chairman of the Planning Committee

Councillor PM Morgan proposed and Councillor PGH Cutter seconded the nomination of Councillor J Hardwick.

There were no other nominations.

Councillor Hardwick was therefore appointed

Chairman of the Regulatory Committee

Councillor PM Morgan proposed and Councillor JLV Kenyon seconded the nomination of Councillor DW Greenow.

There were no other nominations.

Councillor Greenow was therefore appointed

Vice-Chairman of the Regulatory Committee

Councillor JLV Kenyon proposed and Councillor TL Bowes seconded the nomination of Councillor SM Michael.

Councillor PM Morgan proposed and Councillor H Bramer seconded the nomination of Councillor BA Baker.

A named vote was held.

For Councillor Baker (32): Councillors PA Andrews, WLS Bowen, H Bramer, CR Butler, MJK Cooper, PGH Cutter, BA Durkin, CA Gandy, 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, WC Skelton, J Stone, EJ Swinglehurst, DB Wilcox and SD Williams.

For Councillor Michael (15): Councillors TL Bowes, ACR Chappell, PE Crockett, PJ Edwards, EPJ Harvey, JLV Kenyon, MD Lloyd-Hayes, MN Mansell, FM Norman, CA North, AJW Powers, A Seldon, D Summers, LC Tawn, A Warmington.

Abstentions (2): Councillors DW Greenow and PJ McCaull

Councillor Baker was therefore appointed.

Chairman of the Employment Panel

Councillor PM Morgan proposed and Councillor RI Matthews seconded the nomination of Councillor AW Johnson.

There were no other nominations.

Councillor Johnson was therefore appointed

Vice-Chairman of the Employment Panel

Councillor H Bramer proposed and Councillor RJ Phillips seconded the nomination of Councillor PM Morgan.

There were no other nominations

Councillor Morgan was therefore appointed

Resolved:

That:

- (a) the list of ordinary committees listed at paragraph 8 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 paragraph 9 be approved;**
- (c) the allocation of seats on outside bodies to political groups as set out at paragraph 10 be approved;**
- (d) it was 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) Mr Richard Stow be appointed as independent person for a term of four years;**
- (g) 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 be approved; and**
- (h) the appointment of committee chairmen and vice chairmen of the committees 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 CA Gandy
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 BA Baker

9. CONFIRMATION OF DESIGNATION OF STATUTORY OFFICER (MONITORING OFFICER)

(The solicitor to the council left the chamber for this item)

Council noted a report on the confirmation of the designation of the statutory officer (Monitoring Officer).

The Leader presented the report and said that he supported the recommendation as the solicitor to the council had done an excellent job in the role, shown outstanding qualities and had effectively developed relationships with Members.

A member expressed concern that the combination of the two roles and questioned whether there was a conflict between the role of solicitor to the council and monitoring officer. The Chief Executive replied, and said that this matter had been considered but that it was believed to be manageable; the two roles were combined in many councils across the country.

Resolved: That the post of solicitor to the council be designated as monitoring officer for Herefordshire Council.

The meeting ended at 11.36 am

CHAIRMAN