

Minutes of the meeting of Council held at Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Friday 4 March 2022 at 10.00 am

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

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

Officers: Interim head of legal services, Chief Executive and Director of governance and law

40. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Paul Andrews, Pauline Crockett, Gemma Davies, John Hardwick and Graham Jones.

41. DECLARATIONS OF INTEREST

Cllr Phillips declared an other interest in agenda item no. 11 – Motions on Notice – Motion: Rural Impact Assessment and Rural Proofing as vice chairman of the Rural Services Network.

42. MINUTES

RESOLVED: That the minutes of the budget meeting held on 11 February 2022 be confirmed as a correct record and signed by the Chairman.

43. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

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

The Chairman had received a petition from the Hereford Hackney Carriage and Private Hire Association which he passed to the Cabinet Member Housing, Regulatory Services and Community Safety to provide a response.

44. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 9 - 16)

There were no questions from members of the public.

45. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 17 - 20)

There were no questions from members of the Council.

46. 2022/23 COUNCIL TAX SETTING REPORT

Council considered a report by the Leader of the Council and additional recommendation supplement published on 3 March to set the council tax and precepts for 2022/23 and amend the council tax reduction scheme. The Cabinet Member Finance, Corporate Services and Planning introduced the report and moved the recommendations in the report and supplement.

Council debated the report and supplement.

The Leader of the Council seconded the recommendations in the report and supplement.

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

FOR (28): Councillors Graham Andrews, Bartlett, Bartrum, Boulter, Bowes, Chowns, Fagan, Foxton, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, Jinman, Mike Jones, Marsh, Milln, Norman, Phillips, Price, Stark, Summers, Symonds, Toynbee, Tyler, Watson and Wilding.

AGAINST (8): Councillors Durkin, Johnson, Kenyon, Lester, Millmore, Probert, Rone and Shaw.

ABSTENTIONS (11): Councillor Polly Andrews, Bolderson, Bowen, Gandy, Guthrie, I'Anson, James, Matthews, Stone, Swinglehurst and Tillett.

RESOLVED: That:

a) The precepting authority details incorporated in appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2022/23 in accordance with sections 31 to 36 of the Local Government Finance Act 1992, regulation 6 (as amended by the Localism Act 2011):

- a. £385,137,976 being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils;**
- b. £260,451,287 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant);**
- c. £124,686,689 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act]**
- d. £1,774.84 being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);**
- e. £5,137,976 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;**

- f. **£1,701.70 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes); and**
- b) **it is agreed that the net tax base of 70,252.52 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2022/23;**
 - a. **is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and**
 - b. **the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.**
- c) **That the council tax reduction scheme is amended to include that any payment under the Energy Rebate Scheme 2022 is to be disregarded in determining:**
 - (a) **An applicant's entitlement to a reduction in the scheme or**
 - (b) **The amount of any reduction to which the applicant is entitled.**

47. RE-THINKING GOVERNANCE

Council considered a report by the Chairperson of the Audit and Governance Committee to approve the suggested amendments to the Council's constitution recommended by the Audit and Governance Committee. The Vice-Chairperson Audit and Governance Committee and Chairperson of the Re-thinking Governance Working Group introduced the report and moved the recommendations in the report.

Council wished to record its thanks for the work undertaken by the Re-thinking Governance Working Group and its Chairperson, Councillor Christy Bolderson.

Council debated the report and the following action was raised during the debate:

- The monitoring officer would use the delegation within the report recommendation (b) to include virtual participation of the public in meetings as a technical change within a relevant provision in the constitution.

The Chairperson of the Audit and Governance Committee seconded the recommendations in the report.

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

RESOLVED: That:

- a) **having regard to the work undertaken by the re-thinking governance working group, the revised constitution as set out at appendices 1 to 29, be approved for adoption, with implementation with effect from 20 May 2022; and**

- b) authority be delegated to the director of law and governance to make technical amendments (grammatical, formatting, and consistency) necessary to finalise and represent the revised constitution for publication.

There was an adjournment at 11:25 a.m.; the meeting reconvened at 11:40 a.m.

48. DESIGNATION OF MONITORING OFFICER

Council considered a report by the Chairperson of the Employment Panel to approve the recommendation of the Employment Panel to designate the role of director of governance and law as monitoring officer. A correction to the recommendation in the report was outlined and noted: to remove the word *interim* from the recommendation contained in the report. The Chairperson of the Employment Panel introduced the report and proposed the recommendation, as corrected above, in the report.

Council debated the report and recommendation, as corrected above.

The Vice-Chairperson of the Employment Panel seconded the recommendation in the report, as corrected above.

The recommendation, as corrected above was put to the vote and was carried.

RESOLVED: That:

- a) Council approves employment panels recommendation that the post of director of governance and law is designated as monitoring officer from 21 March 2022.

49. LEADER'S REPORT

Council received and noted the Leader's Report which provided an update on the work of the cabinet since the previous ordinary meeting of Council in January 2022. The Leader presented his report to Council.

Council questioned the Leader and the following actions were raised:

- To provide a written response regarding the ability to speak once (to ask one question) under the Leader's report.

50. NOTICES OF MOTION UNDER STANDING ORDERS

Motion – Ukraine

In accordance with paragraph 4.1.90 of the Council's constitution the Chairperson, in consultation with the monitoring officer, accepted the motion below for debate at the meeting as an urgent matter directly affecting part or all of the county and it was not practical to defer consideration of the motion to the next ordinary meeting of Council.

Councillor Nigel Shaw proposed the motion.

Councillor Mark Millmore seconded the motion.

Council debate the motion. In summary there was unanimous support for planning and preparation at the council to receive refugees from Ukraine.

The motion was put to the vote and was carried unanimously.

RESOLVED: That:

This motion calls on the executive to consider and put in place whatever facilities as may be reasonably expected to receive Ukrainian refugees, subject to direction from national government and an evaluation of council resources required, to ensure that schooling and health services are alerted and to inform the government in Westminster, immediately, that Herefordshire will not be found wanting in our welcome. And to extend a wider request to our residents to be willing to welcome any refugees that they can into their homes, and to be ready to facilitate such organisation and support as these actions may require.

Motion – Award scheme for the built environment

Councillor Jeremy Milln proposed the motion.

Councillor Phillip Howells seconded the motion.

Council debated the motion. In summary there was unanimous support for the motion to improve the standard of design of buildings and development locally.

The motion was put to the vote and was carried unanimously.

RESOLVED: That:

This Council wishes to promote high standards in design, conservation and sustainability in the built environment, both for new build and for the care of existing stock.

Therefore:

Council requests the Executive to investigate setting up a County of Herefordshire award scheme to encourage and recognise exemplary work in the areas of design, conservation and sustainability for the built environment.

Motion – Rural Impact Assessment and Rural Proofing

Councillor Yolande Watson proposed the motion.

Councillor Roger Phillips seconded the motion.

Council debated the motion. In summary there was unanimous support for the proposals in the motion to seek a formal evaluation of impacts on rural areas in decision-making and ensure that the decisions and policies of the council took account of the interests of a rural county.

The motion was put to the vote and was carried unanimously.

RESOLVED: That:

This motion asks to refer to the executive at Herefordshire Council consideration of the undertaking of a Rural Impact Assessment from the outset of every budget and contract whether for service or products, which includes engagement with rural stakeholders. The results of the Rural Impact Assessment (RIA) are to be included in all future reports.

Rural proofing will ensure the needs of rural communities will become transparent and would demonstrate whether Government or local policies address the needs of rural communities and rural economies like Herefordshire. It is the first step towards developing a Rural Strategy for Herefordshire.

This motion considers a reformed approach to rural proofing should be introduced and that the executive should take into account the following during its considerations:

- a) A rural assessment should take place at the start of the policy process, including engagement with rural stakeholders, and be treated as integral, rather than as an adjunct to urban-focused policy. No budget or service should be brought forward without an accompanying rural assessment statement;**
- b) The impact of new policies on rural areas should be systematically and consistently monitored as they are implemented. This would include an update on the performance of rural proofing across Herefordshire Council;**
- c) The executive at Herefordshire Council is required to monitor and report annually on the rural impacts of relevant policies and services, and to encourage its strategic partners to do the same; and**
- d) The executive at Herefordshire Council agrees to write to the Government and MPs in response to this motion that:**
 - Government should put in place the appropriate structures to facilitate a more robust rural proofing regime; and**
 - Government needs comprehensively to rethink and reform the rural proofing process across Government, to ensure that relevant policies and legislation are attuned to the needs of rural communities and rural economies like Herefordshire.**

51. FULL COUNCIL MEETING DATES 2022/23

Council considered and agreed the dates for meetings during the 2022/23 municipal year.

RESOLVED – that the following dates are agreed for meeting of Council during the 2022/23 municipal year:

- 29 July 2022**

- 21 October 2022
- 9 December 2022
- 10 February 2023 (Budget meeting)
- 3 March 2023
- 19 May 2023 (Annual meeting)

The meeting ended at 1.15 pm

Chairperson