

Corporate Support Centre
Alistair Neill – Chief Executive Officer

To: All members of the Council

our ref: Council - 24 May 2019
contact: Matthew Evans, Democratic Services
telephone: 01432 383690
email: matthew.evans@herefordshire.gov.uk

16 May 2019

Dear Councillor,

You are hereby summoned to attend the annual meeting of the Herefordshire Council to be held on **Friday 24 May 2019** at The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX at **10.30 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours faithfully

C Ward

Claire Ward

Solicitor to the council

AGENDA

Council

Date: **Friday 24 May 2019**

Time: **10.30 am**

Place: **The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX**

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

For any further information please contact:

Matthew Evans, Democratic Services

Tel: 01432 383690

Email: matthew.evans@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairman

Mr Brian Wilcox

Councillor Graham Andrews
Councillor Polly Andrews
Councillor Christy Bolderson
Councillor Tracy Bowes
Councillor Pauline Crockett
Councillor Barry Durkin
Councillor Elizabeth Foxton
Councillor Kema Guthrie
Councillor John Harrington
Councillor Jennie Hewitt
Councillor David Hitchiner
Councillor Bernard Hunt
Councillor Terry James
Councillor Tony Johnson
Councillor Mike Jones
Councillor Jonathan Lester
Councillor Bob Matthews
Councillor Jeremy Milln
Councillor Roger Phillips
Councillor Paul Rone
Councillor Nigel Shaw
Councillor John Stone
Councillor Elissa Swinglehurst
Councillor Kevin Tillett
Councillor Ange Tyler
Councillor William Wilding

Councillor Paul Andrews
Councillor Jenny Bartlett
Councillor Sebastian Bowen
Councillor Ellie Chowns
Councillor Gemma Davies
Councillor Toni Fagan
Councillor Carole Gandy
Councillor John Hardwick
Councillor Liz Harvey
Councillor Kath Hey
Councillor Phillip Howells
Councillor Helen I'Anson
Councillor Peter Jinman
Councillor Graham Jones
Councillor Jim Kenyon
Councillor Trish Marsh
Councillor Mark Millmore
Councillor Felicity Norman
Councillor Tim Price
Councillor Alan Seldon
Councillor Louis Stark
Councillor David Summers
Councillor Paul Symonds
Councillor Diana Toynbee
Councillor Yolande Watson

Agenda

(The meeting will be preceded by thought for the day.)

| | Pages |
|--|---------|
| 1. ELECTION OF CHAIRPERSON To elect the Chairperson of the Council. | |
| 2. APPOINTMENT OF VICE CHAIRPERSON To appoint the Vice Chairperson of the Council. | |
| 3. APOLOGIES FOR ABSENCE To receive apologies for absence. | |
| 4. DECLARATIONS OF INTEREST To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members in respect of items on the Agenda. | |
| 5. MINUTES To approve and sign the Minutes of the meeting held on 8 March 2019. | 9 - 34 |
| 6. CHAIRPERSON'S AND CHIEF EXECUTIVE'S ANNOUNCEMENTS To receive the Chairperson's and Chief Executive's announcements. | 35 - 40 |
| 7. ELECTION OF LEADER OF THE COUNCIL To elect the Leader of the Council. | |
| 8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES To make appointments to the committees of the Council and outside bodies in line with the rules of political proportionality. | 41 - 50 |

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

Recording of meetings

- Anyone is welcome to record public meetings of the council using whatever, non-disruptive, methods you think are suitable. Please note that the meeting chairman has the discretion to halt any recording for a number of reasons including disruption caused by the recording, or the nature of the business being conducted. Recording should end when the meeting ends, if the meeting is adjourned, or if the public and press are excluded in accordance with lawful requirements.
- Anyone filming a meeting is asked to focus only on those actively participating.
- If, as a member of the public, you do not wish to be filmed please make a member of the governance team aware.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

Minutes of the meeting of Council held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Friday 8 March 2019 at 10.00 am

Present: Councillor DB Wilcox (chairman)
Councillor PJ Edwards (vice-chairperson)

Councillors: SP Anderson, PA Andrews, BA Baker, JM Bartlett, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, E Chowns, MJK Cooper, PE Crockett, PGH Cutter, BA Durkin, CA Gandy, KS Guthrie, EPJ Harvey, TM James, PC Jinman, AW Johnson, JF Johnson, JLV Kenyon, JG Lester, MD Lloyd-Hayes, PP Marsh, RI Matthews, RL Mayo, MT McEvilly, PD Newman OBE, FM Norman, CA North, RJ Phillips, AJW Powers, PD Price, P Rone, A Seldon, NE Shaw, J Stone, D Summers, EJ Swinglehurst, A Warmington and SD Williams

Officers: Chris Baird, Richard Ball, Annie Brookes, John Coleman, Matthew Evans, Andrew Lovegrove, Alistair Neill, Stephen Vickers and Claire Ward

50. CHAIRMAN'S INTRODUCTION

The Chairman opened the meeting and proposed a reordering of the items on the agenda for the meeting, to consider the climate emergency motion following the council tax setting report. The two further motions would then be debated and determined. Council agreed the reordering of the agenda.

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors DW Greenow, J Hardwick, DG Harlow, EL Holton, SM Michael, AR Round and LC Tawn.

52. DECLARATIONS OF INTEREST

The monitoring officer confirmed that those members liable to pay council tax did not have a disclosable pecuniary interest.

There were no declarations of interest.

53. MINUTES

RESOLVED: That the minutes of the meeting held on 15 February are confirmed as a correct record and signed by the Chairman.

54. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman's announcements as printed in the agenda papers.

A petition concerning the climate emergency was handed to Councillor Price.

The Chairman outlined the following during his announcements:

- Thanks were offered to the M.E.P Anthea McIntyre for the showcasing of Herefordshire at the European Parliament. Hereford College of Art was also commended for its involvement in providing the exhibition in Brussels;
- The unveiling of the memorial to the munitions workers at the Hereford Archives and Records Centre (HARC) on the afternoon of 8 March;
- The civic service on care and caring takes place on 17 March in the Cathedral; and
- A letter from the SAS which offered the Chairman to include the blazing sword emblem of the regiment on his chain of office.

55. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

56. QUESTIONS FROM MEMBERS OF THE COUNCIL

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

57. COUNCIL TAX SETTING

The report was introduced by the deputy leader who moved the recommendations contained in the supplement. The meeting was referred to the supplement which contained the precept agreed by Hereford City Council. All precepting authorities had indicated their precepts which formed part of the council tax setting decision for the Council.

The Leader seconded the recommendations and explained that a comprehensive debate at the previous meeting of Council had set the budget.

The points below were raised in the debate which followed:

- The police and crime commissioner's precept had been scrutinised by a working group of the police and crime panel. A member explained that the precept increase of 9.94% had been set to recruit additional police officers and a commitment had been made by the commissioner to limit the precept increase for the following year to 3%;
- A member felt that the proposed police officer recruitment would not compensate for the reduction in the number of officers since the introduction of police and crime commissioners and that the precept of the commissioner was evidence of ineffective scrutiny;
- There was concern that precept increases were above the rate of inflation and this was attributable to significant cuts in central government funding for Herefordshire Council since 2010. *The deputy leader explained that precept increases over the last 10 years fell between the RPI and CPI indicators of inflation. It was acknowledged that the increase in the precept was greater than desired but it was not out of step with increases in other areas;*
- There was concern about the variation in the level of precepts agreed by parish councils in the county. It was considered whether large increases could be attributed to the delegation of responsibilities from the council. It was felt that an analysis of the variation and those reasons for it should be undertaken to

determine if there were strategies parish councils could employ, such as sharing services, which could help in the delivery of local services.

- It was noted that the council tax setting report was a technical exercise which the Council was required to undertake annually.

The recommendations in the supplement were put to the record vote and carried by 42 votes in favour and 1 against.

For (42): SP Anderson, PA Andrews, BA Baker, JM Bartlett, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, EE Chowns, MJK Cooper, PE Crockett, P Cutter, BA Durkin, PJ Edwards, CA Gandy, KS Guthrie, EPJ Harvey, TM James, PC Jinman, AW Johnson, JF Johnson, JLV Kenyon, JG Lester, MD Lloyd-Hayes, PP Marsh, RI Matthews, MT McEvilly, PD Newman, FM Norman, CA North, RJ Phillips, AJW Powers, PD Price, P Rone, A Seldon, NE Shaw, J Stone, EJ Swinglehurst, A Warmington, DB Wilcox, SD Williams.

Against (1) D Summers.

Abstentions (0)

58. NOTICES OF MOTION UNDER STANDING ORDERS

The Chairman outlined a correction to the title of Councillor AJW Power's motion. The motion should have been titled 'climate emergency' in the report.

Motion 1 – Climate Emergency

Councillor AJW Powers outlined an alteration to the motion to replace the words '*its own*' with '*this council's*' in recommendation a).

The seconder and Council agreed to the alteration and to debate the altered motion.

In moving the motion Councillor AJW Powers made the following points:

- Councillors often look at the local picture without considering the bigger picture. The perception that nothing could be done was lazy.
- The motion called on Herefordshire Council to take the lead with partners to make a change; to set targets and allocate resources to address the climate emergency;
- 30 other areas and cities had passed motions to declare a climate emergency and commit to take actions in response to the climate emergency;
- The large turnout at the meeting and the involvement of students and young people in the extinction rebellion was inspiring. The motion focused on the future of all young people and it was important that the younger generation showed the council what it must do to respond to the climate emergency.

The following principal points were raised by members in the debate:

- The installation of LED streetlights in Herefordshire was raised and the saving of a significant level of carbon over 10 years. The council would publish a list of those measures it had undertaken and proposals for the future.
- It was important that cross-party work was undertaken on actions and that the public was involved. It was acknowledged that some of the actions would result in

unpopular decisions which would have to be understood in the context of responding to the climate emergency.

- It was important that all members of the community and young people were involved in determining future actions of the council.
- The motion contained details of what would be done going forward but the council had established plans over the previous 12 years. Meetings of local bodies regularly discussed sustainability and had items on agendas at meetings.
- Through planning policies the council needed to ensure that construction in the county meets the highest standard, including the installation of insulation.
- It was commented that prior to 2011 the relevant committee at the council received regular reports on progress with carbon reduction actions being taken.
- Work needed to be undertaken on collecting rainfall and electricity generation and such notions needed to be proposed to house builders.
- The rubbish evident in hedgerows in Herefordshire was raised.
- The motion was a signal of intent which would ensure that the council considered the climate emergency in all work that it undertook and decisions it made.
- The Wye Valley AONB regularly considered environmental issues including Ash die back which was caused by climate change.
- The motion would provide an overarching commitment to carbon reduction. All actions of the council should be informed by a priority to reduce carbon emissions.
- The need to work in partnership with parish councils was raised particularly on those functions which had been delegated from the council.

Councillor PD Price proposed an amendment to the motion to add an additional paragraph as follows – *f) The council requests the executive to arrange a full day interactive seminar for all councillors this year to be briefed on and discuss the options that might be open to Herefordshire Council to expedite its carbon footprint reduction aspiration and improve further the natural environment of Herefordshire.*

The amendment was seconded by Councillor MT McEvilly.

Councillor AJP Powers and Councillor PP Marsh accepted the amendment subject to the wording '*as soon as possible*' replacing the words '*this year*'. This change was acceptable to the proposer and seconder of the amendment and was therefore incorporated into the original motion and became the substantive motion.

The following principal points were raised in the debate on the substantive motion:

- It was noted that there was consensus across the Council for the motion;
- It was important that all members reflected on their personal carbon footprints and as individuals and community leaders set an example.
- Concern was raised regarding the number of bio digesters and maize which was grown as a feed crop. The growth of maize was felt to contribute to soil erosion in the county.
- The Council needed to show leadership and it was important that developers were encouraged to build environmentally friendly homes and that planning policies included the requirement to include the installation of charging points for electric cars.
- The staggering of school drop off and pick-up times would help ease congestion in Herefordshire.
- In the new Council term, following the elections, a full audit of what the Council has achieved was needed to assess what had been accomplished and what more was required.

- The proposed western bypass as a method of growing the economy of Herefordshire was a 19th century solution. In order to address the impact of fossil fuels, the building of new roads was counter-productive.
- Climate change was a worrying trend and a significant threat.
- Electric charging points installed by the council needed to be properly maintained and those that were currently not working required repair.
- The 'stop the drop' and the 'Great Herefordshire Spring Clean' were raised and the work that was going on with parish council to improve the county.
- The amendment was supported and would ensure that new members were engaged in the work being undertaken and would understand the issues. A better forum was required for members to understand and discuss the issues.
- There was an urgent need for the council to address carbon reduction.
- In response to the public questions there was concern that the council's primary priority was on economic growth but there was not sufficient understanding as to how the economic model would align with measures to address the climate emergency.

In seconding the motion Councillor PP Marsh made the following points:

- The legacy of this Council should be to address climate change.
- The next steps needed to be defined and how the council would work with businesses, the voluntary sector and local communities.
- There was common ground for the motion across the chamber.
- The actions required in response to the motion would be a long haul and would require a re-imagining and re-engineering of the delivery of services. Innovation and ingenuity were important and work with the new university could help determine actions the council could take.
- The use of grants and loans should be assessed and how they could be used to advance the principles of the motion.

In closing the debate Councillor AJW Powers explained that action needed to be taken now; there was no longer any room for delay. There may be additional costs to the council in addressing the climate emergency but such investment would be in response to the concerns of the public.

Councillor AJW Powers proposed a recorded vote which was supported by more than eight members of the Council.

The motion was put to the recorded vote and was agreed unanimously.

For (43): SP Anderson, PA Andrews, BA Baker, JM Bartlett, WLS Bowen, TL Bowes, H Bramer, CR Butler, ACR Chappell, EE Chowns, MJK Cooper, PE Crockett, P Cutter, BA Durkin, PJ Edwards, CA Gandy, KS Guthrie, EPJ Harvey, TM James, PC Jinman, AW Johnson, JF Johnson, JLV Kenyon, JG Lester, MD Lloyd-Hayes, PP Marsh, RI Matthews, MT McEvilly, PD Newman, FM Norman, CA North, RJ Phillips, AJW Powers, PD Price, P Rone, A Seldon, NE Shaw, J Stone, D Summers, EJ Swinglehurst, A Warmington, DB Wilcox, SD Williams.

Against (0)

Abstentions (0)

RESOLVED: that –

This Council declares its recognition of the climate emergency and calls on the executive to:

- a) **Commit to an accelerated reduction of the Council's carbon emissions, with the aspirations to be carbon neutral by 2030; and to change its energy supply to 100% renewable source;**
- b) **Produce a successor to the current Carbon Management Plan (2019-2023) within the early months of the new Council;**
- c) **Work with partners to produce an action plan, covering all relevant council strategies, and to submit this plan via Scrutiny to Cabinet by the end of 2019;**
- d) **Call upon our 'Re-Energise' partners to match or better the council's commitment; to publicise their response and to lead on working with the public to promote and encourage carbon reduction in all aspects of the county's life;**
- e) **Provide the necessary resource for officers to deliver on the council's carbon reduction commitments, and to monitor and report annually on the county position; and**
- f) **The council requests the executive to arrange a full day interactive seminar for all councillors as soon as possible to be briefed on and discuss the options that might be open to Herefordshire Council to expedite its carbon footprint reduction aspiration and improve further the natural environment of Herefordshire.**

There was an adjournment at 12.21 p.m. The meeting reconvened at 12.38 p.m.

Motion 2 - Minister for Borderlands

Council considered a motion concerning a minister for borderlands.

In moving the motion Councillor EPJ Harvey made the following points:

- Herefordshire was a county which lived on the edge of the border with Wales.
- Devolution of powers had resulted in a number of borderland issues but these were not acknowledged in parliament or the regional assembly.
- There were different education and health arrangements on either side of the Welsh border. Access for people in the West of the county to education in Wales was hampered. Access to health facilities in Herefordshire came from Wales but no additional funding was available.
- Legal and customary differences compromised the establishment of partnership and joint arrangements with authorities and providers in Wales. Access to internal investment was also problematic.
- Brexit was likely to exacerbate borderland issues.
- The motion sought to encourage all authorities on the border to investigate ways of working with Welsh partners and to lobby for greater recognition of the issues.

The following principal points were raised by members in the debate:

- A minister for borderlands could be an advantage for Herefordshire to highlight the positive contributions made by the county.
- It was noted that farmers bought and sold produce across the Welsh border.
- A member raised the prospect of the reconstitution of the Council of Marches.
- A member was concerned that the motion did not make reference to the Welsh Assembly or the memorandum of understanding that existed. It was important

that work with the Welsh Assembly was undertaken to address cross-border issues.

- Some members were concerned that the proposal for a minister for borderlands would introduce an additional layer of bureaucracy. Work across the border already took place with the Marches Local Enterprise Partnership and arrangements currently in place were felt to be sufficient to manage cross-border working.
- Cross-border working took place at a local level and the functioning of the AONB was presented as evidence of partnership arrangements.
- Some members referred to a gap in representation of border communities which a minister for borderlands would address. Regional arrangements in the West Midlands were felt to be dominated by large urban areas such as Birmingham.
- The motion represented an interesting proposal which should be investigated and encouraged.

In seconding the motion Councillor A Seldon made the following points:

- The distinctions between the systems and arrangements on either side of the border were acknowledged. The respective healthcare systems were posed as an example.
- It was important that a minister in government had strategic oversight of the issues affecting border communities;
- The proposals would not inhibit or hinder the functioning of other authorities or arrangements.
- The proposal would enhance cross-border opportunities and Herefordshire would be used as a point of access for the border.
- It was recognised that greater liaison was required on both sides of the border which the proposal in the motion would help to facilitate.

In closing the debate Councillor EPJ Harvey explained that the motion did not propose significant change but asked for recognition that there were border issues and press for a minister for borderlands to advocate and lobby on behalf of borderland communities. Recognition of borderland concerns started in Northumberland with issues across the border to Scotland. The motion before Council would encourage local authorities on both sides of the Welsh border to recognise cross border issues.

The motion was put to the vote and carried by a simple majority of the Council.

RESOLVED:

This Council:

- recognises that local authorities located immediately adjacent to the national borders for England, Wales and Scotland face particular challenges associated with devolution, region initiatives, planning cross-border health, education, public transport, infrastructure investment, economic growth.

- warmly congratulates the northern communities submitting their bids to the recently announced 'Borderlands Inclusive Growth Deal', covering the cross-border local authority areas of Northumberland County Council, Scottish Borders Council, Cumbria County Council, Carlisle City Council and Dumfries and Galloway Council.

- supports the principle of proposing the appointment of a 'Minister for Borderlands'; and resolves to join Northumberland County Council in writing to Her Majesty's Government, namely the First Lord of the Treasury (Prime Minister), the Secretary of State for Housing, Communities and Local Government and the

Secretaries of State for Scotland and for Wales to support a request the creation of such a position in government.

- resolves to encourage all borderland council's on the England-Wales border to add their support to this Ministerial appointment and to lobby the LGA for its support to this request, through its recently created 'People and Places Board'.

Motion 3 – Eastern River Crossing

Councillor JLV Kenyon introduced an alteration to his motion and requested that the altered motion below was discussed and determined by Council:

This council asks the executive to consider including in the forthcoming core strategy review a consideration of options for a route corridor for a full city ring road for Hereford to include an Eastern city bridge.

The seconder and Council agreed to the alteration and to debate the altered motion.

In moving the motion Councillor JLV Kenyon made the following points:

- A full city ring road would be an excellent opportunity for cycling in the city. A ring road could prioritise cycling, electric charging points and electric buses.
- Currently there were no protected routes around the city. The land on which an Eastern route could run had been subject to previous planning applications.
- There was a possibility of an Eastern route that was built by developers.
- The proposal of an additional bridge to the East of Hereford had the support of the local MP Jesse Norman as a method of reducing congestion in the city.

In seconding the motion Councillor SD Williams explained that he was supportive of methods to improve transport in Hereford.

The following principal points were raised by members in the debate:

- A member explained that support had been expressed for an Eastern river crossing had been expressed at consultation events for the Hereford Area Plan (HAP). The HAP should consider approaches to Hereford from either side of the city.
- A member stated that businesses were reluctant to move to Hereford because of congestion; it was important to keep options open and protect an Eastern route to alleviate congestion.
- A member considered the motion to be contrary to the earlier motion approved by Council to declare a climate emergency; alternative forms of sustainable transport should be investigated rather than proposals for new roads.

In closing the debate Councillor JLV Kenyon highlighted the support from the Green party for a Leominster bypass.

The motion was put to the vote and carried by a simple majority of the Council.

RESOLVED: That – this council asks the executive to consider including in the forthcoming core strategy review a consideration of options for a route corridor for a full city ring road for Hereford to include an Eastern city bridge.

59. LEADER'S REPORT TO COUNCIL

The Leader introduced his report and received the following question:

- The prospect of the inclusion of a raised crossing on the Belmont side of Haywood Lane in the South Wye Transport Package (SWTP) was proposed which would avoid the need to close the lane during works at a later date. *The Leader confirmed that a written response would be provided.*

The Leader announced that the Council had completed the purchase of the Royal National College for the Blind in College Road, Hereford. The campus would continue to be used as a centre of excellence and offered flexible space. The purchase represented the acquisition of a strategic asset in line with the corporate objectives of the Council. It supported further and higher education in Herefordshire.

The Leader continued to receive questions below:

- An update on the work of the executive to implement sustainable principles into the development partnership was requested. *The Leader confirmed that an update would be provided in the list of projects and initiatives undertaken by the Council to respond to environmental issues.*
- The review of car parking concessions was welcome in principle, to investigate cheaper parking at times of the day to improve footfall, but there had been questionable consultation and decision-making and no obvious means of measuring its success. Assurance was sought that there would be a proper level of planning, consultation and measures for success in future. *The Leader did not accept the premise that there had been problems with the decision taken. The review had sought to find best policies for the council and consultations were often criticised. The review had been a positive move and the criticism was difficult to understand.*
- Assurance was sought that the minerals and waste plan consultation would take account of the climate emergency and consider anaerobic digestion and crops for biomass. *The Leader confirmed that any review undertaken would take account of the policies and priorities of the Council.*
- A member felt that the decision, SWTP - southern link road was cover for the allocation of £1million to the SWTP at the end of the financial year without proper decision-making and against the constitution. Assurance was sought that the decision would be properly dealt with through the constitution and with a proper cabinet member key decision. *The Leader explained that written clarification on the matter would be provided.*
- The rebuilding of Peterchurch School was raised and the requirement for similar improvements at Kingsland School. *The Leader explained that as the cabinet member for children and young people he launched the capital investment strategy which was working to improve educational facilities in Herefordshire.*

60. DATE OF NEXT MEETING AND PROGRAMME OF ORDINARY MEETINGS OF COUNCIL 2019/20

In announcing that the next meeting of Council would take place on 24 May 2019, following the elections, the Chairman thanked all the retiring councillors for the work they had done for the County during their time as councillors.

Council agreed meeting dates for the forthcoming municipal year as below:

12 July 2019
11 October 2019

14 February 2020
6 March 2020
22 May 2020

The meeting ended at 1.45 pm

Chairman

Agenda item no. 5 - Questions from members of the public

| Question Number | Questioner | Question | Question to |
|--|--------------------------|--|-------------------------------|
| PQ 1 | Mrs Monkley, Much Marcle | <p>According to government National Statistics (<i>Department of Business, Energy and Industrial Strategy Statistics 2017 UK Greenhouse Gas Emissions, National Statistics</i>), agriculture accounted for 10% of total UK greenhouse gas emissions in 2017.</p> <p>In the light of the present and accelerating climate emergency, given that Herefordshire is such a farming based community and is therefore contributing more than the average to this figure, will the Council agree to set up a working party of Councillors, local farmers and climate change mitigation experts to design a county plan to reduce Herefordshire's agricultural greenhouse gas contributions and to devise and implement farm-based carbon sequestration measures please?</p> | Cabinet member infrastructure |
| <p>Response:</p> <p>As I mentioned in my response to public question 6 at the February meeting of Council, I have asked the General Scrutiny Committee to build into their work programme in 2019/20 consideration of the policy options and practical actions available to us to help in the global action needed to address climate change, and I hope that they will consider this work a priority. It will be a matter for the scrutiny committee to determine how best to engage with relevant experts and local stakeholders.</p> | | | |
| <p>Supplementary Question:</p> <p>Can you assure me that you understand the existential threat posed by climate change and provide reassurance that the council will seek to reduce agricultural carbon footprint through sequestering of carbon?</p> | | | |
| <p>Response from Cabinet Member to supplementary Question:</p> <p>Herefordshire Council has worked well with the farming community, particularly through the nutrient management plan, which has engaged many partners to look at farming practices and how to better farm and look after soil in the future. Provide assurance that the council does and will continue to do this work and with the farming community and will take this up with the National Farmers Union and other organisation that we work with to ensure they are aware of the assistance the council can provide.</p> | | | |
| PQ 2 | Dr Geeson, Hereford | With respect to the Motion on Climate Change, the changing weather patterns we are beginning to experience (for example with unseasonal heat, cold, droughts, floods or high winds) are likely to interrupt crop-growing cycles and make it much more difficult to ensure the successful provision of food crops to feed the UK population. Do Councillors recognise that the especially fertile Grade 1 and 2 agricultural land of Herefordshire is nationally rare, and therefore this very important and valuable asset should be kept for food production and not be built on? | Cabinet member infrastructure |

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| <p>Response: Herefordshire Council recognises the value of good quality agricultural land and is aware of the advice in the National Planning Policy Framework that indicates that where significant development of agricultural land is demonstrably necessary, areas of poorer quality land should be preferred to those of a higher quality.</p> <p>In order to meet adopted housing targets and the associated key elements of strategic infrastructure in Herefordshire it has been demonstrated that there is a need to develop on agricultural land close to its largest settlements. The potential capacity of the urban areas falls well short of that needed.</p> <p>The quality of farmland available, including around the urban areas is such that utilisation of some of the best and most versatile agricultural land (grades 1, 2 and 3a) will be required in accommodating necessary development. This is particularly so around Hereford where very significant areas of agricultural land around the city falls within the best and most versatile categories. It is also the case that much of the remaining land lies within areas subject to other significant constraints on development, such as being within the functional floodplain or being subject to national or international environmental designations. A balance has to be struck between competing needs and protections to enable necessary development yet minimise any negative impacts, so it would not be practical to place a blanket ban on development of higher-grade agricultural land.</p> | | | |
| <p>Supplementary Question: In September 2018 the Office of National Statistics projected that household numbers in Herefordshire during 2011-31 would increase 10,660, which is 35% less than the 2015 core strategy figure 16,500. Does the council recognise the needs to review housebuilding targets and review the intended sacrifice of grade 1 and 2 land that will be needed instead to secure future food production and security?</p> | | | |
| <p>Cabinet Member response to supplementary question: A review of the core strategy would begin in 2019 which would examine housebuilding numbers. Grade 1 agricultural land should be protected where possible. There was a lot of grade 1 and 2 agricultural land around Hereford and if there was to be further development it was likely to be on better quality agricultural land. Housebuilding figures and development allocation would be looked at through the review of the core strategy.</p> | | | |
| PQ 3 | Ms Shore, Hereford | The 8th March is International Women's Day, an appropriate day to ask a question about Herefordshire Council's 2018 Equality Analysis of the workforce and councillors. The median gender pay gap, although improved from 2017, is 12.8% lower for women than men. This means that a woman employed by the council earns, on average, 87p for every £1 earned by her male colleagues. What is the Council's action plan for reducing and eliminating this inequality? | Cabinet member finance and corporate services |
| <p>Response: As noted in the publication <i>Personnel Today</i>, tackling a gender pay gap can be a slow and difficult process, taking time and resources. The causes of a gender pay gap are a complex mix of work, society and family, so employers will only be able to influence some factors, which might include:</p> <ul style="list-style-type: none"> • A perception that higher level roles are less flexible (eg. flexible/reduced hours, working from home); • Risk of bias at recruitment stage and nature of recruitment literature; • Promotion and progression of female employees to higher level roles; • Instilling confidence in the female workforce to advance in the organisation. | | | |

We have a number of actions in progress targeted at these factors. These include:

1. All recruitment literature and web pages to have a statement about flexible working options;
2. Providing recruitment training for managers to include equality considerations and unconscious bias;
3. Carrying out further detailed analysis of the statistics to identify areas for targeted work, and engaging with our workforce to identify possible actions;
4. We have in place family friendly policies and will continue to promote these to existing and prospective employees and promote the shared parental leave policy with a view to encouraging uptake by male employees;
5. A programme to review all our policies and procedures to ensure they are fit for purpose, clear and accessible.

Supplementary Question:

What is the timescale for the detailed analysis; will the findings be made public; and once the analysis has been carried out, how will the Council translate the results into an action plan? What are the measures that are in place to promote the Council's family friendly policies to existing and prospective employees?

Cabinet Member response to supplementary question:

More women and under-represented groups should stand as councillors. The median gender pay gap is by definition an average; employee gender bias for roles at the council can reflect societal norms and the closing of the gap will not be achieved easily. The ethos of the council is to reward competence irrespective of gender. Recruitment is undertaken on the basis of competency and for some roles there may be a gender bias in the applicant pool however it would not necessarily represent value for money to enforce quotas even if gender pay gap was closed more rapidly. There was a need to prioritise retention of staff, particularly women who have children to ensure career progression is not prejudiced. As an authority the council was committed to appropriate representation to reflect the society in which we live.

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| PQ 4 | Ms Sharp, Hereford | The public have heard that the budget for the Active Travel Measures for the South Wye Transport package has been cut from £8million and is now down to £5million. What budget is available for the walking, cycling and bus proposals included in the Hereford Transport Package currently being consulted on? | Cabinet member infrastructure |
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Response:

The estimated cost of active travel measures that, together with the Southern Link Road, will form the South Wye Transport Package and as set out in the Strategic Outline Business Case (which can be seen on the council's website) was £5m so it is not correct to say the budget for the element of the package has been cut. I am due to take a decision on 8 March in relation to our commitment to investment in active travel measures in the South Wye area alongside the delivery of the new road. The Strategic Outline Business Case for the Hereford Transport Package can be seen on the council's website and sets out an estimated £29m of possible walking, cycling, public transport and public space improvements alongside a new bypass scheme. We are currently consulting on this issue and the feedback we receive will inform the further development of potential improvements; cost estimates will be updated as this work progress. This is the normal process for scheme development and fully in accordance with Department for Transport business case stages.

The report informing the decision that I will be taking on 8 March is available on the council's website and provides information about the process of selection. The measures recommended for inclusion in the full business case will be effective in meeting the objectives of the South Wye Transport Package because:

- Together they are considered to maximise the benefits of investments across the area;

- They would constitute value for money;
- The walking and cycling infrastructure would improve access to the HEZ, city centre and other local destinations, which will encourage uptake of these modes;
- The walking and cycling infrastructure and reduced speed limits would contribute to a reduction in the severity and incidence of road collisions and would improve the perception of safety of active travel modes;
- The uptake of walking and cycling would contribute to a reduction in traffic noise and reduce air pollutants associated with vehicle traffic and improve public health; and
- They support many actions in the Living Streets Groundwork for the Hereford Walking Strategy document.

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| PQ 5 | Mrs Morawiecka, Breinton | The original need for the Southern Link Road was supposedly to open up new land for housing, with property developers contributing £5million to the new road cost. With cuts to so many local services and no funding available for sustainable modes of transport for schools, why is the taxpayer now expected to foot the full £30million bill for this road scheme? | Cabinet member infrastructure |
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Response:

Your statement that the original need for the Southern Link Road was to enable housing growth is incorrect. Whilst delivery will assist in unlocking land for much needed housing, the aims of the South Wye Transport Package are:

Economic:

- Reduce congestion and delay
- Enable access, particularly to developments such as the Hereford Enterprise Zone

Environmental:

- Reduce the growth in emissions such as CO2, NOx and PM10s
- Reduce traffic noise

Health:

- Encourage physical activity
- Reduce accidents

The Strategic Outline Business case set out both growth funding and local contributions for this £35m package and indicated possible sources for local contributions. That business case enabled Herefordshire Council to secure £27m funding from the Department for Transport (DfT). Cabinet has confirmed a local contribution of £8m which would be funded from local transport plan funding allocations or other funding sources. This remains the case as has been set out in published decision reports, and will be confirmed in the final full business case when submitted to DfT later in the year.

I would also challenge the assumptions made in the question that the funding could be used to support other local services; there is a significant difference between the use that can be made of non-recurring capital funding and the requirement for ongoing revenue funding to sustain local services. We always explore funding options to ensure that public resources are directed to best effect and that essential services for our residents can be maintained.

The question also explicitly references the lack of funding available for sustainable modes of transport to schools. Central government ended its funding of that work in 2011. Although we no longer have a ring-fenced budget to support this work we continue to fund relevant activity through existing schemes such as Destination Hereford.

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| PQ 6 | Ms Setterfield-Milln, Hereford | As a Sixth form college student who cycles daily to college I am aware that 80% of Hereford's traffic congestion is due to people making short journeys within our city boundary. Making walking and cycling safer and public transport cheaper and more efficient would help reduce our carbon emissions substantially, getting people out of their cars and living healthier lives. If you declare a Climate emergency please can you commit Herefordshire to taking bold decisive action with real sustainable transport investment such as a tram system? That would be an excellent use of the £50 million just received from selling off all our county farms. Thank you. | Cabinet member infrastructure |
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Response:

Firstly, thank you for making your journey to college each day by bike – every individual's contribution matters. Because making walking and cycling safer and more attractive and supporting public transport can help reduce short, car based journeys this is already reflected in the objectives of our Local Transport Plan.

I don't recognise the figure of 80% of traffic congestion being caused by short journeys, as this is not data that we collect. You will see a range of transport statistics set out in the Hereford Transport Package consultation information and the sources of this data. These statistics confirm that 49% of commuting trips within Hereford of less than 5km are by car, and that walking makes up less than 20% of all journeys - a pattern of travel we wish to change. We continue to fund improvements to the physical infrastructure to encourage people to walk, cycle or use public transport both through our public realm annual plan and as part of wider transport projects such as delivering the Hereford Bypass, which will assist in reducing congestion, and improving air quality in the city. We also continue to provide subsidies to support maintaining bus services, despite cuts in our funding from central government.

Whether or not Council declares a climate emergency, I can assure you that we will continue to invest in sustainable transport and other measures to protect the environment. I cannot confirm that this investment would include a tram system in Hereford as any such scheme needs to be deliverable within the existing built environment and economically viable. However there are other options that can be considered which take account of technological developments such as electric buses, or autonomous vehicles, and we will continue to explore these options.

Because of your interest in this issue, I would like to encourage you, and anyone else with an interest, to respond to the Hereford Transport Package consultation currently underway that closes on 11 March. All suggestions put forward will be considered, alongside our evidence base. We hope to be able to confirm a final package later in 2019. You will find the consultation at: <https://www.herefordshire.gov.uk/HTP>

Supplementary Question:

If the Council agrees the climate emergency motion will it abandon the western bypass and focus on active travel measures?

Cabinet Member response to supplementary question:

There was a need to grow the economy in Herefordshire for young people in the county to have a future. To enable growth, infrastructure and housing was required, which included a bypass. Active travel measures in Hereford would facilitate walking, cycling and public transport. In the Hereford Transport Package (HTP) Consultation there was commitment for £29million in active travel measure in Hereford.

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| PQ 7 | Mr Milln, Hereford | 20 mph vehicle speed limits in residential areas are shown to reduce car use and road accidents, particularly those of our children, although it is clear such orders are not being adequately enforced at the moment. They also encourage walking and cycling, although the Council's current HTP consultation on walking, cycling, bus and public space fails to mention the 'Twenty is Plenty' programme as advocated by the Green Party (among others). With climate change an emergency, will this Council step up implementation of the scheme? | Cabinet member transport and regulatory services |
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Response:

This council has delivered many 20mph schemes in Hereford city across residential areas, adjacent to primary and secondary schools and on city centre shopping streets, and remains committed to delivering further schemes. The current Hereford Transport Package consultation is focused on key movement corridors in the city and how these could be improved to produce safe and continuous routes for walking and cycling in Hereford as well as opportunities for public transport improvements. Whilst the current consultation boards do not make specific reference to possible 20mph zones it is anticipated that these and other traffic management schemes such as weight restrictions would form part of a package scheme. Indeed this was referred to in our consultation in 2018. As we consider feedback to the current consultation and develop the package, traffic management schemes (including 20mph zones) will be included and we will be consulting again later this year when this will be detailed and feedback invited. If a parish or town council wishes to progress a Traffic Regulation Order in their area to aid accelerated delivery of traffic calming measures it is also open to them to directly fund this work.

Supplementary Question:

There was a lack of enforcement of 20 mph zones in Hereford in particular East Street which suffered from rat running and was dangerous at its crossing with church street. It was asked what the Council was doing as a matter of urgency to enforce 20 mph limits and address the problems in East Street.

Cabinet Member response to supplementary question:

We are looking in the HTP how can make the city a safer place. An issue with the church street junction was acknowledged which would be looked at very shortly.

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| PQ 8 | Mr Cramsie, Newton St Margarets | In the event of Herefordshire Council declaring a climate emergency, will the Council appoint a Councillor with the specific remit to oversee the application of the declaration's aims to all appropriate areas of current and future policy? | Leader |
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Response:

Thank you for your suggestion. As Councillor Price indicated at the last meeting of Council, he has asked the General Scrutiny Committee to consider placing the issue of policy options and actions to respond to climate change, on their work programme. Councillor Price is the cabinet lead for environmental promotion, protection and sustainability; in light of the elections scheduled for 2 May, it would be a matter for the Leader of the

Council to determine the remit of future cabinet member portfolios, and the appointment of any member champions after the annual meeting of Council on 24 May.

Supplementary Question:

Why is it that no minutes of the Herefordshire Local Nature Partnership have been published since 2015?

Leader response to supplementary question:

A written response would be provided.

Response provided on 12 April 2019:

The minutes of the Herefordshire Local Nature Partnership (HNLP) are not published on the Herefordshire Council website. Herefordshire Wildlife Trust leads in forming the link with local biodiversity and similar organisations through 'Wildlife Link' and maintains a specific website for that mechanism –

<https://herefordshirewildlifelink.wordpress.com/> . HLNPs agendas and minutes are located upon this site. Following the question posed at Council the HNLP Facilitator has been informed that recent minutes were not available on this website and has rectified the matter.

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| PQ 9 | Mr Palgrave, How Capel | Priority 1 listed in Herefordshire Council's Corporate Plan is to, "Enable residents to live safe, healthy and independent lives". The vision expressed in the Health and Well Being Strategy is that, "Herefordshire residents are resilient; lead fulfilling lives; are emotionally and physically healthy and feel safe and secure." Do you agree that to meet these objectives, Council must take full account of the risks to human health, well-being and security posed by accelerating climate change, (the Climate Emergency) and that Council should now give higher priority to its work to address climate change, ensuring its plans and investments are updated whenever they are no longer consistent with the emerging scientific evidence? | Leader |
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Response:

I agree that in order to meet the Health and Wellbeing Strategy vision, and indeed the Council's own vision of "People, organisations and businesses working together to bring sustainable prosperity and wellbeing for all, in the outstanding natural environment of Herefordshire" we must take full account of all the risks to human health, well-being and security, wherever those risks arise. I also agree that the decisions we take should, in accordance with our principles of good decision-making and our code of corporate governance give due weight to all material considerations, only take relevant matters into account, and make sure the action is proportionate to what the council wants to happen.

I am proud of the significant investment and action this Council has already undertaken in delivering measures to improve our energy efficiency. This includes investment in LED lighting across the county both for street lighting and within council owned buildings; installation of solar panels; electric car charging points in public car parks; fuel efficient cars for use by staff; and a new natural flood management programme. We also encourage staff to travel by bike or to walk as far as is practicable when carrying out their work. At the last meeting of this Council, Councillor Price advised that he has asked the General Scrutiny Committee to consider placing the issue of climate change and carbon management, on their work programme; the outcome of their work will inform our decision regarding future action to ensure that residents have a good quality of life in our beautiful county.

Supplementary Question:

How would local MPs and relevant government departments be made aware of the outcome of the debate on the climate emergency?

Leader response to supplementary question:

The Council had undertaken a lot of actions to reduce its environmental impact and carbon emissions but it could not do it alone and needed help from others both countywide and nationwide. The council would be asking others for this help.

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| PQ 10 | Ms Toynbee, Hereford | It is good to see Herefordshire Council consulting on walking, cycling and buses for the Hereford Transport Package. This is a great opportunity for efficient, joined-up transport in and out of the city, as well as within it. However, the consultation does not show how the council plans to link this package for the City with existing transport packages, such as that for South Wye and the City Centre, as well as with rail, at the transport hub. Why is this? | Cabinet member infrastructure |
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Response:

Thank you for comments about the current Hereford Transport Package consultation. I am very pleased that large numbers of people have come to see the proposals at the public events we have run since the consultation commenced in January and those who have viewed the proposals on line. We have already had over 300 responses to the consultation and hope many more will respond in the next week as the consultation runs to 11 March 2019. The focus of this consultation is on the Hereford Transport package rather than city-wide design which will be addressed both in the Hereford Area Plan and Hereford Design Guide Supplementary Planning Document. However, the consultation boards do show route corridors' links to other schemes such as the proposed Blueschool Street and Newmarket street improvements, the City Link Road and proposed transport hub, and the St Owen Street contraflow scheme, which is an element of the Hereford City Centre improvements. As we progress the detailed design of these improvements we will ensure that they are linked to ensure a comprehensive and improved network throughout the city

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| PQ 11 | Mr Coppock, Kington | As someone who has focused and campaigned on this issue for the past 15 years could I stress the urgency with which we immediately need to act. We need to focus on the reduction of the whole Herefordshire county carbon footprint to a net zero by 2030 at the latest. The urgent need to declare a climate emergency by the council and to vote for this motion should be very clear to anyone who has read the special report of this past year from the Intergovernmental Panel on Climate change As a concrete action following the Re-Energising Herefordshire project would the Council please consider the creation of a county wide Zero Carbon Herefordshire project to be achieved by 2030 within the action of declaring a Climate Emergency motion? | Cabinet member infrastructure |
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Response:

As has already been referenced in previous responses, I have asked General Scrutiny Committee to include in their workplan some focussed work on the issue of climate change and will ask them to consider this suggestion as part of that work.

Supplementary Question:

Herefordshire has a large proportion of buildings with a poor level of insulation in comparison to the rest of the country. As part of urgent actions needed to reduce the county's carbon footprint would the council consider initiating a system that reduces council tax for well-insulated buildings; to stimulate take up combined with support for further insulation at the same time?

Cabinet Member response to supplementary question:

The council encouraged the better insulation of buildings. The suggestion of a council tax reduction would be looked into and a written response provided.

Response provided 26 April 2019:

Council tax is a local taxation used to fund a variety of local service costs such as looking after vulnerable children and adults, collecting and disposing of waste and road maintenance. Discounts are restricted to those permitted under legislation. Councils are able to apply some discretionary reductions that fall under the Welfare Reform Act 2012 however these council tax reduction powers are restricted by the Act and the reference to the insulation status of a property is not currently permitted.

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| PQ 12 | Ms Spearman, Newton St Margarets | From the number of people attending our student demonstration, it is clear that students and young people in Herefordshire want change to address the climate emergency. If the Council ignores the impact of climate change do you acknowledge that this will be against the interests and concerns of your constituents? | Leader |
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Response:

The council hasn't, and won't, ignore any impacts that affect Herefordshire or the welfare of its residents. We have already taken action through our carbon management plan, and Re-energising Herefordshire to address this issue as outlined in my response to public question number 9 above, and will continue to do so. As has already been referenced in previous responses, Councillor Price has asked General Scrutiny Committee to include in their workplan some focussed work on the issue of climate change and I hope that the new committee to be formed after the elections in May will make this a priority.

Supplementary Question:

What more can the Council commit and promise to provide to reassure young people of Herefordshire and how can we work together?

Leader response to supplementary question:

A document would be produced shortly which would set out what the council had already done and what it intended to do in response to climate change. Herefordshire was the first county to ensure that there was 100% coverage of LED streetlights which since 2011 had ensured a 65% reduction in the level of energy used in street lighting and resulted in significant savings to the council. Offices had been sold and staff had been consolidated in fewer buildings. Staff were encouraged to walk and cycle to work and after 2019 electric vehicles would be purchased as pool cars at the council.

Agenda item no. 6 - Questions from members of the council

| Question Number | Questioner | Question | Question to |
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| MQ 1 | Councillor PJ Edwards, Newton Farm | In the absence of an accurate response to my question put to Council meeting 12 th October 2018 regards the BBLP contract and selling of Grounds Equipment, please may all Members be informed of vehicles and machines which Herefordshire Council own in relation to the BBLP contract? | Cabinet member transport and regulatory services |
| <p>Response:</p> <p>The query that you raised in relation to the Leader's report to Council in October did not receive an inaccurate response. Your query, as recorded in the minutes, was whether Balfour Beatty Living Places (BBLP) would be able to deliver their responsibilities to maintain the council's open spaces and verges given that it was understood that they had sold the equipment they owned required for these tasks and would therefore be reliant on third party contractors. The response confirmed that BBLP remained contracted to deliver this work, which is the case. A further query requested confirmation of the amount of money raised from the sale of equipment; this information was provided on 29 October 2018 (for ease of reference the amount was £21,548.40).</p> <p>As you will appreciate there is a significant amount of machinery and vehicles the council owns in relation to the BBLP contract; rather than produce a lengthy list here I would ask any member wishing to inspect the relevant asset register to email Laura.Lloyd@herefordshire.gov.uk who will be able to assist.</p> | | | |
| <p>Supplementary Question:</p> <p>How can the contract with BBLP be so poorly managed that council-purchased assets such as new mowers and a new tractor are not entered in the asset register and why hasn't the purchase of additional equipment not resulted in the reduction of contract costs?</p> | | | |
| <p>Cabinet member response to supplementary question:</p> <p>I take exception to claim that the contract is poorly managed. A response from the contract officer would be provided.</p> <p>Response provided on 12 April 2019:</p> <p>The current list of the plant and vehicles owned by Herefordshire Council for the public realm service has been provided to Cllr Edwards, that asset register does contain 324 items of plant, including small plant such as drills, angle grinders and chainsaws through to large plant such as the New Holland T6.145 TIER 4B Tractor to which Cllr Edwards refers. In addition to these items</p> | | | |

the list also identifies 116 items of small plant that are not currently in use for the delivery of service and may be disposed off. A further 17 items of plant are listed specifically for the delivery of service at Hereford Crematorium.

This plant together with the 12 council owned gritters and 4 council owned snow blowers are being utilised by Balfour Beatty Living Places (BBLP) alongside their own plant and resources and those of their sub-contractors to deliver the Public Realm Services Contract across Herefordshire. Since its inception in 2013 the contract has delivered significant cashable efficiencies.

The purchase of new equipment has contributed to this and revenue contract costs have been reduced by 1/3rd over the period. The Council has over the period invested additional capital funding in the public realm, and its highway network in particular. As a result more than 60% of the classified road network is now in good condition, compared with c50% in 2013. The proportion of the unclassified road network that is deemed in need of maintenance has also reduced by almost 10%. Clearly, an ongoing investment is required to continue this improvement in the overall condition of our public realm, and the investment of capital has been sustained over the period of this contract. In the first full year of the contract operating, which was 2014/15 the net expenditure (capital and revenue) through the contract on Public realm services was £43.2 Million, in 2015/16 £32.5 Million, 2016/17 £26 Million and in 2017/18 £32.5 Million. This level of investment in the county road assets demonstrates the Council's commitment with the support of central government to improve the maintenance of highways.

Cllr Edwards Question stems from his earlier question to Council in October 2018 in regard to the disposal of council owned plant and in particular the disposal of surplus grounds maintenance equipment at public auction in 2018. The listing below includes for all council owned plant and vehicles that have been disposed of at public auction as managed for the Council through the fleet management services provided by BBLP.

| Date | Vehicle/Equipment Description | Sale price | Department/Service Area |
|-------------|--------------------------------------|-------------------|--------------------------------|
| 15/10/2013 | Land Rover Freelander Diesel Com | £2,100.00 | Highways |
| 15/10/2013 | Land Rover Freelander Diesel Com | £1,900.00 | Highways |
| 15/10/2013 | Land Rover Freelander Diesel Com | £1,900.00 | Highways |
| 15/10/2013 | Land Rover Freelander Diesel Com | £1,800.00 | Highways |
| 17/10/2013 | Peugeot 206 Sw Diesel Estate 1.4 | £1,700.00 | Highways |
| 17/10/2013 | Renault Clio Diesel Hatchback 1.4 | £2,500.00 | Highways |
| 17/10/2013 | Peugeot 206 Diesel Estate 1.4 | £2,300.00 | Highways |
| 17/10/2013 | Renault kangoo Diesel SL17dCi 85 | £1,350.00 | Highways |

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| 22/10/2013 | Land Rover Freelander Diesel Com | £1,700.00 | Highways | |
| 24/10/2013 | Renault kangoo Diesel SL17dCi 85 | £1,450.00 | Highways | |
| 17/01/2014 | Ford Transit Mini Bus | £400.00 | Marshfield Leominster | |
| 17/01/2014 | Leyland Daf 75 CF 26T 6x4 Gritter | £7,300.00 | Highways | |
| 17/01/2014 | Leyland Daf 75 CF 26T 6x4 Gritter | £6,400.00 | Highways | |
| 17/01/2014 | Leyland Daf 75 CF 26T 6x4 Gritter | £6,900.00 | Highways | |
| 14/05/2014 | Peugeot Partner Petrol 600 LX va | £250.00 | Car parks team | |
| 14/05/2014 | Peugeot Partner Petrol 600 LX va | £250.00 | Community Protection Team | |
| 12/02/2016 | Mercedes Atego 1823 Gritter | £3,800.00 | Highways | |
| 15/01/2016 | DAF 75CF 6x4 ECON GRITTER | £5,000.00 | Highways | |
| 13/05/2016 | Mercedes Atego 1823 Gritter | £3,600.00 | Highways | |
| 28/07/2016 | Citroen Berlingo Diesel 1.9D 600 | £100.00 | Home Improvement Agency | |
| 28/07/2016 | Citroen Berlingo Diesel 1.6Hdi 8 | £200.00 | Home Improvement Agency | |
| 28/07/2016 | Citroen Berlingo Diesel 1.9D 600 | £300.00 | Home Improvement Agency | |
| 28/07/2016 | Peugeot Partner Diesel 600 LX 1. | £200.00 | Pest Control | |
| 28/07/2016 | Peugeot Partner Diesel 600 LX 1. | £250.00 | Travellers Site Admin | |
| 28/07/2016 | Peugeot Expert Diesel 2.0 Hdi Va | £850.00 | Trading Standards | |
| 29/09/2016 | Peugeot Partner Petrol 600 LX va | £50.00 | Environment Protection | |
| 30/03/2017 | Peugeot 206 Hatchback 1.1 style | £316.67 | Waste Disposal - General | |
| 15/06/2017 | Exhibition Trailer | £1,800.00 | Fairs/Markets | |
| 15/06/2017 | Citroen Relay 35 Diesel 2.2 HDI | £4,800.00 | Home to School College Transport | |
| 10/11/2017 | Mercedes Atego 1823 Gritter | £5,200.00 | Highways | |
| 10/11/2017 | Mercedes Atego 1823 Gritter | £5,600.00 | Highways | |
| 14/12/2017 | Citroen Relay 1800 Lwb Diesel 2.8 Hdi Enterprise Minibus | £2,000.00 | Transport Section | |

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| 11/05/2018 | Ransomes HR300 Outfront Mower | £9,300.00 | Highways |
| 11/05/2018 | Ransomes HR300 Outfront Mower | £8,800.00 | Highways |
| 11/05/2018 | Ifor Williams KM126G Flatbed Trailer | £900.00 | Highways |

All the above was disposed of as equipment that that was in use for the delivery of service, or had reached the end of its operational lifecycle and required renewal.

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| MQ 2 | Councillor A Seldon, Bromyard West | How would the cabinet member for finance and corporate services defend the accusation that his administration proposed an unbalanced budget in 2018-19 by proposing a manifestly undeliverable budget for the Children and Families Directorate in February 2018? | Cabinet member finance and corporate services |
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Response:

The question indicates that Councillor Seldon is suggesting there has been unlawful activity by this administration and this Council given that it is a requirement of law to set a balanced budget. Making such an outrageous accusation, suggests to me either a complete lack of understanding of local government finances and budget setting, or an attempt to grab a headline in view of forthcoming elections; neither explanation reflects well on the questioner.

Herefordshire Council’s budget setting process is well established and robust. This administration’s proposals in 2018, as they are every year, were reviewed by scrutiny. The particular financial challenges facing children’s services were fully set out and tested by scrutiny, and the director for children’s wellbeing confirmed that whilst no cast iron assurances could be given on the saving on this area he had confidence in the work that had been done in relation to the estimates. The budget proposals were reviewed and assessed as lawful by the council’s section 151 officer, and debated by full Council before being voted on – a vote in which I note Councillor Seldon supported the very budget proposal that he now says was ‘manifestly undeliverable’.

As a councillor active within the Local Government Association (LGA) he will recall that as recently as January this year the LGA was reporting that nearly 90% of local authorities had overspent their children’s budget in 2017/18 and there is no reason to believe that the picture will be different at the end of the 2018/19 financial year. I am sure Councillor Seldon would not be intending to suggest all those authorities are similarly to be ‘accused’. A further report from the LGA, “Making Sense”, in the Autumn of 2018 has highlighted how little control local authorities have over children’s care costs. I would be delighted to lend Cllr Seldon my copy if he wishes to cultivate an interest in this area. The reality is that nationally the pressures on children’s social care are increasing whilst local government resources have been reducing. At the time the budget was set, and reflected in the medium term financial strategy, the pressures facing children’s services were recognised and, as any prudent council would, we maintain close oversight of that budget and ensure that, should it prove necessary,

additional resources are made available to support that vital service. Those additional resources are only available to us because of this administration's continued prudent approach to budgeting.

Supplementary Question:

Is the answer to the initial question 'yes'?

Cabinet member response to supplementary question:

The answer is no. A similar process would be followed to produce the budget for the following financial year. It was hoped that if there were concerns these would be raised through the scrutiny committees or with the section 151 officer. There was national concern over the funding of children's services at councils and greater certainty was required from central government.

| | | | |
|------|---|--|--|
| MQ 3 | Councillor ACR Chappell, Hinton and Hunderton | There are a number of milestones and other historic items like finger posts and boundary stones across the county that need to be preserved. Will the cabinet Member for Highways, undertake a county wide audit to ensure these items are recorded and not destroyed by highways works and other events? | Cabinet member transport and regulatory services |
|------|---|--|--|

Response:

The council considers the protection of historic structures such as milestones and boundary stones to be a valuable part of the historic environment of the county, many of which are listed by Historic England. The council is aware of the potential threat to these features and is working to reduce it. When highway maintenance is undertaken close to these features, care is taken not to remove or damage these markers. If they are found to be in an unstable condition, they are reset and repaired where possible, and we continue to explore external sources of funding to support more proactive management.

The council already holds a significant amount of information about these features, and is working to improve this data. Until recently listed milestones were the only ones recorded on the Herefordshire Historic Environment Record (HHER), which affords them greater protection under the Planning (Listed Building & Conservation Area) Act 1990. In the last few months, we have been working with the Milestone Society to add data held by them and also adding data from a survey we carried out in 2012/13 to the HHER. Although adding these unlisted structures recorded in the HHER will not afford any additional protection, it will give them greater visibility and attention when it comes to management and protection of them, as is the case for all heritage assets. As a result of this survey and audit work there are now around 300 mile markers recorded on the HHER and this work is still ongoing.

There is always merit in seeking the views and assistance from parish councils as they can contribute valuable local knowledge to this work, and I will ask officers to liaise with Locality Stewards to take those discussions forward at a local level.

Supplementary question:

Is there awareness of the missing milestone marker in Byford? Were there discussions with BBLP, highways officers and planners to ensure that historic markers were protected? Were the police investigating stolen markers?

Cabinet member response to supplementary question:

The council worked closely with the milestone society, the police and local parish council to protect historic markers.

Chairman's Announcements – Council Meeting – 24th May 2019
Events attended by the Chairman since the last
Council meeting on 8th March 2019

9th March – School's Mock Court Trials – Magistrates Court
11th March – Citizenship Ceremony
15th March – Re-dedication Ceremony, Holmer War Memorial – Widemarsh Common
15th March – NMiTE Milestones Event – Blackfriars
17th March – Civic Service – Hereford Cathedral
21st March – Herefordshire G & S Amateur Operatic Society – “The Mikado” – Courtyard
22nd March – Herefordshire Community Champions' Awards – Town Hall
23rd March – Ross-on-Wye Mayor's Charity Ball, the Chase Hotel – Ross-on-Wye
2nd April – Youth Music Band Concert – Shire Hall
3rd April – Youth Strings Concert – Shire Hall
4th April – SSAFA – AGM – Kindle Centre
*5th April – High Sheriff Declaration of James Hervey-Bathurst CBE, DL – Shire Hall
7th April – Bromyard Speedfest
8th April – Citizenship Ceremony
14th April – British Empire Medal presentation to Mr Bryan White – Hereford Leisure Centre
25th April – Hereford Youth Theatre presentation of “The Wizard of Oz” – The Courtyard
7th May – May Fair Opening
9th May – National Star Drop In Session – 1 Ledbury Road
11th May – Installation of the Mayor of Leominster
13th May – Citizenship Ceremony
13th May – Installation of the 638th Mayor of Hereford City – Town Hall
16th May – Turf Cutting Ceremony for new Hereford Medical Centre – Station Approach
16th May – Farewell Tea for retiring and non-returning Councillors
18th May – HYFC County Annually Rally – Ullingswick

*Attended by the Vice-Chairman

Following the resolution passed at the last Council meeting in relation to a possible Minister for the Borderlands, the attached substantive response (overleaf) has been received from the Minister for the Northern Powerhouse and Local Growth, Jake Berry MP.

Link to the Chairman's profile -

https://www.herefordshire.gov.uk/info/200148/your_council/557/about_herefordshire_council/5,



Ministry of Housing,
Communities &
Local Government

Cllr Brian Wilcox
Shirehall, St Peters Square
Hereford
Herefordshire
HR1 2HX

Jake Berry MP

*Minister for the Northern Powerhouse and Local
Growth*

**Ministry of Housing, Communities & Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3440

Email: jake.berry@communities.gov.uk

www.gov.uk/mhclg

Our Ref: 4193131

Your ref: DBW/wjh

30 April 2019

Dear Brian,

Thank you for your letter of 4 April to the Prime Minister and The Rt Hon James Brokenshire MP about the creation of a Minister for Borderlands. As the Minister for the Northern Powerhouse and Local Growth, I have responsibility for driving growth across all parts of the UK, including in all of the border regions, so this ministerial role falls within my own portfolio.

The border regions of the UK are vitally important for our economic growth and prosperity. Government understands that business does not stop at national boundaries and we continue to support cross-border investment that enables regional economies to thrive across the Union. The Chancellor's announcement of up to £260 million UK Government funding for the Borderlands Growth Deal at Spring Statement demonstrates our commitment to driving productivity across the region. This, on top of Government's recent £102 million investment in Carlisle from the Housing Infrastructure Fund, will help make the deal an exemplar for collaborative working across local authorities and the border.

My role also includes working closely with the Welsh Secretary to negotiate and progress further city and growth deals with North Wales and Mid Wales. As you will know, these deals provide an excellent opportunity to drive further cross border work and strengthen existing relationships. The Mid Wales deal, for example, will build on the existing relationships between the Growing Mid Wales partnership and the Marches LEP, in your area, which maximises opportunities related to skills, manufacturing and the food and drinks sector.

Given this focus within my portfolio, there are currently no plans to appoint an additional Minister for the Borderlands. I look forward to working with you, along with other local authorities and communities, to drive growth and prosperity across our border regions.

JAKE BERRY MP

Chief Executive's Announcements – 24 May 2019

- The Shell Store development on the Hereford Enterprise Zone began construction on the 1st April. The £7.5m project will renovate a World War 2 shell store building to create business incubation, enabling businesses to develop and grow. It will also provide an opportunity for Higher Education providers such as the New Model in Technology and Engineering (NMiTE) to engage with industry and for students to develop their own business ideas.
- The construction of the Cyber Security Centre located on the Hereford Enterprise Zone started on site in May. The £9m joint venture between the Council and the University of Wolverhampton will provide business accommodation, secure training and educational facilities and a base for undertaking specialist research.
- A 'Veterans self-build' scheme in Leominster is starting on site imminently in a partnership between Herefordshire Council and Stonewater. The project will see the delivery of a mixed scheme of 19 new dwellings built to Lifetime Homes Standards. Nine will be allocated to veterans as part of a self-build initiative with the Community Self Build Association, SSAFA and the Royal British Legion supporting the veterans to gain new skills in construction and gain the confidence to live independently. Herefordshire Council is a signatory to the Military Covenant which supports the local military and veteran community.
- The Natural Flood Management scheme we are running with the Environment Agency was covered by BBC's Farming Today. This positive report highlights the importance of addressing flood risk in a rural county in an environmentally sensitive way and supporting our local communities.
- The National Bikeability Conference was held in Hereford on 16th May. The chief executive opened the conference and Jesse Norman provided a supportive speech. This national conference highlights the impact of Herefordshire Council's commitment to the programme and promotion of cycling, ensuring effective cycling training is in place.
- The foundation stone on the new GP Hub was laid on 16th May, with construction works now underway on Station Approach. This is being managed through our One Public Estate programme, in conjunction with Prime and the NHS. The development will improve GP provision for the city and brings together six separate practices into a single modern facility.

- We recently completed the latest phase of refurbishment in Hereford City Centre with the works in Commercial Street which provides a high quality public realm to support the city centre economy.
- We have developed a short video called “Truth be Told” that can be found on the Council website and on Youtube. It provides true accounts of foster carers and their heartfelt experiences of fostering teenagers and sibling groups. We have publicised it widely and I encourage all to share it so that we have more people coming forward to provide that essential and life-changing care for our looked after children
- We recently had a return visit from Mark Riddell, national advisor for care leavers. We were able to share with him the progress we have made since his last visit including putting in place more housing options, buying a property which will provide further local accommodation, and of course enabling care leavers to be eligible for Council tax exemption.
- On 2nd May, our public health team received a review visit from the regional director. The feedback was very positive, describing a big step forward in the Council’s public health work under the DPH Karen Wright.
- I can report that the local council elections ran as a smooth operation, with credit to Colette Maund, Amy Hallett and the elections team. Preparations for the EU election on 23rd May were put in place over the last 6 weeks, with the count taking place on Sunday 26th May.



| | |
|-------------------------|--|
| Meeting: | Council |
| Meeting date: | Friday 24 May 2019 |
| Title of report: | Appointments to council committees and outside bodies |
| Report by: | Solicitor to the Council |

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To exercise those powers reserved to Council at its annual meeting:

- (a) To confirm its committees and the number of seats on each, including terms of reference and functions of those committees;
- (b) To review the representation and determine the allocation of seats on committees and relevant outside bodies to political groups for the coming year;
- (c) To make appointments to the positions of chairpersons and vice-chairpersons of committees; and
- (d) To make arrangements for such appointments to committees and other bodies as may be necessary, including co-optees.

Recommendation(s)

That:

- (a) the list of ordinary committees listed at paragraph 9 be confirmed with their

Further information on the subject of this report is available from
Matthew Evans, Tel: 01432 383690, email: Matthew.Evans@herefordshire.gov.uk

terms of reference as set out in the council's constitution;

- (b) the number of seats on each committee as set out at paragraph 9, and the allocation of those seats to political groups as set out at appendix 2 (to follow) be approved;**
- (c) the allocation of seats on outside bodies to political groups as set out at appendix 3 (to follow) be approved;**
- (d) the appointment of five co-opted members of children and young people scrutiny committee be approved as follows:**
 - i. one representative as nominated by the diocese of Hereford**
 - ii. one representative as nominated by the archdiocese of Cardiff**
 - iii. one parent governor as elected from the primary school sector**
 - iv. one parent governor as elected by the secondary school sector**
 - v. one parent governor as elected by the special school sector;**
- (e) the suspension of the rules of proportionality in respect of the standards panel, the River Lugg Internal Drainage Board, and the Wye Valley AONB Joint Advisory Committee be approved; and**
- (f) the appointment of committee chairpersons and vice chairpersons of the committees listed at appendix 4 be approved.**

Alternative options

1. To draw up a different set of committees of a different size and composition with different terms of reference.
2. Council could decide to not suspend the rules of proportionality with respect to the outside bodies; the River Lugg Internal Drainage Board, and the Wye Valley AONB Joint Advisory Committee. This may result in those members with a local interest in the work of these bodies being unable to contribute to their discussions and decision-making. If the rules of proportionality were not suspended for the standards panel then only members of the largest political grouping would be eligible to sit on the panel or the size of the panel would need to increase to ensure that political proportionality could be achieved.
3. Council could decide to suspend the rules of proportionality for all committees and establish its own criteria for appointing members to its committees. This would require a vote to do so in respect of each committee to which these rules apply and without any member of the council voting against each proposal. However such a blanket approach is inconsistent with the spirit of political proportionality within the Local Government and Housing Act 1989 and would additionally require Council to approve which councillor would take each individual seat on the relevant committees and outside bodies.

Key considerations

4. Council is required to review its political composition and how this is applied to appointments to committees and sub-committees of the council at each annual meeting of Council. Similarly, the constitution requires Council to review its ordinary committees at the annual meeting and make appointments to them.

5. Following the local elections on 2 May 2019 the membership of the respective political groups at the council is shown in appendix 1 (*to follow*).

There are currently two vacancies on the Council. The Ross North ward poll was countermanded and will now take place on 6 June 2019. Following the resignation of a newly elected councillor to the Whitecross ward the vacancy has been advertised. A further review and allocation will therefore need to be undertaken at the following ordinary meeting of full Council.

6. Council is under a duty to ensure membership of those committees and outside bodies covered by the relevant rules reflects the political composition of the council, as far as practicable, by allocating seats on the committees to political groups in proportion to their numerical strength on the council, whilst also maintaining a similar proportional balance of overall seat numbers. Once Council has approved the allocation of seats to political groups, it is a matter for the relevant political group leaders to confirm which of their members will take up any seats allocated to their group. Cabinet (as the executive), the licensing sub committee (a statutory committee) and the health and wellbeing board (with a membership set out by statute) are exempt from the requirements of political proportionality. Any member who is not a member of a group is not entitled to an allocation of seats within these rules.
7. These rules of political proportionality should also be applied when allocating seats on outside bodies to which the council makes three or more appointments.
8. It is open to Council to suspend the rules of political proportionality in relation to allocation of seats on any particular body. To do so requires approval by Council with no member voting against the proposal; this is known as a *nem con* vote. Abstentions do not invalidate such a vote.
9. Council has agreed to establish committees of council as listed in the table below. The terms of reference for these committees are set out within the functions scheme of the constitution:

<http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=332&MId=6384&Ver=4&Info=1>

| Committee | Seats |
|------------------------------------|-----------|
| Adults and wellbeing scrutiny | 7 |
| Audit and governance | 7 |
| Children and young people scrutiny | 7 |
| Employment panel | 5 |
| General scrutiny | 7 |
| Planning and regulatory | 15 |
| <i>Total seats</i> | <i>48</i> |

10. The table in appendix 2 (*to follow*) details the allocation of seats on the above committees based on the political proportionality of the council as set out in appendix 1 (*to follow*).
11. Those outside bodies to which three or more appointments are currently made on a politically proportionate basis are detailed in the table in appendix 3 (*to follow*), with the

allocation of seats based on the political proportionality of the council as set out in appendix 1 *(to follow)*. The Hereford and Worcester Fire and Rescue Service is in the process of transferring from the current Fire Authority to the West Mercia Police and Crime Commissioner. Once the transfer has been completed the Fire Authority will be abolished and there will no longer be a requirement to appoint members to the body. The date for the finalisation of the transfer of responsibility is not currently known.

12. The council is required to appoint certain education representatives onto the scrutiny committee at which educational matters are considered; in Herefordshire's case this is the children and young people scrutiny committee. Specifically the council must co-opt representatives from parent governors and relevant diocesan representatives (Church of England and Roman Catholic). There is a statutory election process by which the parent governor representatives are selected, with one representative being sought from each of the primary, secondary and special school sectors. Each relevant diocese has been asked to nominate their diocesan representative.
13. In line with previous practice, it is proposed to suspend the rules of political proportionality in relation to a small number of specified bodies. These are detailed in the table below together with the reason for seeking the suspension.

| Body | Seats | Reason for suspension |
|--|-------|--|
| Standards panel | 1 | This panel is formed on an ad hoc basis as and when needed; its Herefordshire Council membership is drawn from the membership of the audit and governance committee which is itself politically proportionate. |
| River Lugg Internal Drainage Board | 7 | This is a geographically focused body therefore it is appropriate to nominate members from relevant wards. |
| Wye Valley AONB Joint Advisory Committee | 4 | This is a geographically focused body therefore it is appropriate to nominate members from relevant wards. |

14. Council is required to appoint the chairpersons and vice chairpersons of committees listed at paragraph 9 above. The Leader of the Council has delegated authority to appoint the Chairperson of the Health and Wellbeing Board. The Council Chairperson will call for nominations to each post in turn and in the event of there being more than one nominee for any one post a vote will be held in accordance with council procedure rules.
15. Under section 30 and 31 of the Localism Act 2011 ('the Act'), any members who are nominated for positions which attract a special responsibility allowance under the councillors' allowances scheme have a schedule 1 disclosable pecuniary interest in that item. As a result the members may not participate in any discussion or vote on the matter.
16. However the monitoring officer, having received a written request on behalf of all members affected by the preceding paragraph, has granted a dispensation to all members who have a schedule 1 interest.
17. The dispensation is granted under section 33 (2)(a) of the Act, as it is considered that without the dispensations the number of persons prohibited by section 31(4) from participating in the item in question would be so great a proportion of the members of Council as to impede the transaction of the business. This dispensation is from both section 31(4)(a) and section 31(4)(b) of the Act.

18. Those members affected may therefore participate in the discussion and vote on all of the recommendations, although individual members should refrain from voting in respect of recommendation (f) where they are nominated.

Community impact

19. In accordance with the council's adopted code of corporate governance, Herefordshire Council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. This report and the decisions it enjoins enables the council to meet its statutory duties and fulfil the objective in the corporate plan to secure better services, quality of life and value for money.

Equality duty

20. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
21. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this is a decision on the administrative functions of the Council, we do not believe that it will have an impact on our equality duty.

Resource implications

22. Budgets are in place to cover allowances for any appointments made. In the event that Council decides on the establishment of additional committees a budget will need to be identified to meet the cost of any special responsibility allowance associated with the new committee. If Council agrees additional committees, appointments to the position of chairperson and vice chairperson will be agreed, if appropriate, during consideration of this report. All members appointed to positions of special responsibility and to committees are provided with training to enable them to fulfil their duties.

Legal implications

23. The council is required to ensure that the allocation of seats to committees is compliant with relevant rules contained in the Local Government and Housing Act 1989 and regulations made under that act.
24. In summary these regulations require that in determining the allocation of seats the council must apply the following four principles as far as reasonably practicable:

- a. that not all the seats on the body are allocated to the same political group;
 - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c. subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - d. subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
25. The proposals in this report comply with these requirements. Once the proportionate allocation of seats has been made in accordance with the above principles, if any seats remain unallocated Council may determine to appoint a not aligned member to fill the seat.
26. Alternative arrangements not complying with these requirements as set out in paragraph 13 may be made so long as no member of the council votes against it.
27. The requirements for political balance apply to ordinary committees of the council. The licensing sub committee is appointed under the Licensing Act 2003 and is not included in the definition of an ordinary committee. As a result the rules of political proportionality do not apply and there is no need to suspend the rules of proportionality for this committee.
28. The chairperson of the licensing sub committee will be a member of the planning and regulatory committee. The vice chairperson of the planning and regulatory committee is not necessarily the standing chairperson of the licensing sub committee. Whilst the two posts may be held by the same member this is not a constitutional requirement.

Risk management

29.

| Risk / opportunity | Mitigation |
|--|---|
| Failure to appoint to committees and outside bodies could render them inquorate or unlawful | The recommendations in this report mitigate these risks |
| Failure to obey the rules of political proportionality could similarly render a committee or body unlawful | The recommendations in this report mitigate these risks |

Consultees

30. None

Appendices

Appendix 1: Tables of membership of respective political groups (*to follow*)

Appendix 2: Table of allocation of seats on committees of council (*to follow*)

Appendix 3: Table of outside bodies with politically proportionate appointments (*to follow*)

Appendix 4: Chairperson/vice chairperson posts

Background papers

None identified

Appendix 1: Committee chairperson and vice chairperson posts May 2019

| Committee | Post |
|------------------------------------|------------------|
| Adults and wellbeing scrutiny | Chairperson |
| | Vice chairperson |
| Audit and governance | Chairperson |
| | Vice chairperson |
| Children and young people scrutiny | Chairperson |
| | Vice chairperson |
| Employment panel | Chairperson |
| | Vice chairperson |
| General scrutiny | Chairperson |
| | Vice chairperson |
| Planning and regulatory | Chairperson |
| | Vice chairperson |
| Licensing sub-committee | Chairperson |

