

## **Minutes of the meeting of Council held at Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Friday 8 October 2021 at 10.00 am**

**Present:** Councillor Sebastian Bowen (chairperson)  
Councillor Kema Guthrie (vice-chairperson)

**Councillors:** Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Barrum, Christy Bolderson, Tracy Bowes, Ellie Chowns, Gemma Davies, Barry Durkin, Toni Fagan, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Probert, Paul Rone, Louis Stark, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

**Officers:** Democratic services manager, Chief Executive and Acting deputy chief executive - solicitor to the council and Democratic Services Manager

### **10. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dave Boulter, Pauline Crockett, Elizabeth Foxton, Mark Millmore, Alan Seldon, Nigel Shaw and John Stone.

### **11. DECLARATIONS OF INTEREST**

Councillor David Hitchiner declared an other interest in the Belmont motion at agenda item no 12; living within a mile of the proposed Belmont conservation area.

Councillor Tracy Bowes declared an other interest in the Belmont motion at agenda item no. 12; living in the electoral ward of Belmont Rural within which the proposed conservation area was located.

Councillor Christy Bolderson declared a schedule 1 interest in the Belmont motion at agenda item no, 12; living within the proposed conservation area.

Councillor Bob Matthews declared an other interest in the Belmont motion at agenda item no. 12; living in close proximity to the proposed conservation area.

There was one further declaration of interest at the meeting; please see minute 17 below.

### **12. MINUTES**

**RESOLVED:** That the minutes of the annual meeting held on 28 May 2021 be confirmed as a correct record and signed by the Chairman.

### **13. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS**

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

*(There was an adjournment at 10:20 a.m., the meeting reconvened at 10:54 a.m.)*

**14. QUESTIONS FROM MEMBERS OF THE PUBLIC** (Pages 9 - 10)

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.

**15. QUESTIONS FROM MEMBERS OF THE COUNCIL** (Pages 11 - 14)

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.

**16. SUBMISSION OF MINERALS AND WASTE LOCAL PLAN (MWLP)**

Council considered a report by the cabinet member finance, corporate services and planning concerning the submission of the Herefordshire minerals and waste local plan to the secretary of state for examination in public. The cabinet member finance, corporate services and planning introduced the report and proposed the recommendations in the report. She proposed an alteration to the minerals and waste local plan that the wording relating to the impact of Leinthall Quarry on local heritage assets (page 2-17 of the Herefordshire Minerals and Waste Local Plan). The original wording to demonstrate the level of effect was to be retained to read as follows:

*Need to demonstrate the level of effect on heritage assets and their settings, particularly Croft Ambrey Hill Fort and Croft Castle Park.*

Council debated the report and expressed support for the submission of the minerals and waste local plan to the secretary of state for examination in public. Council was supportive of the proposed alteration to wording relating to the impact of Leinthall Quarry on local heritage assets.

The cabinet member environment and economy seconded the recommendations in the report and agreed the alteration outlined above to the minerals and waste local plan relating to the impact of Leinthall Quarry on local heritage assets.

The recommendations in the report, subject to the alteration outlined above, were put to the vote and were carried.

**RESOLVED – that:**

- a) the draft MWLP development plan document (see background papers) and the schedule of suggested main modifications and minor changes (Appendix A) be approved for submission to the Secretary of State for examination in public;**
- b) authority be delegated to the Assistant Director Regulatory, Environment and Waste, following consultation with the Cabinet Member Finance, Corporate Services and Planning, to make any additional minor textual, or graphical amendments to the MWLP or its associated documents and these then added to the schedule of suggested minor changes, prior to the MWLP being submitted to the Secretary of State;**

- c) it be agreed that the Planning Inspector be invited to recommend any main modifications necessary to the MWLP in order to find it legally compliant and sound; and
- d) it be agreed that delegated authority be given to the Assistant Director for Regulatory, Environment and Waste and to the Lead Development Manager to agree, with the Planning Inspector, any additional modifications to the MWLP, if it is appropriate and necessary to do so, in order to facilitate efficient progress of the Plan through the examination process. Subsequently, such modifications will be subject to public consultation.

**17. UPDATE ON THE IMPROVEMENT PROGRAMME WITHIN CHILDREN AND FAMILIES DIRECTORATE FOLLOWING PUBLICATION OF OFSTED FOCUSED VISIT JULY 2021**

Council considered a report by the cabinet member children and families concerning an update on the improvement programme within the children and families directorate following the Ofsted focused visit July 2021. The cabinet member children and families introduced the report and proposed recommendation in the report.

Council debated the report and the following actions were raised during the debate:

- A written response would be provided on progress made with the resolution agreed at the April 2021 extraordinary meeting concerning exit interviews.
- A written response would be provided and information in a further update to full Council including detail of the following:
  - An overview of the legal department resources in relation to children’s social care;
  - A breakdown of the numbers of social workers in preference to the use of %;
  - An overview of the structure of legal and children’s services with details of the resource at each level;
  - The caseloads for social workers;
  - Initiatives to develop in-house training to ‘grow-our-own’ social workers.
- A written response would be provided with an update on the care concerns helpline.
- A written response would be provided with details of any additional funding identified for early help services to assist the improvement programme.
- A written response would be provided with details of the vacancy rates in children’s services and whether the situation was improving.
- A clear timetable of dates for reports concerning the improvement programme would be completed and circulated to all members.
- There would be consideration of the hosting of children’s performance challenge sessions in the evening or a facility to record the sessions and make available to all members.
- A written response would be provided with an explanation as to how social workers would feel that they had a stake in or ownership of the improvement plan would be included in the next update report to Council.
- Clarification would be provided concerning the wording contained in paragraph 31 in the report.

Councillor Roger Phillips declared an other interest in agenda item no. 8, update on the improvement programme within the children and families directorate as Chair of Herefordshire Youth Justice Panel.

The Leader seconded the recommendations in the report which were put to the vote and were carried.

**RESOLVED – that:**

**a) Council note the outcome of the Ofsted focussed visit on the 7 – 8 July; and**

**b) Council note the progress to date against the service priorities identified by Ofsted and other independent reviews undertaken.**

## **18. REVISION OF CAPITAL PROGRAMME BUDGET FOR PRIORITY FLOOD WORKS**

Council considered a report by the cabinet member transport and infrastructure concerning the revision of the capital programme budget for priority flood works. The cabinet member transport and infrastructure introduced the report and proposed the recommendations in the report.

Council debated the report and the following actions were raised during the debate:

- To provide an update on the flood risk strategy to all members.
- To consider a strategic overview of weight restrictions.
- The cabinet member transport and infrastructure would discuss Daycroft Lane with the member for Kerne Bridge.

The cabinet member finance, corporate services and planning seconded the report, the recommendations were put to the vote and were carried.

**RESOLVED – that:**

**a) Council approves in year adjustments to the capital programme set out in paragraph 11 below to allow realignment of capital spend to flood repair projects that require the allocation of budget within the programme budget of £4.027m as follows: Fownhope Landslip Budget reduced from £1.565m to £0.510m Fownhope Retaining Wall Collapse budget increased from £1m to £1.15m Unallocated budget of £905k from combined Fownhope budgets remains as contingency for remaining flood works; and**

**b) The Cabinet member for infrastructure and transport is delegated authority (in consultation with the Section 151 officer) to realign the Whitney on Wye and/or the Various Damage site budgets as costs for these works are confirmed.**

*(There was an adjournment at 1:07 p.m.; the meeting reconvened at 1:41 p.m.)*

## **19. 2020/21 TREASURY MANAGEMENT OUTTURN**

Council considered a report by the cabinet member finance, corporate services and planning concerning the 2020/21 treasury management outturn. The cabinet member finance, corporate services and planning introduced the report and proposed the recommendations.

Council debated the report.

The Leader seconded the report.

The recommendations in the report were put to the vote and were carried.

**RESOLVED – that:**

**a) The treasury management outturn for 2020/21, as detailed in appendix A, be approved**

## **20. LEADER'S REPORT**

Council received and noted the Leader's report which provided an update of the work of the cabinet since the previous ordinary meeting of Council in March 2021. The report also provided annual reports from outside bodies.

Council questioned the Leader and the following actions were raised:

- To provide a written response to a question concerning the take-up rates of business support offered through the covid recovery plan.
- To provide a written response to a question to clarify if the Council purchased the Maylords centre below market value.
- To provide a written response to a question concerning confidentiality agreements and financial implications of staff leaving children's services.
- To investigate the use of lists of businesses held by business rates department for use in publicity for the business summits to be held in the market towns.
- To provide a written response regarding the latest calculation of how council's decision-making is responding to the climate emergency.
- In relation to the children and families improvement programme, a schedule would be circulated to all members with detail of where information can be accessed, when briefings/performance challenges are scheduled, when scrutiny meetings were scheduled and where information could be located online.

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

### **Motion – Cabinet posts – Children's Services and Adult Social Care**

Councillor Jim Kenyon moved the motion.

Council debated the motion. In summary, the value of cross-party representation on the cabinet was recognised however the change that was proposed in the motion should be considered through the re-thinking governance process.

Councillor Terry James seconded the motion.

The motion was put to the vote and was lost by a simple majority.

*(Councillor Christy Bolderson left the meeting room)*

### **Motion – Belmont**

Councillor Bowes moved the motion.

A recorded vote was requested which was supported by eight members of the Council.

Council debated the motion. In summary there was support for the appraisal of the Belmont area for designation as a conservation area however such appraisals should be considered for all sites of significant historic interest.

Councillor Jeremy Milln seconded the motion.

An alteration to the motion was proposed to include the following wording: *This council calls upon the executive to appraise all sites of significant historic interest that are not currently conservation areas with a view to reviewing whether more conservation areas should be approved.* The alteration was accepted by the proposer and seconder of the motion.

The motion, subject to the alteration outlined above, was put to the recorded vote and was carried by a simple majority.

For (39): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bowen, Bowes, Chowns, Davies, Durkin, Fagan, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, James, Jinman, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Milln, Norman, Price, Stark, Summers, Swinglehurst, Symonds, Tillet, Toynbee, Tyler, Watson and Wilding.

Against (1): Councillor Rone

Abstain (1): Councillor Probert

#### **RESOLVED – that:**

**In the light of the Herefordshire County Plan objectives for heritage and well-being, this Council recognises:**

- **the special importance of the cultural landscape at Belmont to the City and County of Herefordshire**
- **the potential for Belmont to enrich the lives and sustain the health of the people of Herefordshire (and especially for residents of the South Wye area)**

**That in recognising the importance and potential of Belmont, this Council calls on the Executive to appraise Belmont for designation as a new Conservation Area to include the House, Abbey and Park on the south side of the River and the adjacent hamlets of Warham and Breinton on the north side, seeking funding to support this work; and**

**This council calls upon the executive to appraise all sites of significant historic interest that are not currently conservation areas with a view to reviewing whether more conservation areas should be approved.**

*(Councillor Christy Bolderson returned to the meeting room)*

#### **Motion – Wye and Lugg bathing water**

Councillor Louis Stark moved the motion.

Councillor Jeremy Milln seconded the motion

Council debated the motion. In summary the improvement to water quality from the proposal was supported but there was concern that the proposal would encourage swimming in dangerous and environmentally sensitive rivers.

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

**RESOLVED – that:**

**This Council notes:**

- 1. The rapid deterioration in the water quality of the Rivers Wye and Lugg, which is evident from citizen science testing and visual observation. The rivers are important natural assets and the council is extremely concerned at their current state. As well as an importance as natural habitats, they are also a recreational resource for many, including use for swimming and other water-borne activities;**
- 2. The recent success in Ilkley in designating parts of the River Wharfe as bathing waters, and the increased regulatory protection that has resulted;**
- 3. The historically low level of funding which the Environment Agency has available to enforce existing regulatory controls.**

**This Council therefore resolves to call upon the executive to:**

- 4. Investigate seeking designation of appropriate stretches of the Wye and Lugg to be officially identified as bathing water.**
- 5. Urge concerned residents to support the River Action petition, which asks the English and Welsh governments to double the Environment Agency and Natural Resources Wales's regulatory budgets so that they can more effectively enforce the existing legal protections for the Wye and Lugg;**
- 6. Forward this resolution to the Members of Parliament in Herefordshire, to ask them to support the campaign by River Action for increased funding for the Environment Agency.**
- 7. Forward this resolution to other English and Welsh councils in the Wye Valley to ask them to support the campaigns for bathing water status and for increases in regulatory budgets.**

The meeting ended at 4.10 pm

**Chairperson**



**Appendix 1 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Mr McKay, Leominster	Could an option be added to enable the Index of the Definitive Map Modification Order Register to be viewed online in Numerical/Date Order, part of which has recently been provided under FOI, as this presently only may be searched under Parish/Town/Village, enabling the latest applications to be identified and viewed?	Cabinet member infrastructure and transport
<p><b>Response:</b> The request appears to be deliverable, the council will explore to understand if this is the case and what resource will be required to make it happen, if achievable, the council will undertake the exercise once resource becomes available.</p>			
<p><b>Supplementary Question:</b> When exploring to understand if my request is deliverable could you also give consideration to fact that much of what is shown, or not shown, on the Definitive Map originates from path survey information provided by Parish Meeting when first Definitive Map was raised in the 1950's, when the option to show such information online was not available. Now that this Parish Meeting information has been digitised would Council make it viewable online, along with the List of Anomalies, and encourage Parishes to check that what has been shown on todays records is as was intended, to submit further information to complete gaps, address anomalies, etc., before the 2026 cutoff date when unrecorded paths may be extinguished and completion/correction may become more complex?</p>			
<p><b>Response from Cabinet Member Transport and infrastructure:</b> The Cabinet Member explained in response to the supplementary question that the proposal would be looked into. He also explained that there was currently a move to review bringing the rights of way service 'back in house'.</p>			
PQ 2	Mr Adams, Leominster	<p>A while back I asked a question about the use of plastic roads in Herefordshire provided by Macrebur, a Scottish based company. The response was that apparently Hereford council were waiting for the results of the DTI trials. These have now been completed successfully, Macrebur has laid roads, which utilise non-recyclable plastic waste in a number of locations, both in the U.K. and globally. The product has been proven to be much more resistant to potholes, stronger than standard asphalt and cost effective.</p> <p>When is Herefordshire council going to look into this company further, and adopt their product as being more effective, and better for the environment? The company has a patent on their product so it is only available through Macrebur.</p>	Cabinet member infrastructure and transport
<p><b>Response:</b> The council has followed the trials of the Macrebur product mentioned above, specifically in Cumbria with interest.</p>			

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The council is an active member of the regional service improvement group where new materials and best practice are shared. We explore the benefits of alternative materials to understand the whole life cost and benefits of the material used on the network, Cumbria are part of the group.

The Highways team have made contact to further understand the specification and the benefits of introducing the Macrebur product to the supply chain, this will progress to inform material selection for future programmes.

**Appendix 2 - Questions from members of the Council**

Question Number	Questioner	Question	Question to									
MQ 1	Councillor Bob Matthews, Credenhill	Could the leader of the council inform members how many members of staff have left this Authority in the last 12 months and what has been the financial cost to the council overall?	Leader									
<p><b>Response:</b>                      In the last 12 months, 164 employees have left the council. It hasn't been possible to obtain the costs data in the timescale allowed and this will follow in writing.</p> <p>The rate at which staff leave the council has remained stable overall and the council's current staff turnover rate is 12.3 %. This rate compares favourably with the median rate for local government which is 13.5%<sup>1</sup>.</p> <p>The council continues to work hard to attract the best candidates to the council and make the council a great place to work so that staff want to stay. This work is targeted when needed and includes retention interviews to identify staff thinking of leaving and exit interviews to understand why people have left. Targeted work is currently underway in service areas such as planning, social work and legal services.</p> <p>-----</p> <p><sup>[1]</sup> Local Government Association Workforce Summary Data published March 2021</p>												
<p><b>Supplementary Question:</b>                      How many members of staff had left the authority in 2019-2020 and 2020-2021 financial years and what costs were incurred by the Council. What plans were in place to recruit to existing vacancies and when would all staff be replaced?</p>												
<p><b>Response from the Leader:</b>                      A written response would be provided. A special effort was currently underway to increase resource in the planning department.</p> <p><b>Written response provided on 22 October:</b> The number of employees leaving the council in the requested financial years and the costs incurred can be found in the table below.</p> <table border="1" data-bbox="208 1214 1111 1425"> <thead> <tr> <th data-bbox="208 1214 508 1286">Financial year</th> <th data-bbox="508 1214 808 1286">Number of leavers</th> <th data-bbox="808 1214 1111 1286">Cost to council</th> </tr> </thead> <tbody> <tr> <td data-bbox="208 1286 508 1353">2019/2020</td> <td data-bbox="508 1286 808 1353">170</td> <td data-bbox="808 1286 1111 1353">19,138.27</td> </tr> <tr> <td data-bbox="208 1353 508 1425">2020/2021</td> <td data-bbox="508 1353 808 1425">134</td> <td data-bbox="808 1353 1111 1425">62, 694.07</td> </tr> </tbody> </table>				Financial year	Number of leavers	Cost to council	2019/2020	170	19,138.27	2020/2021	134	62, 694.07
Financial year	Number of leavers	Cost to council										
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Redundancy costs and only costs above contractual entitlement are included.

The rate at which staff leave the council has remained relatively stable overall and the council's current staff turnover rate is 12.3 %. This rate compares favourably with the median rate for local government which is 13.5%<sup>1</sup>.

The council continues to work hard to attract the best candidates to the council and make the council a great place to work so that staff want to stay. This work is targeted when needed and includes retention interviews to identify staff thinking of leaving and exit interviews to understand why people have left.

Not all staff who have left will be replaced. When staff leave we take the opportunity to review whether we need to fill the post and if we do, plans are made to recruit as soon as possible. If necessary agency workers are used to fill short term gaps. Although having 100% of vacancies filled would be an ideal situation, this is realistically not achievable for any local authority.

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<sup>(1)</sup> Local Government Association Workforce Summary Data published March 2021

MQ 2	Councillor Roger Phillips, Arrow	<p>Will the Leader of the Council join me in congratulating the Wild in the Curl project in my ward on its work to improve the quality of the water and improve the wildlife of the Curl brook catchment?</p> <p>In a catchment of over 6,000 acres with 25 farms including chicken, dairy, fruit, maize, potatoes ,beef and sheep production and a main village sewage system; over five years their sampling and surveys reveal a reduction of phosphate in the water course and increased numbers of species and improved habitat.</p>	Leader
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**Response:**

Thank you for drawing my attention to this excellent project. I am pleased to join you in congratulating and thanking those involved in this project. There must surely be things that can be learnt from this project which has reduced phosphates and improved the ecology of area. I will ask that officers consider what might be learnt. It may be that the Nutrient Management Board should study this.

**Supplementary Question:**

Would the Leader push Natural England to fund elements of the project that had resulted in improvements to water quality.

**Response from the Leader:**

The Leader confirmed he would look to do this and work with Natural England.



