

Meeting:	Council
Meeting date:	11 December 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 1 – That this Council bestow upon Lady Darnley the title of honorary freewoman of the county

(Proposed by Councillor Sebastian Bowen, Seconded by Councillor Bob Matthews)

That this Council bestow upon Lady Darnley the title of honorary freewoman of the county.

I wish to ask Members at full Council to award Lady Darnley the honour of being appointed an Honorary Freewoman of Herefordshire.

I speak mainly in my capacity as Chairman of Herefordshire Council and an elected representative of the people of Herefordshire in relation to this proposed nomination.

Wherever I have attended events within the County with Lady Darnley, as Lord Lieutenant or in a private role, she has been deeply respected and, may I say, loved in all instances. She has that magic ability to interact effortlessly with everyone she meets, while always retaining their respect and regard as representative on behalf of Her Majesty the Queen and Lord Lieutenant for Herefordshire – a role which she has fulfilled to perfection.

Always dignified but never stuffy she is adept at seeing the funny side of things and putting people at their ease, turning what might have been a rather dull or pompous event into something that instantly becomes relaxed and enjoyable. Having said this, she has always been able, instantly, to sense when formality and solemnity was appropriate and could be the epitome of the Representative of the Monarch while still retaining that easy link with her audience.

As Chairman of Herefordshire Council, it has been my great privilege to get to know Lady Darnley in a wide variety of settings – from accompanying Members of the Royal Family on official visits to the County to seeing her in deep conversation with military cadets as they went about their training in rough parts of Army training areas.

I cannot remember her ever being daunted by any circumstance that came her way, nor ever being stumped for suitable words, appropriate to the people to whom she was talking. She certainly has the ability to talk to anyone, literally from our most valued front line workers to Royal Dukes and treating them all with the same respect and good humour.

I have been impressed by the way that Lady Darnley has established an excellent rapport with the Council itself and has done her very effective best to ensure this close co-operation bears fruit in better working between the Lieutenancy and the Council and better outcomes, in that local organisations, from village shops to small and bigger businesses get the encouragement and support that makes such a difference to their morale and success.

Lady Darnley is always well briefed and is genuinely interested in all those she meets and her genuine interest and easy communication leaves an indelible impression upon all those she meets.

All in all, Herefordshire has been very well blessed to have had the inestimable benefit of having had Lady Darnley as their outstandingly excellent, cheerful and unflappable Lord Lieutenant.

I am sure you will wish to join me in wishing her very well in her retirement and I am very sure she will keep a very close eye on all that goes on in Herefordshire. What more fitting way to mark our farewells to a great citizen and a great representative of Her Majesty the Queen by awarding the highest possible honour that this council can bestow; that of Honorary Freewoman of Herefordshire.

Motion 2 – Climate and Ecological Emergency

(Proposed by Councillor William Wilding, Seconded by Councillor Elissa Swinglehurst)

This motion is in no way intended to suggest that the March 2019 Council declaration of a climate emergency, was not welcome and necessary. On the contrary we wish to make it clear that the previous administrations work, such as this, the introduction of Beryl bikes, reducing the councils carbon footprint, and in many other areas, has shown that this council treats the climate emergency with the utmost seriousness.

This new declaration of a ‘climate and ecological emergency’ follows on from this work, and shows that Herefordshire Council intends to preserve and protect our counties biodiversity and natural capital. It recognises and strengthens our commitment to tackle the ecological emergency.

I therefore propose the following motion;-

That this council, already having declared a ‘Climate Emergency’ in March 2019, wishes to strengthen its commitment by changing this declaration to now say that we ‘declare a Climate and Ecological Emergency’.

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 six 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 2018	Video Casting of Council Meetings	<p>A decision to initiate a procurement process has been delegated to the level of officer decision. A procurement 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>
RESOLVED:		

That, to align this council with best practice elsewhere, the executive is asked:

- 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.
- b) To consider a trial period for live video streaming with the opportunity during the trial for feedback from elected members and the public.

Date of meeting	Motion	Current Status
8 March 2019	Eastern City Bridge Protective Corridor	The resolution regarding an Eastern River Crossing is being taken forward via the Cabinet meeting on 3 rd December by report on the Hereford Transport Strategy Review, which includes options around an eastern river crossing.
<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	<p>Please see decision taken on the update to the Core Strategy on 9th November:</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296</p> <p>This included resolution as follows: (e) work on progressing a Herefordshire Community Infrastructure Levy should be put on hold pending the outcome of the significant proposals for reform of planning obligations in the White Paper</p>
<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
17 July 2020	Tree Strategy	An executive response is being prepared for consideration.
<p>RESOLVED:</p> <p>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.</p> <p>The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.</p> <p>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.</p>		

Date of meeting	Motion	Current Status
9 October 2020	Decline in hedgehog population	An executive response is being prepared for consideration.
<p>RESOLVED: That –</p> <p>A recent study has shown that the UK population of Hedgehogs has declined from around 30 million to only 1 million. Whilst it is not yet a European Protected Species it is a British mammal where the population is in steep decline and I am calling upon our executive to please consider ways in which Herefordshire Council can include measures for adaptation, mitigation and for the protection of Hedgehogs to a level comparable to that required for European Protected Species.</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