

Meeting:	Council
Meeting date:	17 July 2020
Title of report:	Motions on notice
Report by:	Solicitor to the Council

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To consider motions received on notice.

Recommendation

THAT: the motions listed at paragraph 6 are debated and determined by Council.

Alternative options

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

Key considerations

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may be varied at the discretion of the chairman.

- 6 Two motions have been received and will be debated at the meeting. The motions for discussion are set out below:

Motion – Tree Strategy

(Proposed by Councillor Christy Bolderson, Seconded by Councillor Elissa Swinglehurst)

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

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

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

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

(Proposed by Councillor Ellie Chowns, Seconded by Councillor Alan Seldon)

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

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

- 7 The constitution provides that the report to Council containing notices of motion on hand will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to seven motions considered at earlier meetings of full Council. The resolutions and updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
9 March	Video Casting of	A decision to initiate a procurement process has been delegated to the level of officer decision. A procurement

Further information on the subject of this report is available from
Matthew Evans, democratic services officer on Tel (01432) 383690

2018	Council Meetings	<p>process will be undertaken and a further report will be produced to recommend the appointment of an approved supplier.</p> <p>Under current practice all Council meetings are being run virtually; video-enabled and live-streamed. This experience is feeding into the procurement process and will be in effect until May 2021 at which point the current regulations for remote meetings come to an end.</p>
<p>RESOLVED:</p> <p>That, to align this council with best practice elsewhere, the executive is asked:</p> <p>a) to consider again the merits of 'up-grading' from audio to live on-line video streaming so that the public meetings of Herefordshire Council and its elected members would be publically open and visible to those unable to attend, and that the recordings should be archived and made available on-line.</p> <p>b) To consider a trial period for live video streaming with the opportunity during the trial for feedback from elected members and the public.</p>		

Date of meeting	Motion	Current Status
8 March 2019	Eastern City Bridge Protective Corridor	Review of core strategy has started and executive will consider response to this as part of formal decisions associated with the review. Progress has been delayed as a result of Covid 19.
<p>RESOLVED:</p> <p>That this council asks the executive to consider including in the forthcoming core strategy review a consideration of options for a route corridor for a full city ring road for Hereford to include an Eastern city bridge.</p>		

Date of meeting	Motion	Current Status
12 July 2019	Community Infrastructure Levy	The core strategy review has commenced and a response to this will be included in formal decisions regarding the review. Progress has been delayed as a result of Covid 19.
<p>RESOLVED:</p> <p>That this Council asks the executive to investigate the adoption of the Community Infrastructure Levy as a matter of urgency, ensuring it is implemented for Herefordshire no later than January 2021.</p>		

Date of meeting	Motion	Current Status
11 October 2019	Review of Governance Models	A progress report was presented to the audit and governance committee on 16 June 2020. An all members survey has been undertaken and the re-thinking governance will be considering the results to determine their next steps.
<p>RESOLVED:</p> <p>The Council resolves that:</p> <p>a) The Audit and Governance Committee oversee a review of governance models for a recommendation to Council no later than October 2020.</p> <p>b) The review be undertaken by a cross-party working group, reporting to the Audit and Governance Committee. To contain representation from each political group, from the executive, scrutiny and other functions. The Monitoring Officer be authorised to determine membership following consultation with political group leaders.</p> <p>c) The review should follow guidance from the Local Government Association and from the Centre for Public Scrutiny guidance; 'Rethinking Governance: Practical steps for councils considering changes to their governance arrangement, and</p> <p>d) The review be undertaken having regard to the following guiding principles;</p> <ul style="list-style-type: none"> - To maximise member engagement and participation in decision making - Ensure decision making is informed, transparent and efficient - Welcome public engagement - Enable member and officers to perform effectively in clearly defined functions and roles - To assess any resource implications for any proposed changes. 		

Date of meeting	Motion	Current Status
11 October 2019	General Permitted Development Order	A letter has been sent to the MHCLG and a response has been received. The correspondence will be shared with members shortly.
<p>RESOLVED:</p> <p>This Council resolves that: the executive is requested to write to government to ask them to review the policy regarding part 3 class Q (General Permitted Development Order as amended) applications under the General Permitted Development Order.</p>		

Date of meeting	Motion	Current Status
6 March 2020	20mph speed limits	Executive response is being prepared for consideration.
<p>RESOLVED:</p> <p>That this Council requests that the executive undertakes an investigation concerning the introduction of area-wide 20mph speed limits across Herefordshire's towns and major villages.</p>		

Date of meeting	Motion	Current Status
6 March 2020	Minor Injury Units (MIU) closures	A letter has been drafted and will be sent once finalised.
<p>RESOLVED:</p> <p>That this Council agrees that the decision by Wye Valley NHS Trust to close Minor Injury Units in Herefordshire for the last 3 winter periods be referred to the Secretary of State for Health because Herefordshire Council has not been consulted on these changes to service and is not satisfied with the reasons given by the Trust not to consult.</p>		

Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."
- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Equality duty

- 10 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.
- 11 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. If any motion results in a request that the executive (cabinet) consider taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

Resource implications

- 12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Legal implications

- 13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Risk management

- 14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

Consultees

- 15 None.

Appendices – none

Background papers – none identified