

## **Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 3 March 2023 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, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Clare Davies, Gemma Davies, Barry Durkin, Toni Fagan, Carole Gandy, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Tony Johnson, Graham 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 Tillett, Diana Toynbee and William Wilding

**In attendance:** Councillors Peter Jinman\*

**Officers:** Chief Executive, Democratic Services Manager, Corporate Director - Economy and Environment, Corporate Director - Children & Young People, Corporate Director Community Wellbeing, Director of Governance and Legal Services, Corporate Services and Chief Executive Democratic Services Manager

\*denotes virtual attendance

### **59. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Elizabeth Foxton, John Hardwick, Mike Jones, Ange Tyler and Yolande Watson.

### **60. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **61. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 10 February be confirmed as a correct record and signed by the Chairman.

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

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

### **63. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 14)**

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.

**64. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 15 - 18)**

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.

**65. 2023/24 COUNCIL TAX SETTING REPORT**

Council considered a report by the Leader of the Council to set the Council Tax and precepts for 2023/24. Council noted the supplement published on 2 March to provide updates to appendices 1, 2 and 5 to the 2023/24 Council Tax Setting Report.

The Cabinet Member Finance, Corporate Services and Planning proposed the recommendations and introduced the report.

The Leader seconded the recommendations for approval.

Council debated the report.

A named vote was held to set the Council Tax and precepts for 2023/24. The Council Tax and precepts for 2023/24 were carried by a simple majority.

FOR (30): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Boulter, Bowen, Bowes, Chowns, Crockett, Clare Davies, Fagan, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, James, Graham Jones, Marsh, Milln, Norman, Phillips, Stark, Summers, Symonds, Tillet, Toynbee and Wilding.

Against (1): Councillor Kenyon.

Abstentions (14); Councillors Bolderson, Durkin, Gandy, Guthrie, l'Anson, Johnson, Lester, Matthews, Millmore, Probert, Rone, Shaw, Stone and Swinglehurst.

**RESOLVED:**

**That:**

- a) **The precepting authority details included at 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 2023/24 in accordance with sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011):**
  - a. **£405,393,965 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. **£273,020,000 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. **£132,373,965 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. **£1,862.50 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. £5,393,965 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;
  - f. £1,786.61 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 71,073.11 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2023/24;
- 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.

## **66. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES**

Council considered a report by the Director Governance and Law to make appointments to the committees of the Council and outside bodies in line with the rules of political proportionality.

Councillor Sebastian Bowen proposed the recommendations in the report. Councillor David Hitchiner seconded the recommendations in the report.

The recommendations in the report were put to the vote and were carried by a simple majority.

**RESOLVED: That:**

- a) the allocation of seats on each committee to political groups as set out at paragraph 8 be approved; and
- b) the number of seats on the scrutiny management board and the allocation of those seats to political groups as set out at paragraph 9 be approved.

## **67. APPOINTING DEPUTY ELECTORAL REGISTRATION OFFICERS**

Council considered a report by the Director Governance and Law to appoint all Electoral Services Office (ESO) staff with limited powers as Deputy Electoral Registration Officers (DERO).

Councillor Sebastian Bowen proposed the recommendations in the report. Councillor David Hitchiner seconded the recommendations in the report.

Council debated the report. During the course of the debate, the following action was raised:

- To provide a written response concerning the training provided to Electoral Services staff.

The recommendations in the report were put to the vote and were carried by a simple majority.

**RESOLVED: That:**

**Council agrees that the following ESO staff be appointed as Deputy Electoral Registration Officers (DERO) with limited powers: a) Colette Maund (Electoral Services Manager), Amy Hallett (Electoral Services Officer), Bethan Batchelor (Electoral Services Assistant), Alison Catling (Electoral Services Assistant) and Oyebunmi Osiyemi (Electoral Services Assistant).**

## **68. 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 on 9 December.

Council questioned the Leader and the following action was raised:

- To provide a written response concerning the cost of consultants in respect of the City Masterplan and what infrastructure existed to support the proposals.

*There was an adjournment at 12:02 p.m.; the meeting reconvened at 12:10 p.m.*

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

### **Motion 1 – River Wye byelaws**

Councillor Elissa Swinglehurst proposed the motion.

Councillor Jennie Hewitt seconded the motion.

Council debated the motion.

In summary, there was widespread support across the Council to request that the executive consider the introduction of a byelaw for the River Wye within Herefordshire, there was concern regarding the potentially burdensome administrative process to introduce such a byelaw.

Councillor Swinglehurst closed the debate.

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

**RESOLVED – that:**

**This motion calls upon the executive to consider making an application to the UK government to recognise a byelaw drafted by Herefordshire Council to invest the River Wye and tributaries within the county of Herefordshire with the following rights from the rights of rivers declaration.**

- 1. The right to be free from pollution**
- 2. The right to perform essential functions within its ecosystem**
- 3. The right to flow**
- 4. The right to feed and be fed by sustainable aquifers,**
- 5. The right to native biodiversity**
- 6. The right to regeneration and restoration**

**7. With an additional right to be protected from physical damage.**

**70. FULL COUNCIL MEETING DATES 2023/24**

Council considered and agreed the dates for meetings during the 2023/24 municipal year.

**RESOLVED – that the following dates are agreed for meeting of Council during the 2023/24 municipal year:**

- **28 July 2023**
- **13 October 2023**
- **8 December 2023**
- **9 February 2024 (Budget meeting)**
- **8 March 2024**
- **24 May 2024 (Annual meeting)**

The meeting ended at 12.43 pm

**Chairperson**