

MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 22 May 2009 at 10.30 am

Present: Councillor J Stone (Chairman)
Councillor JB Williams (Vice Chairman)

Councillors: PA Andrews, WU Attfield, LO Barnett, CM Bartrum, AJM Blackshaw, WLS Bowen, H Bramer, ACR Chappell, ME Cooper, PGH Cutter, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, MJ Fishley, JP French, JHR Goodwin, AE Gray, KG Grumbley, KS Guthrie, JW Hope MBE, MAF Hubbard, B Hunt, RC Hunt, TW Hunt, JA Hyde, TM James, JG Jarvis, Brig P Jones CBE, MD Lloyd-Hayes, G Lucas, RI Matthews, PJ McCaull, R Mills, PM Morgan, AT Oliver, JE Pemberton, RJ Phillips, PD Price, A Seldon, RH Smith, RV Stockton, JK Swinburne, AP Taylor, DC Taylor, AM Toon, NL Vaughan, WJ Walling, PJ Watts, DB Wilcox and JD Woodward

In attendance: Councillors

1. CHAIRMAN

The Vice Chairman, Councillor JB Williams called for nominations to the office of Chairman. Councillor RH Smith proposed Councillor J Stone and Councillor TM James seconded the nomination.

RESOLVED: That Councillor J Stone, be elected Chairman of the Council until the annual meeting of Council in May 2010.

Councillor Stone signed the Declaration of Acceptance of Office and officiated in the Chair for the remainder of the meeting.

2. PRAYERS

The Very Reverend Michael Tavinor, Dean of Hereford, led the Council in prayer.

The Chairman extended a warm welcome to the county's Lord Lieutenant, Lady Darnley, who was in attendance, as were members of the County's Youth Council and Children's Trust Shadow Board who had earlier presented the Chairman with a petition. During the meeting former Councillor and past Chairman John Edwards was also welcomed.

3. APOLOGIES FOR ABSENCE

Apologies had been received from Councillors DJ Benjamin, B Durkin, DW Greenow, G Powell and SJ Robertson.

4. DECLARATIONS OF INTEREST

Councillors WU Attfield, AM Toon and AE Gray declared personal interests in item 11 as members of Herefordshire Housing.

Councillor RJ Phillips declared a personal interest in relation to item 13, paragraph 8.4 'Response to the Review of Community Engagement in Community Safety and Drugs Partnership'.

5. VICE-CHAIRMAN

The Chairman called for nominations to the office of Vice-Chairman.

Councillor RI Matthews proposed Councillor JB Williams and Councillor ACR Chappell seconded the nomination.

RESOLVED: That Councillor JB Williams be appointed Vice-Chairman of the Council until the annual meeting in May 2010.

Councillor JB Williams signed the Declaration of Acceptance of Office.

6. MINUTES

The minutes of the meeting held on 6 March 2009 were **approved** as an accurate record.

7. APPOINTMENT OF LEADER OF THE COUNCIL

Councillor JP French proposed Councillor RJ Phillips as Leader of the Council and the nomination was seconded by Councillor PJ Watts.

RESOLVED: That Councillor RJ Phillips be appointed Leader of the Council until the annual meeting in May 2010.

Councillors MD Lloyd-Hayes and GFM Dawe requested that their objection to this nomination be formally recorded in the minutes of the meeting.

The Leader thanked members for his re-election and emphasised that as a Herefordian born and bred he regarded public service as an honour and was privileged to be the Council's leader. The importance that public service played in the quality of life of the county's residents was emphasised and it was acknowledged that the strengths of the county lay with its communities and its spectacular landscape, whilst its challenges were based around the need to deliver a wide range of services in a large geographically dispersed county.

The Leader stated that 2008 had been a significant year, not least the impact of the international monetary markets which would continue to have a profound effect on us all for many years, both as an authority in service delivery and to the citizens of the county.

A general election would need to be called within the next year, and it was expected that there would be tougher times ahead for public services whichever political party would be in Government. It was essential that there was honesty with the population of Herefordshire as to the possible impact of such challenges and that they be assured that the Council was working hard to prepare to meet these challenges, which would include Members having to make difficult decisions at times. The Leader looked forward to a challenging yet rewarding year.

Councillor Phillips advised Council that he had appointed Councillor JP French as Deputy Leader of the Council and confirmed the names of his other cabinet members, which would remain as in 2008/09.

8. APPOINTMENT OF OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS AND APPOINTMENT TO COMMITTEES AND OTHER BODIES

The Leader presented the report and referred Members to the appendices which had been circulated immediately prior to the start of the meeting.

The proposed changes to some of the chairmanships were highlighted and a warm tribute was paid to both Councillors JK Swinburne and SJ Robertson who were standing down from charring scrutiny committees for their leadership in challenging and sensitive areas. Councillor WU Attfield's work and wisdom was also acknowledged as she proposed to stand down from her Vice Chair's position whilst remaining a member on a scrutiny committee. In relation to the Standards Committee, in order to assist with the increasing demands on Members of this Committee, it was proposed to nominate two additional Members, Councillors JE Pemberton and AE Gray, who would be co-opted to fulfil the role as and when required.

In response to a question from Councillor MAF Hubbard who sought clarification of those positions which required the suspension of proportionality rules, the Leader stated that discussions had been held with group leaders at their meeting on 7 May 2009. The Leader advised Council that the Strategic Monitoring Committee was not proportionate as it provided a greater number of seats to parties outside the administration and stated that should there be a need to comply with strict proportionality this situation would change.

Councillor GFM Dawe, Leader of the Alliance Group advised Council that neither he nor the Labour Group Leader had been present at the group leaders meeting mentioned. He therefore considered that there had not been an open discussion and stated that he would vote to reject the recommendations.

Leader of the Liberal Democrat Group, Councillor TM James, reminded Council that the partial suspension of the rules on proportionality had been in place and supported over several administrations and, by gifting a greater proportion of posts to opposition groups, the Council was well regarded. He expressed the view that Council needed to retain consistency of committee membership as far as was possible for the duration of a four-year term. Councillor James also stated that whilst it may have been beneficial had the appendices been circulated a day or two earlier, it was unlikely that earlier circulation would have made a difference to the debate.

Councillor MD Lloyd Hayes stated that she would oppose the recommendations. She was concerned that the Alliance Group was not represented on the Strategic Monitoring Committee and additionally informed Council that she would be seeking membership of a scrutiny committee other than Adult Social Care and Health, on which she had served for nine years.

Councillor AM Toon stated that there was a perception that the Alliance Group was cut out of positions within the authority and requested that an alternative process of arranging appointments to offices be considered.

The Chairman called for a vote on the recommendations, which was not supported nem com and therefore not approved. Councillors GFM Dawe and MD Lloyd Hayes requested that their votes against the recommendations be formally noted in the minutes.

Following the rejection of the recommendations, the Leader stated that he regretted the fact that there had been formal objection to the proposed arrangements, which had sought changes to three offices. It was proposed that the group leaders meet to

consider the options and potential consequences, which in broad terms would be a variation of past proposals which would require a partial suspension of the rules of proportionality, or the need to appoint to offices on a the basis of strict proportionality, for ratification at the July 2009 Council meeting.

RESOLVED (unanimously) THAT:

- (a) Council delegates authority to the Chief Executive, in consultation with the political group leaders to consider and make appointments to all relevant offices and that the appointees be authorised to fulfil their roles until the Council meeting on 24 July 2009;**
- (b) the Chief Executive be requested to exercise his delegated powers to make, (if required) following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality and to make appointments, as necessary, in accordance with the nominations of the political group leaders; and,**
- (b) at the July Council meeting, the Council be asked to confirm the appointments.**

9. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Council that Councillor GA Powell was currently in hospital and wished her a speedy recovery. He passed on Councillor Powell's thanks for the many messages and cards received from fellow Members.

Pupils from John Masefield High School who had taken part in the local democracy project 'I'm a Councillor Get Me Out of Here' had tea with the Chairman and other Councillors.

Members were advised of the fundraising activities of The Goodwill Group, volunteers from both the Council and PCT, who had since the autumn been raising money for Help the Heroes and who continued to do so even though their £1,000 target has been met. Congratulations were additionally extended to the Chief Executive on his completion of Hereford's half marathon which was in aid of St Michael's Hospice, and to all who took part. The Chairman announced that he would be undertaking a sponsored swim during the year which would be held in all four of the county's leisure pools.

Together with other Members, the Chairman had the opportunity to tour the new facility, ThePoint4, at the Royal National College for the Blind, an excellent sports and complementary therapy centre which would feature as a venue in the 2010 Blind Football World Cup. All Members were encouraged to visit the facilities.

Herefordshire Council would be supporting the Fly the Armed Forces Flag initiative and the flag would be raised and flown from the Shire Hall from Monday 22 June, at an event with representatives of the armed forces present. The flag would remain flying until 27 June. All were welcome to attend the short, but important ceremony on 22 June.

1st the Queen's Dragoon Guards had been granted permission to parade through Hereford City on 14 July to mark their homecoming back from Afghanistan. This parade would also mark Herefordshire's welcome back to the Guards. The regiment would have stands in High Town and would be visiting various schools and colleges.

Councillor SPA Daniels was congratulated on her recent appointment as Mayor of Hereford City.

In closing, the Chairman stated that he looked forward to seeing Members in the Town Hall following the meeting for the annual Chairman's lunch.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC

Copies of all public questions, received by the deadline, with the written answers were distributed prior to the commencement of the meeting. The Chairman advised Council that following the Council's adoption earlier in the meeting of changes to questions from Members of the Public that each Member of the public who had lodged a written question was permitted to ask one supplementary question, should they so wish. Supplementary questions were asked by Mr Clay, Ms Evans, Mr Barton and Mr Phelps. A copy of the public questions and written answers together with the supplementary questions and answers are attached as Appendix 1 to the minutes.

11. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

Questions from Councillor WLS Bowen to the Cabinet Member Resources.

1.1 Do you agree that Herefordshire Councils' efforts to establish a baseline for energy use and to discover the whereabouts of its various electricity, gas and water meters has been agonisingly and pathetically slow?

1.1.2 Why has it taken so long to achieve this relatively simple, yet vital objective and when will this objective be achieved?

Answer from Councillor H Bramer, Cabinet Member Resources

1.1 No.

1.1.2 This is not a simple task but a complex process involving almost 700 individual meters for electricity, gas and water. The co-operation of the utility companies is required to identify which meter location relates to which invoice received and even then in order to provide a completely accurate baseline, all 700 meters would have to be read at the same time. This cannot be done practically, unless by remote electronic reading. An added complication is that sites using LPG or fuel oil do not have consumption meters.

That said, we are able to provide a reasonably robust baseline of the Council's CO2 emissions, which last year party were approximately 14,500 tonnes from property. This is the Council's baseline position against which we will measure our reduction targets.

We are continuing to improve our ability to provide accurate and up to date information both in respect of the council's own property and through working with key partners such as HALO.

Supplementary question from Councillor WLS Bowen
Eight years was a long time in which to achieve baseline information – might the Council use Halo to achieve a more rapid answer?

Councillor H Bramer, Cabinet Member for Resources responded by acknowledging that eight years was a long time, however this was due to the need for the base lines to be read at the same time. The authority was now working hard to progress this work.

Questions from Councillor WLS Bowen to the Cabinet Member Environment and Strategic Housing

1.2 *PPS22 was issued in 2004, allowing Authorities to mandate on site renewable energy production (typically 10%) as a condition of building development. Why doesn't Herefordshire make this demand of all new development?*

1.2.1 *How soon can this be incorporated into Herefordshire's planning policies?*

Answer from Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing

1.2 The advice in PPS22 has been partly superseded by the advice in the Supplement to PPS1 on "Planning and Climate Change" which was published in December 2007. This states, in paragraph 32:-

"...planning authorities should not require local approaches for a building's environmental performance on matters relating to construction techniques, building fabrics, products, fittings or finishes, or for measuring a building's performance unless for reasons of landscape or townscape."

This amounts to saying that the "Merton Rule" of requiring a 10% mandate of renewable energy production for new buildings has fallen out of favour with the government.

Furthermore, the equivalent policy in the Regional Spatial Strategy is going to be challenged at the Examination in Public and may not, therefore, be included in the final version of the RSS when it is approved by the Secretary of State sometime in 2010.

In these circumstances it would be unwise to try to enforce a blanket policy of this nature at this time.

1.2.1 Notwithstanding the above the emerging Core Strategy must have "Climate change" policies and needs to be tailored to Herefordshire's particular circumstances. A background paper on Climate Change Policy has been published on the Council's website and initial consultations are under way (in April and May 2009). It is intended to develop these ideas into policies which are locally distinctive, practicable and do not simply replicate the Building Regulations. Thus, for example, techniques appropriate in rural areas might not be suitable in heavily built up areas, and vice versa. There will be further consultation on this as part of the forthcoming "Place shaping" consultation in August and September.

Supplementary question from Councillor WLS Bowen

The authority merely 'encourages' developers to provide on site renewable energy production, should the authority be more robust with developers as is outlined in PPS22?

Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing;

Whilst agreeing in principle, he stated that guidance from Government remained unsettled and further advice was awaited in supplement to PPS1. Once clarification had been received the authority would progress to mandate developers appropriately and in line with Government guidance.

Question from Councillor WLS Bowen to the Cabinet Member Environment and Strategic Housing

- 1.3 *Do you agree that under recent “well being” regulations Local Authorities have the power to demand much higher standards of energy efficiency in local building regulations than are required nationally?*
- 1.3.1 *Why has no real progress been made to implement these much higher requirements which would lead to buildings that are very energy efficient and much less expensive to heat and cool?*
- 1.3.2 *Do you agree that Hereford could and should progress much faster than its current sloth like pace?*
- 1.3.3 *Why has progress been so slow?*

Answer from Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing

- 1.3 In order to depart from national standards there has to be a secure evidenced based local reason. As noted above, the “Merton” rule is no longer favoured by government as a blanket standard to be applied in all cases. Whilst, under building regulations, all new houses will have to be “carbon-neutral” from 2016 the consultation on the Core Strategy this summer will provide the chance for interested parties to take this further as we develop our policies for the future.
- 1.3.1 Developers are given every encouragement to develop energy efficient designs on a case by case basis at present, with some carbon neutral schemes already having been approved.
- 1.3.2 Pending the outcome of the challenge outlined in my answer to Q1.2 the council will continue to encourage best practice wherever possible and practicable.
- 1.3.3 Herefordshire is not being “slow” in this matter. We are in the process of developing policies in the light of what is practicable and in the light of national and regional policies. In the meantime individual developers are reminded of their duties under the Building Regulations and are encouraged to “go one better” wherever it can be done.

Question from Councillor WLS Bowen to the Cabinet Member Environment and Strategic Housing

- 1.4 *Do you agree that Herefordshire Council should back firms promoting and developing “green” engineering – and using their products? If so, what are you, as the Cabinet Member and the Director responsible doing about it?*

Answer from Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing

- 1.4 Yes. Supported by the framework of the Economic Development Strategy for the County one of the five key themes of which is sustainable development; a range of activities are already taking place some examples of which include:
- the Rethink project - encouraging businesses to use renewable energies, and training local companies to install, fit and develop renewables
 - The Rural Enterprise Programme (administred by Herefordshire Council on behalf of AWM for the rural West Midlands) includes funding for

companies to develop their environmental technologies in diversifying their land based businesses.

- One of the leading sustainable architects in the country (and a Herefordshire based business) is working with the local authority on producing a master plan scheme of the Model Farm project in Ross on Wye to create sustainable employment land,
- Working with partner organisations, a "meet the buyer" event is being arranged where sustainable businesses can promote their services and products.

Question from Councillor WLS Bowen to the Cabinet Member Economic Development and Community Services

1.5 *How much financial support does Herefordshire Council give to the Three Choirs Festival?*

1.5.1 *Does Herefordshire Council give any support "in kind" to the Three Choirs Festival?*

1.5.2 *Will High Town be made to look its best in time for the Three Choirs Festival? Will the missing letters in the names in the paving be replaced in time?*

Answer from Councillor AJM Blackshaw Cabinet Member Economic Development and Community Services

1.5 The Three Choirs Festival has a Service Level Agreement with Herefordshire Council for £12,000 over 2 years. We are now in Year 2.

1.5.1 The Three Choirs Festival has been asked to participate in the Take pART Campaign. They have attended one meeting but any further involvement has yet to be confirmed. Take pART is an audience development campaign and Herefordshire Council are seeking funding to increase activity and create a concessionary scheme. The Three Choirs Festival has been included in the list of partners (planned promotion during cultural roadshows) involved in the awareness part of the campaign.

1.5.2 The Three Choirs Festival is at the height of the summer and particular attention will be paid to the cleaning of High Town at that time. We are working with the original supplier to ensure all letters are in place for the Three Choirs Festival.

Supplementary question from Councillor WLS Bowen

It was important to ensure that all of Hereford was looking at its best in time for the Three Choirs Festival, which would also include the approaches to the City and the skate park.

Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services provided assurance that relevant officers in the Council were working closely with organisers from the Three Choirs Festival and Visit Herefordshire to deliver a first class event. A joint stand with the perpetual trust was in place at the Hay on Wye festival promoting this prestigious event.

Question from Councillor WLS Bowen to the Leader of the Council

1.6 *Do you agree that giving each Councillor a budget to be used for specific projects in their own Wards would be a very good way to target very local needs? Are you aware that other Councils have done this with great success?*

Answer from Councillor RJ Phillips Leader of the Council

- 1.6 I am aware that other Councils have adopted this approach. Locally we will be exploring how we can increase the influence of local members on local expenditure within their wards and will look at this proposal alongside other options for achieving this.

Supplementary question from Councillor WLS Bowen

Would not a ward budget be the best way to benefit wards. What other options or approaches are available?

Councillor RJ Phillips, Leader stated that it was important for all members to be aware of the realities of the challenges ahead both in relation to current budget pressures and with future financial situation of local government. Ward delegations would also be a challenge to local members to prioritise and differentiate between ward issues which could lead to a potential concern of inappropriate allocation of funding.

Question from Councillor AT Oliver to the Cabinet Member Environment and Strategic Housing.

As part of the Bloor Homes development of 34 houses at the Old Dairy site in Bullingham Lane, £309,000.00 was provided for Affordable Housing offsite under a Section 106 Agreement.

- 2.1 *What was the reason for not insisting on having Affordable Housing on site, and why was this £309,000.00 s106 money used to fund the Rose Gardens development in Ledbury Road, and not for social housing south of the river, in the area where the Bloor Homes development took place?*

Answer from Councillor Jarvis Cabinet Member Environment and Strategic Housing

- 2.1 The decision in 2004 to accept a financial contribution in place of affordable housing was taken having regard to the brownfield status of the site and associated additional costs to be incurred in the clearance of the land.

The contribution towards the Rose Gardens supported the delivery of a strategic priority for the Council, providing much needed affordable homes and independent living for older/vulnerable people for the whole of Hereford.

Supplementary question from Councillor AT Oliver

When the Section 106 monies were considered there was an expectation that this would be earmarked for initiatives South of the Wye. Why were these monies appropriated elsewhere?

Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing informed the Member that the situation concerning Section 106 agreements at the time (2004) stated that monies could be allocated to support areas of strategic priority for the Council, which would include the Rose Gardens development on Ledbury Road. However a different system was now in place that required a 'named allocation' of Section 106 monies to the relevant area. The same situation was unlikely to happen now.

Question from Councillor AT Oliver to the Cabinet Member Highways and Transportation

On the completion of the Rotherwas relief road it was stated by the Highways department that a scoping document would be produced to consult with local residents on improvements to Holme Lacy Road, including an extension of the 30 mile an hour limit, additional pedestrian crossings at St. Clare's Court, and the

junction of Winston Road and Hinton Road with Holme Lacy Road, and improved access for cyclists at the railway bridge.

- 2.2 *Nearly 12 months later nothing has happened. Why? Have any thoughts of improvement to Holme Lacy Road been abandoned?*

Answer from Councillor Wilcox Cabinet Member Highways and Transportation

- 2.2 The opening of the new Rotherwas Access Road has provided a high quality access to Rotherwas to the benefit of business on the estate. It has also helped to improve the environment for residents living in the area adjacent to Holme Lacy Road. I recognise the opportunity this now provides to further improve Holme Lacy Road for the benefit of residents. An incremental approach to this improvement is being taken and a 7.5 tonne weight restriction has already been implemented on Holme Lacy Road which prevents vehicles above 7.5 tonnes accessing the Estate via this route and moves this traffic onto the access road. Proposals to extend the 30 mph speed limit on Holme Lacy Road towards the Estate are currently being considered. In addition, a further package of works along Holme Lacy Road is being developed to further improve conditions for pedestrians and cyclists. These proposals are being designed to complement proposals for the Connect2 cycleway project to link Hereford with Rotherwas and Holme Lacy. Consultation regarding these measures is planned to take place later this year.

Supplementary question from Councillor AT Oliver

Could the Cabinet Member consider a new promise to ensure appropriate and wide consultation relating to improvement of the Holme Lacy Road?

Councillor DB Wilcox, Cabinet Member Highways and Transportation stated that a planning application was proceeding in relation to the improvement of the cycle way and that consultation and discussion regarding the thirty mile an hour exclusion zone on Holme Lacy Road was underway. Local Members' views would be sought on the measures proposed and consultation would include local Members, businesses and residents.

Question from Councillor AT Oliver to Cabinet Member Resources

- 2.3 *At 31 March 2008 and 31 March 2009 what was the value and number of invoices outstanding and unpaid for over 30 days?*

Answer from Councillor Bramer Cabinet Member Resources

- 2.3 Our current performance is payment within 14.83 days from receipt of invoice from supplier. The Council has agreed a local target of paying invoices within 20 days which we are achieving, and has also signed a pledge to work towards a target of paying invoices within 10 days.

Question from Councillor WU Atfield to the Cabinet Member Economic Development and Community Services

- 3.1 *Since the retail sector of the Edgar Street Development is not able to go ahead yet, isn't this a good time to begin the building of the social housing planned for this site, together with some small studio workshops, and so provide work for local builders and their employees?*

Answer from Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services

- 3.1 Whilst the recession has impacted on the phasing of elements within the ESG Masterplan, work is continuing to progress the social housing planned on the ESG site. The ESG Company and the Council are actively working with Sanctuary Housing and the Homes and Communities Agency to bring forward proposals as soon as possible. An essential element in bringing forward the housing development will be the infrastructure required to open up the site for housing, and it is indeed on these areas that the ESG Company is currently concentrating. We are anticipating planning applications in the near future in respect of both the Flood Alleviation Scheme and new road infrastructure which are crucial parts of the infrastructure required to open up the ESG site for new affordable houses.

Supplementary question from Councillor WU Atfield

Whilst it was acknowledged that both the infrastructure and flood alleviation scheme were required to enable the commencement of the wider ESG development, were there any sites within the ESG area where housing could go ahead without the impact flood alleviation works? If so, these should be progressed as a matter of urgency.

Councillor AJ Blackshaw, Cabinet Member Economic Development and Community Services stated that the flood alleviation scheme was crucial to the sequential development of the ESG and was subject to grant from Advantage West Midlands. The ESG Board and Herefordshire Council were working closely with Sanctuary Housing and Hereford City. Two planning applications were being progressed; one for the infrastructure requirements, the other for the flood alleviation scheme. It was emphasised that affordable housing was crucial to ESG scheme.

Question from Councillor RI Matthews to the Cabinet Member Resources

- 4.1 *I understand that the Council-owned Elmhurst Nursing Home has remained empty for approximately twelve months, and during that time considerable sums of money have been spent on parts of the building, with a view to using for office accommodation. Can Members be told how much has been spent on the building during this time in respect of the alterations, heating, lighting and full-time security. Can you also state whether any part of the building has been used during this period of time, because I understand that the heating bills alone have been considerable?*
- 4.2 *The Cabinet recently decided, against the wishes of a large number of Members and public alike, to permanently close the L.E.A. Pool, and to consider disposing of the site as part of the Council's General Property Strategy. If the site were to be sold, would the money raised be ring-fenced for a replacement pool, or at the very least for generally improved facilities at the Leisure Pool, bearing in mind that in the view of most Teachers and Parents the present arrangements are far from satisfactory?*

Answer from Councillor H Bramer, Cabinet Member Resources

- 4.1 The Council owned Elmhurst property was vacated by SHAW homes on 31 July 2008. Since that date, the Council has incurred costs of £93,678 related to the property, which includes security (as a condition of insurance) and protection of the building over the winter period, to ensure that we adequately protect our property, ready for potential marketing. The building has listed building status and there is therefore a duty to protect the integrity of the building.

- 4.2 No decision has been taken about the site. If it is sold then the monies would form part of the general capital receipts supporting the council's capital programme.

Supplementary question from Councillor RI Matthews.

Having been informed that £100,000 had been spent on an empty Council owned property in 10 months and following receipt of the breakdown of these costs which included construction work to transform the building into office accommodation, what were the issues which had delayed progress? Why was £16,000 gas costs incurred during this time when the central heating should have been turned off and the system drained?

Councillor H Bramer, Cabinet Member Resources stated that he was awaiting a full report of an investigation into this matter and would inform members of the outcomes.

Question from Councillor GFM Dawe to the Cabinet Member Corporate and Customer Services and Human Resources

- 5.1 *Would the Council agree that Herefordshire Council should follow the lead of Parliament and now publish in detail Councillors' expenses, and make them available for the general public on a quarterly basis.*

Answer from Councillor JP French, Cabinet Member Corporate and Customer Services and Human Resources

- 5.1 The register of Councillors' expenses claims is available for inspection by the public, on request, at Brockington. In addition, on an annual basis the Council publishes the total amount of expenses claimed by Councillors; this is published in the local press and is also available on the council website.

Supplementary question from Councillor GFM Dawe

As a breakdown of members expenses is not currently made available in the press, should consideration be given to providing information on what has been claimed under specific topic headings e.g overnight accommodation, travel expenses etc?

Councillor JP French, Cabinet Member for Corporate and Customer Services and Human Resources stated that local government should be proud of its approach to the publication of members expenses. The Council regularly had members of the public viewing this information as the Council's policy was open, transparent and prudent. It was additionally stated that the Council's level of members allowances was low compared to other local authorities.

Question from Councillor GFM Dawe to the Cabinet Member Resources

In the Cabinet report of 7 May 2009, Agenda Item 6, paragraph it states that the proposed new Council building will take £17m of capital reserves and Prudential Borrowing, with the remainder being met from further Prudential Borrowing and rationalisation.

- 5.2 *What is meant by rationalisation?*

- 5.2.1 *What exactly will be rationalised?*

- 5.2.2 *How much money will come from rationalisation and how much from Prudential Borrowing?*

Answer from Councillor H Bramer, Cabinet Member Resources

- 5.2 Rationalisation will take the form of ceasing to use buildings currently occupied and often owned by the Council. These buildings are expensive to maintain and, in general, have significant carbon footprints.
- 5.2.1 As indicated in the previous answer, a number of existing buildings will no longer be used or rented. At this stage, it is possible to estimate that this could total a minimum of 10 sites. However, we will continue to monitor the situation as the project progresses.
- 5.2.2 The level of money to be released from rationalisation will depend on the number of buildings no longer occupied and this will help fund any required future prudential borrowing to support the overall project.

Supplementary question from Councillor GFM Dawe

Assurance was sought that the cost of the new Council building would not result in a future rise in the community charge.

Councillor H Bramer, Cabinet Member Resources stated that £17million had been allocated to the cost of a new Council building through prudential borrowing and available monies. Further funds would come from the disposal of surplus buildings in the Council's portfolio and possibly through other borrowing. The Cabinet Member stated that he would provide any further details if required personally to Councillor Dawe.

Question from Councillor GFM Dawe to the Cabinet Member Economic Development and Community Services

The new Rotherwas Access Road has been open for over a year. The main justification for building it was that it would increase jobs. Herefordshire Council's own estimate was that it would create precisely 1,030 (Rotherwas Access Road Major Scheme Business Case (RARMSBC), July 2005. Herefordshire Council and Owen Williams consultants, page 5). Councillor. Blackshaw at the Community Services Scrutiny Committee of 17 July 2008 said it would provide even more jobs, he said the Rotherwas Access Road will lead to a 100% increase in jobs at Rotherwas.

5.3 *How many jobs have been created in the last year at Rotherwas? Please break them down broadly into*

- the type of job, in other words are the jobs merely transfers of Council employees from one office to another, or are they new jobs, created as a result of the new road?*
- the amount earned per annum by the new employees.*

5.3.1 *How many, in Councillor Blackshaw's opinion, can be accredited to the Rotherwas Access Road?*

Answer from Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services

- 5.3 The construction of the Rotherwas Access Road is a vital element of the wider regeneration of the Rotherwas Industrial Estate and is reflected as such within the Rotherwas Futures project. A study by GVA Grimley (April 2006) established that there was the potential for 25.5ha (63 acres) of land that could be developed, and calculated that, as a minimum, 1400 net new jobs would be created as a result of the employment land being developed.

Clearly these jobs will be created over a number of years as the land phased for development is released onto the market and development occurs. GVA did not give timetables for the job creation and external factors, such as the recession, clearly have an impact on the timing of land coming forward for development. We have been fortunate in constructing the road when we did, which has meant the road was in place at the beginning of the current economic recession and has had a positive impact in sustaining and preventing job losses on the Rotherwas site, without which companies such as Arctic Circle would not have had the opportunity of winning its new £1m contract with Morrisons.

Supplementary question from Councillor GFM Dawe

As the question posed was not answered, an assumption could be made that 0% of jobs were created – was this situation what should be concluded?

Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services stated that the Rotherwas Industrial Estate was an important long term land bank. The 2006 GVA Grimly report identified the creation of possible 1400 new jobs as a result of the employment land being developed, which would be created over a number of years and would be dependent on market forces and the economic climate. Three of the largest employers on the Rotherwas Industrial Estate had informed the Cabinet Member they had credited the completion of the Rotherwas Access Road with securing jobs on the Estate as without the access road it was possible that those companies would have considered their location.

Question from Councillor GFM Dawe to the Cabinet Environment and Strategic Housing

5.4 *What percentage rise in car parking charges in the Council-owned car parks would be required to pay for the proposed cut in bus subsidy of £80,000, plus the additional £80,000 needed to maintain current bus service levels?*

Answer from Councillor B Wilcox Cabinet Member Environment and Strategic Housing

5.4 Whilst it is true that earlier in the year there was the possibility of an £80K reduction in the bus subsidy, I am happy to confirm that no reduction in the Council subsidy will be required this year though there will of course need to be a review based on the results of the tender exercise currently underway on a number of the bus contracts. It is also worth recording that the total budget for route subsidies is in excess of £900,000 in the current year.

Supplementary question from Councillor GFM Dawe

What increase in car park charges would be required to deliver £80,000 – 20%?

Councillor DB Wilcox, Cabinet Member Highways and Transportation referred to the recent members seminar held on the bus subsidy issues which highlighted the need to retain the £80,000 in the existing budget and confirmed that the council subsidy remained, however continuing challenges would lie ahead with the prioritisation of issues from the Area Based Grant. The issues of the bus subsidy and increase in car parking charges were not considered to be related. There was currently a shortfall of £196,000 in the car parking budget, therefore an increase in car parking charges did not automatically correspond with additional monies for reallocation to different budgets. It is currently proposed that car parking charges were not increased as it was vital to encourage people into the City and towns.

Question from Councillor MD Lloyd-Hayes to the Cabinet Member Economic Development and Community Services

- 6.1 *Widemarsh Common has been a public open space since its benefactor Miss Chave left it to the public after her death. Can we be reassured that the grounds in front her house remain in public use?*
- 6.2 *How much has been spent on the ESG to date including salaries?*
- 6.3 *Are there plans for a food store to be on the ESG and are “ongoing negotiations” taking place at this time?*

Answer from Councilor AJM Blackshaw, Cabinet Member Economic Development and Community Services

- 6.1 Herefordshire Council has no plans to either develop on or dispose of Widemarsh Common or restrict the public access which is currently enjoyed.
- 6.2 From 2005-06 to 2008-09 the Council has spent £1,003,584.
- 6.3 The Council is currently negotiating a development agreement with its preferred partner Stanhope in respect of the Livestock Market site. It will be Stanhope's job to negotiate potential tenants, and they are already in preliminary negotiations with Waitrose. Any such retail development would be subject to the relevant planning processes.

Supplementary question from Councilor MD Lloyd-Hayes
Does the £17.5 million spend include an appraisal for a GP/Walk in surgery?

Councilor AJM Blackshaw, Cabinet Member Economic Development and Community Services stated that he did not have the information to hand and that a formal written answer would be provided.

Supplementary question from Councilor MD Lloyd-Hayes
It was noted that there was no information on the Stanhope website advising of the food store. As the Council owned the land would ward members be involved in the process and consulted?

Councilor AJM Blackshaw, Cabinet Member Economic Development and Community Services confirmed that, in line with council policy, local ward members would be involved.

Question from Councilor MD Lloyd-Hayes to the Cabinet Member Resources

- 6.4 *The Council sold the Youth Centre in Tupsley that also served as a community centre leaving the public with nowhere to congregate. The local pub is for sale at a very attractive price and stands on Council owned land, will the Council secure the building in order to serve several thousand people in the local community?*
- 6.5 *We read in the local press that the government is “actively thinking” of financing the Outer Distributor Road to the tune of £60m, does that mean the funding is guaranteed?*

Answer from Councilor AJM Blackshaw, Cabinet Member Economic Development and Community Services

- 6.4 The Council is happy to work with any community group anywhere in the county in assisting with the development of a business case and identifications of options for sustainable community owned facilities. It is not our intention at this moment in time to purchase the building

Answer from Councillor R Phillips, Leader of the Council

6.5 Funding is being considered by government as part of the regional allocation process.

Supplementary question from Councillor MD Lloyd-Hayes

Why were there no plans for investing in youth amenities within Hereford, as currently a £770,000 youth centre was planned for Leominster? Current data relating to 14-19 year olds identified the following information; Leominster had 400; Hereford City had 4,400 with 800 within the Tupsley Ward which included Whitten Way which was an area of deprivation.

Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services stated that there was no geographical bias for the allocation of funds and resources. The young people were the County's most valuable future and should members have any creative ideas he would be happy to hear them.

12. NOTICES OF MOTION UNDER STANDING ORDERS

The Chairman introduced this item by informing Members that as Chairman he had been pleased to attend an event in High Town during Easter arranged by the Youth Council and Children's Trust Shadow Board which publicised the 'No prejudice in HERefordshire' campaign. He also thanked the members of the Youth Council and Children's Trust Shadow Board for being in attendance to hear this important issue being debated at Council.

The Chairman ruled the notice of motion as outlined in the agenda be treated as urgent.

Councillor ACR Chappell, Leader of the Labour Group advised Members that the notice of motion had been supported and signed by all the Group Leaders. The motion was seconded by Councillor JP French Cabinet Member Corporate and Customer Services and Human Resources.

Councillor ACR Chappell stated that this was an important notice of motion for consideration by Council, though in effect it should not be an issue for debate. Members were advised that the purpose of bigotry and racism was to destroy harmonious communities and to spread poison, and this point was illustrated by reference to explicit racist language used by a 7 year old child in a playground, the presumption being that such words had been picked as a result of language used by the child's parents.

Councillor Chappell emphasised that not all individuals held prejudicial views and commended the young people for leading the campaign for No Prejudice in HERefordshire.

In debunking myths, Councillor Chappell emphasised that no one received preferential treatment from social landlords, jobs were given on merit, and only those entitled to receive benefits were provided with such support. It was also highlighted that majority of crime in Herefordshire was committed by Herefordians.

Concerns had been expressed to Councillor Chappell from staff of the Hereford Times following a directive from their parent company Newsquest regarding the placing of an advert in the Hereford Times which called for 'British jobs for British workers'. It was emphasised that the local staff knew their locality well and a letter was read out from a Hereford Times employee who outlined examples of the horrors of prejudice which he had witnessed when younger.

Councillor Chappell stated that Herefordshire had a long history of welcoming those of different cultures, politics, religion and creed, which included the Marion Fathers, Poles (before and after the second world war), Hungarians during the 18th century, Italians prisoners of war and people from Southern Asia. It was with shame that Councillor Chappell informed Members that whilst a building in the South Wye area was being used as a mosque, he had been asked not to disclose its location from fear of reprisals. All people, be they friends, neighbours, work colleagues deserved equal curtesy and respect.

Herefordshire Council was taking a lead in this initiative and Councillor Chappell congratulated the young people and Council staff for the way the campaign has been organised, he additionally commended the Cabinet Member for her support.

Councillor Chappell stated that Members had responsibility to serve all people within their wards, whatever their colour or creed and it was important to emphasise the no prejudice message at all times. It was stated that Herefordshire was strong enough not only to respect differences but also to challenge prejudice by standing up and speaking out against it.

Councillor Chappell recounted a deeply personal story of his time in Chile in the late 1960's when racism was rife and when, during political turmoil many were killed, including a close friend.

The words of Pastor Niemöller, a German pastor were shared with the Council to illustrate the point:

*'They came first for the Communists, And I didn't speak up because I wasn't a Communist;
And then they came for the trade unionists, and I didn't speak up because I wasn't a trade unionist;
And then they came for the Jews, And I didn't speak up because I wasn't a Jew;
And then... they came for me... And by that time there was no one left to speak up'*

The Leader thanked Councillor Chappell for his contribution and commended the Youth Council and Children's Trust Shadow Board for leading and raising the campaign and stated that Members needed to ensure that prejudice of all kinds was challenged. He stated that there was at times a negative perception of rural areas and that rural people experienced prejudice on occasion as they were a minority in what was an urban society and culture. It was important to have freedom from fear, and whilst most people took this for granted, some people in Herefordshire originated from countries where democracy as we know it did not exist. Others even within their own society were the victims of prejudice and bullying. It was vital that such issues were challenged and exposed. It was additionally acknowledged that there were at times community tensions in the county between new and established residents.

Councillor RI Matthews, Independent Group Leader informed Council that he was pleased to support the notice of motion and commended the way that such a sensitive, yet important issue had placed in the public arena. He stated that he was proud of the way the county had received and accepted people of differing backgrounds to the area.

Councillor TM James, Leader of the Liberal Democrats advised Members of his support for the notice of motion and stated that whilst it may be considered an obvious issue to champion it was necessary to articulate and promote a no prejudice message and act on it. The work of the Youth Council and Children's Trust Shadow Board was also acknowledged and he called on all elected members to provide their full support to the initiative.

Councillor GFM Dawe, Leader of the Alliance Group supported the notice of motion and endorsed the comments made.

As Cabinet Member Corporate and Customer Services and Human Resources, Councillor JP French formally seconded the motion and stated that it had been important for the young people to launch the No Prejudice in Herefordshire campaign and commended their work and that of the Diversity and Equality team. Prejudice could not be left for young people to tackle on their own and the issue should be high on the agenda for all, as prejudice was wider than that of colour or religion. Other individuals and groups were prejudiced against due to disability or due to the fact that they had relocated from outside the county and made Herefordshire their home.

The Cabinet Member stated that in going forward, the No Prejudice campaign would have professional PR support and an action plan. Members were asked to support the campaign wherever possible and for positive messages to be conveyed by them as community leaders at all opportunities e.g. parish council and community meetings. A specific request was made to those Members who were school governors to bring the campaign to schools attention. It was emphasised that it was also a duty upon Members to challenge any inappropriate prejudicial actions or language.

Councillor J Hyde, Cabinet Member Children's Services commended the young people for the recent play performed in High Town on diversity which was very thought provoking. The performance demonstrated the best of the young people and the support provided by Youth and Diversity Teams.

Councillor AM Toon advised Members of her ethnic background and emphasised the importance of ensuring fairness of access to education, politics and the need to embrace diversity. The work of SACRE was applauded and Councillor Toon paid tribute to the Chairman's work in his position as Chairman of SACRE.

The Chairman advised Members that as part of SACRE's work programme over 20 multi faith events had taken place in Homer School, which was also being made available for secondary schools. It was confirmed that the no prejudice campaign was high on SACRE's agenda. Councillors WU Attfield and Brig. P Jones were thanked for their continuing and steadfast support as members of SACRE.

The notice of motion was carried unanimously

13. CABINET

The Leader of the Council, Councillor RJ Phillips, presented the report of the meetings of Cabinet held on 19 March, 2 April and 7 May 2009.

Raising a point under paragraph 4.1 'Local Area Agreement Refresh', Councillor AM Toon requested that the allocation of LAA lead organisations went beyond the PCT and Council to include and identify other partners.

Councillor GMF Dawe, Leader of the Alliance Group raised an objection on the Officer Accommodation Strategy Options Appraisal (paragraph 4.2) and stated that it was not clear where the £17million cost of office accommodation would derive from and asked how much the council tax charges would need to increase to deliver this. He emphasised the need for the Council chamber and associated accommodation to be located in the heart of the city.

Councillor ACR Chappell stated that he was unhappy that, as currently proposed, the Council chamber would not be located within the Plough Lane site, although this

provided an opportunity for the civic offices to be located in the centre of Hereford. It was essential that the public had direct access to Council debates and decision making meetings, which would be more accessible in the heart of the city.

Councillor MD Lloyd Hayes advised members that she was informed through the press of the Council's consideration regarding office accommodation and stated that she had not been formally notified that the issue would be discussed at Cabinet and would have wished to have been involved. Councillor Lloyd Hayes expressed the view that the new office accommodation should be located within the Edgar Street Grid and asked whether the proposed joint arrangements between the council, central library, PCT and Police had been abandoned. An invitation was issued to the Leader by Councillor Lloyd Hayes to attend a public meeting in the Town Hall in which an open and transparent discussion could be had on the issue of office accommodation as it was considered that there had been a shortfall in democratic debate on this issue to date.

In responding to the issues raised regarding the decision at Cabinet relating to the office accommodation strategy options appraisal, the Leader outlined to Members the process which had been undertaken and confirmed that the item had not been called in by scrutiny. As part of the process, Members received notification of the item as part of the Cabinet agenda. The Leader advised Members that the open report on office accommodation considered at Cabinet provided as much information as possible with the exempt report considered in confidential session referring to issues of a sensitive commercial nature, including the details of the purchase price. All Members were reminded that they had a right to attend Cabinet and were invited to remain in the Chamber for confidential discussions. The purchase of the Plough Lane site had been undertaken in line with Council policy and had been highlighted as a key decision on the forward plan, which could have been called in by scrutiny. The Leader advised Council that the Cabinet agreed to additional recommendations which provided greater clarity for the need of business plans for both the Town and Shire Halls to ensure that the authority was making best use of these two iconic civic buildings. Members were advised that it would not be the Leader's intention to attend a public meeting on this issue.

Members were advised by the Leader that there would be difficult times ahead for the public sector in the next eighteen months to two years and it was essential that efficiencies were sought from public service administration and delivered through a shared services initiative incorporating the Council, PCT and the Acute Hospital. By delivering administrative efficiencies, it was hoped that quality of service delivery would be maintained as otherwise consideration would need to be given to potential service cuts, which needed to be avoided where possible.

In response to the question raised regarding Local Area Agreement targets, the Leader clarified that wider partners were tasked with leading on specific targets and there was a collective will amongst the partnership to mitigate against the impact of the economic climate. The Leader expressed the view that he hoped that the Government would at least maintain current levels of Area Based Grant Funding.

Councillor TM James, the Liberal Democrat Group Leader reiterated the view previously expressed that the Cabinet agenda which contained the report on the office accommodation strategy was available to all.

Councillor GMF Dawe stated that in order to deliver the £17million required for the cost of office accommodation, a cut to public services was implied through rationalisation. The Councillor called for the Leader to attend a public meeting on this issue.

The Chairman of Strategic Monitoring Committee, Councillor PJ Edwards, advised Council that SMC had twice received reports on office accommodation strategy during

2008/09 and had submitted to Cabinet a recommendation that five potential sites were appraised, which was agreed and actioned by Cabinet.

Councillor MD Lloyd Hayes commented that the Leader had refused to meet the public and stated that the debate was not held in an open manner.

In response, the Leader reiterated the process by which the decision was reached and emphasised that Cabinet meetings were open to the press and public. The invitation to attend a public meeting would not be accepted due to the insinuation of lack of transparency and openness in the process, which, if of concern to the public, should be raised formally to the attention of the Council's S151 Officer.

Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing in response to a question raised by Councillor AM Toon on the way key decisions relating to the suspension of some S106 agreements had been made advised that these decisions had been processed via Cabinet Member decisions. He extended an invitation to meet with Councillor AM Toon outside of the meeting.

Responding to a question from Councillor WLS Bowen on the effectiveness of consultation with the general public on the waste collection contract, and whether the authority had taken on board lessons learnt from other authorities, the Cabinet Member Environment and Strategic Housing stated that various methods of engagement had been carried out with the public being informed of the change in waste collection, which included a presentation at every PACT meeting and wide press coverage. Meetings were being arranged with specific organisations e.g Women's Institute and Age Concern. The Cabinet Member emphasised the importance of Councillors' role in promoting the scheme and in ensuring that positive messages were being reinforced within the communities. To support the delivery of the message to school children, a poster competition had been launched within primary and secondary schools in the county for which there would be a monetary prize and the possibility of the artwork being placed on the waste collection vehicles. The Cabinet Member additionally advised Council that the waste collection vehicles would be powered by both electric and diesel, which would provide a saving to the carbon footprint of 30/40% on solely diesel fuelled vehicles.

In response to a statement from Councillor AM Toon that there was no reason why developers could not pay the section 106 contributions following the sale of the houses, Cabinet Member Environment and Strategic Housing stated that action was required during the dire economic crisis, however this situation did not amend the foundation of Section 106. The Cabinet Member stated he would be happy to meet with the Councillor external to the meeting to discuss.

Councillor ACR Chappell, Labour Group Leader requested that following the closure of the LEA pool that consideration be given to the site being used for the benefit of young people in the South Wye area. In responding, the Leader stated that a business case would need to be provided and considered for the future of any site and due process followed.

RESOLVED: That the reports from the meetings of Cabinet held on 19 March, 2 April and 7 May 2009 be received

14. PLANNING COMMITTEE

Councillor TW Hunt presented the report of the meetings of the Planning Committee held on 12 and 20 February, 13 March and 3 April 2009.

Responding to a question raised by Councillor JD Woodward regarding the wind turbines application, the Chairman of the Planning Committee advised that he would provide information outside of the meeting.

RESOLVED: That the report of the meetings of the Planning Committee held on 12 and 20 February, 13 March and 3 April 2009 be received.

15. STANDARDS COMMITTEE

Mr Robert Rogers, Chairman of the Standards Committee presented the report of the meeting of the Standards Committee held on 17 April 2009 and raised to the attention of Members two specific issues. In referring to the pre-election period and guidance for the 2009 European Elections, Mr Rogers emphasised that Members should not confuse political differences with possible breaches of the code of conduct and provided the following advice, 'think, think again, and sleep on it'.

The Chairman of the Standards Committee requested that Council considered the appointment of an additional external independent member, Mr Jake Bharier, the recruitment of whom had been undertaken following the Commission for Public Appointment good practice. Mr Rogers additionally welcomed the appointments of Councillors J Pemberton and AE Gray who would provide support to the Standards Committee on an as and when required basis, and who would be provided with a detailed induction into their new roles.

In response to a question from Councillor RI Matthews regarding the relatively high number of complaints dealt with by Standards Committees compared with those in other local authorities, the Chairman of the Standards Committee stated that the majority of cases dealt with by the Committee were in respect of one specific local council. It was emphasised that it was the responsibility of the Standards Committee to encourage best practice and much importance was attached to dealing with cases in an open and fair manner.

RESOLVED:

(a) That the report of the meeting of the Standards Committee held on 17 April 2009 be received.

(b) That Mr Jake Bharier be appointed as an Independent Member of the Standards Committee.

16. STRATEGIC MONITORING COMMITTEE

Councillor PJ Edwards presented the report of the meeting of the Strategic Monitoring Committee held on 16 February and 16 March 2009 and thanked the retiring Chairmen and Vice-Chairmen of Scrutiny Committees for their hard work and diligence over their period of office. All Members were reminded that they had an open invitation to attend meetings of the Strategic Monitoring Committee.

RESOLVED: That the report of the meetings of the Strategic Monitoring Committee held on 18 February and 16 March 2009 be received.

17. REGULATORY COMMITTEE

Councillor Brig. P Jones CBE presented the report of the meetings of the Regulatory Committee held on 3 February, 16 March, 7 April and 11 May 2009 and stated that seven sub committees had also been held during the reporting period.

RESOLVED: That the report of the meetings of the Regulatory Committee held on 3 February, 16 March, 7 April and 11 May 2009 be received.

18. AUDIT AND CORPORATE GOVERNANCE COMMITTEE

Councillor ACR Chappell presented the report of the meeting of the Audit and Corporate Governance Committee held on 20 March 2009.

In response to a question from Councillor RH Smith regarding the International Financial Reporting Standards (IFRS) in which concerns were expressed at the extra cost which must be met and that of further potential implications of the Council's net revenue capacity in this and future years, the Chairman of the Audit and Corporate Governance Committee acknowledged that the Council was facing a significant task in ensuring that the accounts from 2010/2011 complied with the requirements of the IFRS, a statutory charge which affected all Councils. The Chairman of the Audit and Corporate Governance Committee additionally stated that his Committee was receiving regular updates on progress, which would be considered at the next meeting. Members were advised that the Director of Resources was working with the Chartered Institute of Public Finance to arrange tailored training to Councillors on the issue which would be open to all Members to attend.

RESOLVED: That the report of the meeting of the Audit and Corporate Governance Committee held on 20 March 2009 be received.

19. WEST MERCIA POLICE AUTHORITY

Councillor B Hunt presented the report of the West Mercia Police Authority held on 17 February 2009 and highlighted that the change in name from the West Midlands Constabulary West Midlands Police would be cost neutral as uniforms, livery, signs etc would be changed within the ongoing maintenance programme. In referring to financial issues, Councillor Hunt advised Members that there would be an average increase of 16p per week on the council tax for Band D properties for the Police Authority and that monies from the Sustainable Service Development Fund would be used to close the funding gap. Councillor Hunt stated that, as with other public sector organisations, the Police Authority would have to deal with future financial pressures and challenges.

Responding to questions raised by Members, Councillor Hunt acknowledged that the rise in council tax equated to 4.94% which had been required to maintain current service provision, which included police staff and Community Support Officers (CSO). Members were advised that CSOs were not permitted to work after 10.00p.m, however possible changes to this situation were being considered. Councillor Hunt advised Members that he had raised his concerns that the Police Authority had not held a special consultation evening in Herefordshire as part of its budget setting process, and advised Members that he had received the assurance of the Chairman of the Police Authority that this situation would not arise again.

Responding to a question on Local Area Partnerships, Councillor Hunt stated that a local issue had arisen as it appeared that the Police Authority had been excluded from some partnership activities thus currently it was not able to carry out its full statutory duties. The Leader advised Members that the Divisional Commander attended Herefordshire Partnership meetings, however Councillor Hunt stated that legislation stated that the Police Authority was the formal consultee and should therefore be fully engaged as a member of the Partnership.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 17 February 2009 be received.

20. DATES OF FUTURE MEETINGS

The dates for Council meetings in the 2009/10 municipal year were agreed as:

Friday, 24 July 2009
Friday, 13 November 2009
Friday, 5 February 2010
Friday, 5 March 2010
Friday, 28 May 2010

The meeting ended at Time Not Specified

CHAIRMAN