

## **Minutes of the meeting of Council held online on Friday 17 July 2020 at 10.30 am**

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

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

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

### **58. APOLOGIES FOR ABSENCE**

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

### **59. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **60. MINUTES**

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

### **61. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS**

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

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

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

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

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

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

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

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

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

**64. AMENDMENTS TO THE CONSTITUTION**

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

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

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

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

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

**RESOLVED: That –**

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

**65. LEADER'S REPORT TO COUNCIL**

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

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

The Leader received the following questions:

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

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

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

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

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

## **66. NOTICES OF MOTION UNDER STANDING ORDERS**

### **Motion 1 – Tree Strategy**

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

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

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

The following principal points were raised during the debate:

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

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

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

#### **RESOLVED: That**

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

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

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

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

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

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

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

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

**RESOLVED: That**

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

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

The meeting ended at 2.30 pm

**Chairperson**