

MINUTES of the meeting of Council held at Shire Hall, Hereford on Friday 24 May 2013 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, 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, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, RI Matthews, RL Mayo, PJ McCaull, SM Michael, JW Millar, PM Morgan, C Nicholls, FM Norman, RJ Phillips, AJW Powers, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, GR Swinford, DC Taylor, GA Vaughan-Powell, PJ Watts and DB Wilcox

1. PRAYERS

The Very Reverend Michael Tavinor led the Council in prayers.

2. ELECTION OF CHAIRMAN OF THE COUNCIL

The Monitoring Officer called for nominations to the office of Chairman of the Council.

Councillor AW Johnson moved that Councillor LO Barnett be nominated as Chairman of the Council for the forthcoming municipal year. Councillor WLS Bowen seconded the proposal. Councillor LO Barnett was unanimously elected as Chairman of the Council.

RESOLVED: That Councillor LO Barnett, be elected Chairman of the Council for the forthcoming municipal year.

3. APPOINTMENT OF VICE CHAIRMAN OF THE COUNCIL

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

Councillor JG Jarvis moved that Councillor Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year. Councillor LO Barnett seconded the proposal. It was unanimously agreed that Councillor Chappell be appointed Vice-Chairman of the Council.

RESOLVED: That Councillor ACR Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year.

4. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors:

EMK Chave, NP Nenadich, GJ Powell, J Stone

5. DECLARATIONS OF INTEREST

Councillor AW Johnson declared a Non-Discloseable Pecuniary Interest in respect of item 9 regarding allowances.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 8 March 2013 be confirmed as a correct record and signed by the Chairman, subject to the following amendment:

Appendix 2, in the supplementary question to question 6 the phrase “without a Member being present” to be amended to read “without an officer being present”.

7. CHAIRMAN'S ANNOUNCEMENTS

The Chairman passed on her good wishes to the outgoing Mayors, thanking them for their courtesy and kindness and looked forward to working with the newly elected Mayors for this year.

The Chairman in her announcements:

- Mentioned with regret the death of a former Councillor for Pontrilas Ward, Godfrey Davis.
- Encouraged members to support Councillor KS Guthrie in her sponsored run on behalf of Herefordshire Vision Links.
- Wished Councillor NP Nenadich a speedy recovery.
- Thanked the Deputy Chief Executive, Dean Taylor for all his hard work in this time in Herefordshire and wished him well for his new role in Swansea.

8. TERM OF OFFICE OF LEADER OF THE COUNCIL

Councillor JW Millar presented the report, amending recommendation (a) to read: “The Constitution be amended to state that the term of office of the Leader is one year, with an option that the Leader may serve consecutive one year terms.”

In the discussion that followed, the following points were raised:

- That the existing arrangements allow a Leader tenure of office and to look after the continuity and resolution of the Council without having to put themselves up for election every year.
- The act of seeking to replace a Leader mid-term is likely to be far more damaging in seeking a vote of no confidence
- That the knowledge that election would be annual will change the behaviour both inside and outside political groups as the Leader being the Leader of the whole Council will be reinforced.
- That now of all times the Council really has to work together

Council was content that the requirement for named vote be suspended.

RESOLVED: THAT

- (a) **The Constitution be amended to state that the term of office of the Leader is one year with an option that the Leader may serve consecutive one year terms;**
- (b) **The existing provisions in the Constitution in respect of the removal of**

the Leader remain in place;

- (c) The Constitution be amended to state that the Leader may also be removed from office by simple resolution of a Motion Without Notice at a meeting of Council following a change in political control of the council, as signalled to the Head of Governance, a change in political control being a change in the composition of the various political groups such that a different group or combination of groups now comprise a majority of the membership of the Council; and**
- (d) Any other associated references in the Constitution be amended accordingly.**

9. ELECT LEADER OF THE COUNCIL

The Chairman called for nominations to the office of Leader of the Council.

Councillor JG Jarvis proposed Councillor AW Johnson. Councillor AM Atkinson seconded the proposal.

In the discussion that followed, the following points were made:

- Councillor Johnson's background and skills fitted the role very well, especially in respect of financial management
- Assurances were sought of more inclusive leadership for the good of the community
- That there was no consultation on the appointment with other groups beforehand

RESOLVED: That Councillor AW Johnson be appointed Leader of the Council for the term of one year.

10. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES

The Leader, Councillor AW Johnson presented the report and proposed the recommendations, seconded by Councillor James. In the discussion that followed, the following points were made:

- In respect of Appendix 2, there had previously been calls for a more concentrated group to deal with the development of the Livestock Market and an appraisal of the situation of Hereford Futures was asked for.
- It was confirmed that Hereford Futures was being wound down but that this would take some time.
- Herefordshire Association for the Blind is now called Herefordshire Vision Links
- Councillor JW Millar will no longer chair the Health and Social Care Overview and Scrutiny Committee as he is a Cabinet Member

Council was content that the requirement for named vote be suspended.

RESOLVED UNANIMOUSLY: That

- (a) the list of ordinary committees be confirmed and the allocation of seats on those committees to political groups be made as indicated in Appendix 1;**
- (b) the seats on other bodies to which the allocation of seats to groups falls to be made by this Council be as indicated in Appendix 2 and all other representation on outside bodies in accordance with the**

Appendix be decided by the Chief Executive in consultation with the Group Leaders;

- (c) the allocation of seats (if any) to the ungrouped member be agreed at the meeting;**
- (d) the wishes of the political groups as to nominees to fill their respective allocations of seats be noted;**
- (e) the appointments of Chairmen and Vice-Chairmen be confirmed in accordance with Appendix 1;**
- (f) the partial suspension of the rules of proportionality, in respect of the Regulatory Sub-Committee, the River Lugg Internal Drainage Board and the Wye Valley AONB Joint Advisory Committee, be approved.**
- (g) the respective terms of reference for each committee or board remain unchanged.**
- (h) any vacancies on committees or outside bodies arising during the year be filled by the decision of the Chief Executive following consultation with the Group Leaders and in accordance with the rules of proportionality and that the Constitution be amended accordingly.**

11. APPROVAL OF ORDINARY MEETINGS OF THE COUNCIL FOR THE YEAR

Council noted and approved the listed dates for Council, subject to the amendment that the meeting of 19 July being held at 2.00 p.m. and an Extraordinary Meeting of Council being held on 19 July at 10.00 a.m.

The meeting ended at 12.02 pm

CHAIRMAN