

**Corporate Services**

Dean Taylor, Deputy Chief Executive and Director  
Your Ref:

Our Ref: CC/SAHC

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**TO: ALL MEMBERS OF THE COUNCIL**

20 November 2012

Dear Councillor

**YOU ARE HEREBY SUMMONED** to attend the meeting of the Herefordshire Council to be held on **Friday 23 November 2012** at The Shire Hall, St Peter's Square, Hereford. at 10.30 am at which the business set out in the attached agenda is proposed to be transacted.

Please note that car parking will be available at the Shire Hall for elected Members.

Yours sincerely



**C CHAPMAN**  
**ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE**

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Working in partnership for the people of Herefordshire  
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Herefordshire Council      Main Switchboard (01432) 260000, [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk)  
NHS Herefordshire      Main Switchboard (01432) 344344, [www.herefordshire.nhs.uk](http://www.herefordshire.nhs.uk)



# AGENDA

## Council

Date: **Friday 23 November 2012**

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Time: **10.30 am**

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Place: **The Shire Hall, St Peter's Square, Hereford.**

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Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

**Sally Cole, Governance Services**

Tel: 01432 260249

Email: [scole@herefordshire.gov.uk](mailto:scole@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format or language, please call Sally Cole, Governance Services on 01432 260249 or e-mail [scole@herefordshire.gov.uk](mailto:scole@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Council

## Membership

**Chairman**

**Vice-Chairman**

**Councillor LO Barnett**

**Councillor ACR Chappell**

Councillor PA Andrews  
Councillor CNH Attwood  
Councillor PL Bettington  
Councillor WLS Bowen  
Councillor AN Bridges  
Councillor MJK Cooper  
Councillor BA Durkin  
Councillor DW Greenow  
Councillor RB Hamilton  
Councillor EPJ Harvey  
Councillor JW Hope MBE  
Councillor RC Hunt  
Councillor TM James  
Councillor AW Johnson  
Councillor JLV Kenyon  
Councillor JG Lester  
Councillor RI Matthews  
Councillor SM Michael  
Councillor PM Morgan  
Councillor C Nicholls  
Councillor RJ Phillips  
Councillor GJ Powell  
Councillor R Preece  
Councillor SJ Robertson  
Councillor A Seldon  
Councillor J Stone  
Councillor DC Taylor  
Councillor DB Wilcox

Councillor AM Atkinson  
Councillor CM Bartrum  
Councillor AJM Blackshaw  
Councillor H Bramer  
Councillor EMK Chave  
Councillor PGH Cutter  
Councillor PJ Edwards  
Councillor KS Guthrie  
Councillor J Hardwick  
Councillor AJ Hempton-Smith  
Councillor MAF Hubbard  
Councillor JA Hyde  
Councillor JG Jarvis  
Councillor Brig P Jones CBE  
Councillor JF Knipe  
Councillor MD Lloyd-Hayes  
Councillor PJ McCaull  
Councillor JW Millar  
Councillor NP Nenadich  
Councillor FM Norman  
Councillor GA Powell  
Councillor AJW Powers  
Councillor PD Price  
Councillor P Rone  
Councillor P Sinclair-Knipe  
Councillor GR Swinford  
Councillor PJ Watts

## **GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

## AGENDA

|    |   | Pages   |
|----|---|---------|
| 1. | <b>PRAYERS</b>  |         |
| 2. | <b>APOLOGIES FOR ABSENCE</b><br>To receive apologies for absence.   |         |
| 3. | <b>DECLARATIONS OF INTEREST</b><br>To receive any declarations of interest by Members in respect of items on the Agenda.  |         |
| 4. | <b>MINUTES</b><br>To approve and sign the Minutes of the meeting held on 28 September 2012.   | 1 - 24  |
| 5. | <b>CHAIRMAN'S ANNOUNCEMENTS</b><br>To receive the Chairman's announcements and petitions from members of the public.  |         |
| 6. | <b>QUESTIONS FROM MEMBERS OF THE PUBLIC</b><br>To receive questions from members of the public.   | 25 - 30 |
| 7. | <b>FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS</b><br>To receive any written questions from Councillors.  |         |
| 8. | <b>NOTICES OF MOTION UNDER STANDING ORDERS</b><br>One Notice of Motion has been submitted for consideration by Council.<br><br>NOTICE OF MOTION<br><br>This Council notes that despite very difficult retail conditions, the decision delegated to the Director for Places & Communities to progress the Old Cattle Market retail development has been signed, enabling the development to proceed.<br><br>MOTION<br><br>This Council recommends that:<br><br>(a) Cabinet adopt a policy that includes no further relaxation of the restrictions that limit the developers of the Old Cattle Market site from approaching existing High Town retailers and that the list of named retailers that they cannot approach be shared confidentially with Group Leaders and the Chairman of Overview and Scrutiny to ensure policing of this policy.<br><br>(b) That the appropriate Cabinet Member be requested to arrange for a revised retail impact assessment to be undertaken to understand the potential impact of the new development on Hereford's historic retail area. |         |

- (c) that the Leader be requested to arrange cross party talks to develop a comprehensive strategy to tackle issues arising out of the revised retail impact assessment detailed in (b) above.

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| <b>9. APPOINTMENT OF HEREFORDSHIRE COUNCIL CHIEF EXECUTIVE AND HEAD OF PAID SERVICE</b>   | 31 - 34   |
| To approve the appointment of a Chief Executive and Head of Paid Service.   |           |
| <b>10. LEADER'S REPORT</b>  | 35 - 44   |
| To receive the Leader's report, which provides an overview of the Executive's activity since the last Council meeting.  |           |
| <b>11. COUNCIL TAX SUPPORT SCHEME AND COUNCIL TAX DISCOUNTS</b>   | 45 - 100  |
| To approve the recommendations of the Cabinet meeting held on 15 November 2012, as set out in the attached appendices, to agree a Council Tax Support Scheme in the light of the requirements set by the Government and the outcome of local consultation and determine the level of Council Tax Discount for vacant properties and second homes. |           |
| <b>12. COUNCIL CORPORATE PLAN 2013/15</b>   | 101 - 110 |
| See proposals for the council corporate plan 2013/15.   |           |
| <b>13. INDEPENDENT REMUNERATION PANEL</b>   | 111 - 140 |
| To consider the recommendations of the Council's Independent Remuneration Panel on the Councillors Allowances Scheme.   |           |
| <b>14. BREACH OF THE MEMBERS' CODE OF CONDUCT</b>   | 141 - 146 |
| To advise Council of the findings of the Audit and Governance Committee in relation to breaches of the Members' Code of Conduct.  |           |
| <b>15. COUNCIL MEETING DATES</b>  | 147 - 150 |
| Consider variations to the schedule of Council meetings.  |           |
| <b>16. HEREFORD &amp; WORCESTER FIRE AND RESCUE AUTHORITY</b>   | 151 - 154 |
| To receive the report of the Hereford & Worcester Fire and Rescue Authority.  |           |