

**MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 18 November 2011 at 10.30 am**

**Present:** Councillor LO Barnett (Chairman)  
Councillor ACR Chappell (Vice Chairman)

**Councillors:** PA Andrews, AM Atkinson, CNH Attwood, CM Bartrum, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, PGH Cutter, BA Durkin, PJ Edwards, DW Greenow, KS Guthrie, RB Hamilton, J Hardwick, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, RC Hunt, JA Hyde, TM James, JG Jarvis, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, G Lucas, RI Matthews, PJ McCaull, SM Michael, JW Millar, PM Morgan, NP Nenadich, C Nicholls, FM Norman, RJ Phillips, GA Powell, GJ Powell, R Preece, PD Price, P Rone, A Seldon, P Sinclair-Knipe, J Stone, GR Swinford, DC Taylor, PJ Watts, DB Wilcox and JD Woodward

**In attendance:** Councillors

**29. PRAYERS**

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

**30. APOLOGIES FOR ABSENCE**

Apologies had been received from Councillors: AW Johnson and SJ Robertson.

**31. DECLARATIONS OF INTEREST**

Declarations of interest were made by:

COUNCILLOR	AGENDA ITEM	DECLARATION
RJ Phillips	Item 16 Youth Justice Plan	Personal – Youth Magistrate
DB Wilcox	Item 16 Youth Justice Plan	Personal - Youth Magistrate
A Seldon	Item 13 Appointment of the Chairman & Vice-Chairman of the Overview & Scrutiny Committee	Prejudicial – nominated Chairman
Mr D Stevens	Item 14 Chairman and Vice-Chairman of the Standards Committee	Prejudicial – nominated Chairman

**32. MINUTES**

**RESOLVED:** That the Minutes of the Council meeting held on 15 July 2011 were approved as a correct record, subject to the question and answer from Councillor Chave, which had been omitted from the minute, being included:

**Questions:** Had there been a 25% reduction in costs relating to the 25% staffing cuts in senior management?

**Answer:** The Leader gave an undertaking to provide a written response to the Councillor.

### **33. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman, in her announcements, informed Council that:

- The Chairman attend the Kington Horse and Agricultural Society Show this September in celebration of its 130<sup>th</sup> year. The Show also received its first royal visitor, The Duke of Gloucester, along with the Lord Lieutenant of the County Lady Darnley.
- The Chairman attended the opening of a new play area in Kington along with the Mayor of Kington, Councillor Bob Widdowson and Councillor Terry James.
- On 16 September attended the opening of the Aspire Music Gym at Point 4, Hereford.
- On 17 November the Chairman attended the official opening of the Hereford Rape and Sexual Abuse Support Centre.
- The Chairman thanked all those Councillors who attended Remembrance Services across the county.
- The Chairman presented to Mrs Davies, mother of Chaz Davies, a certificate of recognition for Chaz in recognition of his achievement in becoming the Supersport World Motorcycle Champion 2011.

### **34. QUESTIONS FROM MEMBERS OF THE PUBLIC**

Copies of all public questions received by the deadline, with written answers, were distributed prior to the commencement of the meeting. Details of the public questions and written answers, together with the supplementary questions and answers asked at the meeting, are attached to the Minutes as Appendix 1.

### **35. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS**

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

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

Notice of Motion One – The Council's Commitment to Reduce the Threat of Rural Isolation, proposed by Councillor GJ Powell and seconded by Councillor RB Hamilton. During the debate the following points were made:

- The demographics of the county were changing with 15% more people in Herefordshire living to 65 years of age and over. In England and Wales the figure was only 8%.

- Rurality, sparsity and poverty were major issues for the county with 43% of the population living in rural villages and 25% in sparsely populated areas, the highest for an English county.
- Having Services locally based to meet local needs was essential.
- Broadband provision is key to improving services and enabling communities in rural areas.
- Councillors: Durkin, Millar and Phillips spoke in support of the notice of motion.
- Additional comments related to the localities agenda and parish councils not necessarily being in a position to take on additional responsibilities/provision of services.

It was moved and seconded that the motion be put whereupon a vote was taken:

For: 37  
 Against: 0  
 Abstentions: 24

The Notice of Motion was declared carried with:

For: 48  
 Against: 0  
 Abstentions: 0

**RESOLVED: That this Council recognises that the demographics of Herefordshire and the current period of austerity has particular impact on the elderly and vulnerable in our rural communities and that the Council commits to continue to develop strategy and implement policy that reduces the threat of rural isolation.**

Notice of Motion Two - Meeting the Ambitions of the County and Local Communities, proposed by Councillor JG Jarvis and seconded by Councillor AM Atkinson. During the debate the following points were made:

- The notice of motion was to promote a positive attitude throughout the county, for Councillors to serve the people of Herefordshire to the best of their ability, to enhance the lives of residents in their wards and for Councillors to realise what could be achieved for the people of Herefordshire.
- Additional comments from Councillors made reference to Councillors taking exception to the notice of motion and felt that it was not necessarily the best use of Council time.

It was moved and seconded that the motion be put:

For: 24  
 Against: 13  
 Abstentions: 15

Following a vote being taken the Notice of Motion was declared carried with:

For: 28  
 Against: 0  
 Abstentions: 24

**RESOLVED: That this Council urges all Officers, Staff Members, Members and Partner Organisations to embrace a 'can do' attitude to ensure we meet the ambitions of the county and local communities.**

Notice of Motion Three – Sustainable Transport Options, submitted by Councillor MAF Hubbard and seconded by Councillor EPJ Harvey.

Prior to the commencement of the debate the following amendment to the Motion was moved by Councillor MAF Hubbard and seconded by Council EPJ Harvey.

*‘This Council resolves that all sustainable transport options **consulted on in the Herefordshire Council place shaping paper** for Hereford City, are implemented and integrated with improved traffic management systems prior to any work commencing on the outer distributor road.’*

The following points were made during the debate on the amended motion:

- 45% of the traffic directly relating to the Grey Friars bridge was internal to the city with only 15% being through traffic.
- To provide a road around the city additional housing would be required.
- In response to the place shaping document, the public were happy to see traffic reduction proposals if this instigated traffic movement.
- It was felt by some Members that the sustainable transport plan would not solve all the county’s road problems.
- In referring to the statistics it was noted that 92% of the people that had been asked voted yes when asked if they wanted a relief road.
- Some Members felt that a sustainable transport plan on its own would not deliver all that Herefordshire needed. It was noted that both local MPs supported road proposals and the enterprise zone in order for a strong local economy.

It was moved and seconded that that the motion be put:

For: 38  
Against: 02  
Abstentions: 07

Following a vote being taken the Notice of Motion was lost with:

For: 14  
Against: 35  
Abstentions: 5

### **37. LEADER'S REPORT**

The Leader of the Council, Councillor JG Jarvis, presented the report. Members made comments on the following points:

- The Local Development Framework and the consultation that was being carried out across the county. Concern was raised that public meetings had not been held in some areas. Council was advised that 32 public meetings had been held.
- Reference was made to item 6 of the report relating to energy efficient street lighting and traffic signals and the work carried out by the previous Environment Scrutiny Committee in support of this.
- Accommodation strategy – the report was welcomed but concern was raised over the speed of broadband in the county.

- Council congratulated the Chief Officer Finance and Commercial and his team on the unqualified opinion that had been received from the Audit Commission for the Statement of Accounts.
- Council noted the appointment of Councillor Bramer as the new member of Cabinet to overview major contracts such as the waste disposal and Amey contracts.

#### **RESOLVED**

##### **THAT:**

- (a) the revised timetable for the production of the Local Development Framework, as set out at paragraph 2 of the report, be agreed;**
- (b) Councillor H Bramer be appointed as Cabinet Member Major Contracts, and that the consequent changes to the Cabinet Member portfolios be noted; and**
- (c) the overview of the Executive's activity be noted.**

### **38. REVIEW OF PARLIAMENTARY CONSTITUENCIES**

Council considered the report by the Head of Governance on the Review of the Parliamentary Constituencies, which included a detailed alternative response to the proposals by the Boundary Commission for England. Members expressed concern that the current Boundary Commission proposals would split Herefordshire putting some wards with Ludlow in Shropshire.

Council felt that the proposed constituency of Herefordshire North should be called Herefordshire North and Greater Malvern and that the proposed constituency of Ludlow and Malvern should include reference to Teme Valley.

**RESOLVED THAT: the proposed constituencies as set out in Appendix 2 of the report, as amended, to include the above name changes, be approved and forwarded to the Boundary Commission for England as the Council's formal response to the consultation.**

### **39. THE CONSTITUTION - NEW GOVERNANCE ARRANGEMENTS**

The Leader presented a report by the Assistant Director, Law, Governance and Resilience on new Governance arrangements and Council was advised that in order for the Audit and Governance Committee to extend its remit to cover amendments to the constitution, the membership would need to be increased to ten members so that all groups were represented and the Committee remained proportionate.

#### **RESOLVED**

##### **THAT:**

- a) the remit of the Audit and Governance Committee be extended to include amendments of the Constitution;**
- b) the membership of the Audit and Governance Committee be increased to ten seats, allocated as to 5 (Conservative) 2 (Independent) 2 (It's Out County) and 1 (Liberal Democrat);**
- c) parts 2 (Articles) and 3 (The Functions Scheme) of the Constitution be amended as indicated in the report; and**

- d) the Monitoring Officer be authorised to make any further consequential amendments to the Constitution necessary to give effect to (a) above.**

**40. KEY DECISIONS AND THE FORWARD PLAN**

The Leader presented the report by the Assistant Director, Law, Governance and Resilience on key decisions and the forward plan. In discussion reference was made to paragraph eight, third bullet point of the report and it was requested that supporting documents were attached to the Forward Plan. Paragraph 15, third bullet point was also referred to and it was requested that if a decision was judged to be a key decision then it would not be made by an officer, but by either Cabinet or the relevant Cabinet Member. The Chief Executive assured Council that there was no plan to change the current Executive arrangements which allowed for key decision to be made by either Cabinet or Cabinet Member.

**RESOLVED THAT: the definition of a ‘key decision’ in Part 8 of the Constitution be amended as described in the report and that the Monitoring Officer be authorised to make any further consequential amendments required.**

The Chairman informed Council that unless the remaining Council business was dealt with promptly, she would be required to invoke standing order 4.1.7.2 as the Council meeting had exceeded its time limit of three hours (standing order 4.1.7 refers).

**41. APPOINTMENT OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE**

Prior to the commencement of the debate Councillor Seldon left the meeting having earlier declared a prejudicial interest. The Leader presented the report by the Assistant Director, Law, Governance and Resilience on the Appointment of the Chairman and Deputy Chairman of the Overview and Scrutiny Committee and the Vice-Chairmen of the Task and Finish Groups. The Leader advised Council that now Councillor Bramer, the former Chairman of Overview and Scrutiny was to join Cabinet, it was appropriate that Councillor Seldon, as the current Vice-Chairman, should take on the role of Chairman supported by Councillor Millar as the new Deputy Chairman and Councillor Atkinson to take on the role of Vice-Chairman responsible for the themed area of Enterprise and Culture. Further discussion was held on the role of the task and finish groups, the membership, role and work programme of the Committee.

**RESOLVED**

**THAT:**

- a) Councillor A Seldon be appointed Chairman of the Overview and Scrutiny Committee;**
- b) Councillor JW Millar be appointed Deputy Chairman of the Overview and Scrutiny Committee; and**
- c) Councillor AM Atkinson be appointed Vice-Chairman of the Overview and Scrutiny Committee with responsibility for the themed area of Enterprise and Culture.**

**42. CHAIRMAN AND VICE-CHAIRMAN OF THE STANDARDS COMMITTEE**

Prior to the commencement of the debate Mr David Stevens left the meeting having earlier declared a prejudicial interest. The Leader presented the report on the Chairman and Vice-Chairman of the Standards Committee. Council noted the resignation of Mr Robert Rogers as Chairman of the Standards Committee, a role Mr Rogers had carried out since the inception of the Committee in 2002 and had played a leading role in establishing, developing and promoting the Council's ethical standards framework. Council congratulated Mr Rogers on his appointment as Clerk of the House of Commons and Chief Executive of the House Service, a role that would prevent him from devoting the time needed to the Standards Committee.

**RESOLVED THAT: Mr David Stevens be appointed Chairman and Mr Jake Bharier be appointed Vice-Chairman of the Standards Committee for the remainder of the current municipal year.**

**43. ECONOMIC STRATEGY FOR HEREFORDSHIRE 2011/16**

The Cabinet Member Enterprise and Culture presented to Council the Economic Development Strategy for Herefordshire. Council noted the report and referred to youth unemployment and a campaign for apprenticeship placements in the county.

**RESOLVED**

**THAT:**

- a) the Economic Development Strategy be adopted; and**
- b) the actions in the strategy be progressed.**

**44. YOUTH JUSTICE PLAN**

The Cabinet Member Health and Wellbeing presented the Youth Justice Plan to Council. Council agreed that any comments Members wished to make on the plan should be forwarded to the Cabinet Member direct.

**RESOLVED THAT: the Youth Justice Plan be approved.**

**45. STANDARDS COMMITTEE**

Mr David Stevens presented the report of the meeting of the Standards Committee held on 14 October 2011. Council noted that Group Leaders were to be provided with a report on the proposed national changes for Standards Committees.

**RESOLVED: That the report of the meeting of the Standards Committee held on 14 October 2011 be noted.**

**46. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY**

Councillor Brig. P Jones CBE presented the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 28 September 2011.

**RESOLVED: That the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 28 September 2011 be noted.**

**47. WEST MERCIA POLICE AUTHORITY**

Councillor WLS Bowen presented the report of the West Mercia Police Authority held on 27 September 2011.

**RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 27 September 2011 be noted.**

The meeting ended at 2.30 pm

**CHAIRMAN**