

MINUTES of the meeting of COUNCIL held at The Assembly Hall, Shirehall, Hereford on Friday, 9th March, 2007 at 10.30 a.m.

Present: Councillor J.W. Edwards (Chairman)
Councillor J. Stone (Vice Chairman)

Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, W.L.S. Bowen, H. Bramer, R.B.A. Burke, A.C.R. Chappell, M.R. Cunningham, Mrs. S.P.A. Daniels, P.J. Dauncey, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, P.J. Edwards, D.J. Fleet, Mrs. J.P. French, J.H.R. Goodwin, Mrs. A.E. Gray, K.G. Grumbley, P.E. Harling, J.W. Hope MBE, B. Hunt, T.W. Hunt, Mrs. J.A. Hyde, T.M. James, J.G. Jarvis, Brig. P. Jones CBE, Mrs. M.D. Lloyd-Hayes, G. Lucas, R.M. Manning, R.I. Matthews, J.C. Mayson, R. Mills, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, Mrs. S.J. Robertson, D.W. Rule MBE, Miss F. Short, R.V. Stockton, D.C. Taylor, Mrs E.A. Taylor, J.P. Thomas, W.J.S. Thomas, Ms. A.M. Toon, D.B. Wilcox, J.B. Williams and R.M. Wilson

75. PRAYERS

In the absence of the Dean of Hereford, the Very Reverend Peter Haynes led the Council in prayer.

76. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. E.M. Bew, J.G.S. Guthrie, Ms G.A. Powell, R. Preece, P.G. Turpin, W.J. Walling and A.L. Williams.

77. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Mrs. M.D. Lloyd-Hayes declared a personal interest in Agenda Item 8 - Report of Cabinet in relation to paragraph 27 on page 38 of the agenda.

Councillor R.J. Phillips declared a personal interest in Agenda Item 8 - Report of Cabinet, paragraph 7.1(iii) Local Government Pension Scheme - Response to Consultation.

78. MINUTES

RESOLVED: That the minutes of the meeting held on 9th February, 2007 be approved as a correct record and signed by the Chairman.

79. CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Council that the Civic Service was to be held at Bridstow Church on Sunday, 11th March, at 3.30 pm and that refreshments would be served after the service.

He advised that it had not been possible to fly the flag on the Shirehall, as was the usual custom for Council meetings, because of a problem with the halyard. It was

expected that the fault would be rectified shortly.

The Chairman advised that Councillor H. Bramer had presented him with a petition protesting about the withdrawal of Stagecoach Service 33 between Ross-on-Wye and Gloucester. He passed the petition to Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) for attention.

80. QUESTIONS FROM MEMBERS OF THE PUBLIC

Under the Constitution a member of the public can ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties, or which affects the County, as long as a copy of the question is deposited with the Head of Legal and Democratic Services more than six clear working days before the meeting. One question had been received from Mr C. Grover of Bromyard and was included in the agenda. The question, which was amended to remove reference to an individual Councillor, together with a summary of the response, is set out below:

"Hereford Council owns Bromyard Downs and their management is formally delegated to the Commons Management Committee through Brockhampton Group Parish Council. The Committee consists of 12 members, eight of whom are appointed by the Parish Council from their own members and four are commoners elected annually by other commoners at the Annual Meeting of Commoners held in April. In the two previous years requests have been made to the Clerk in good time to publish the electoral procedure for this annual election and provide a copy of the List of Commoners. No list of commoners is available for candidates, no proxy votes are allowed for the election and only commoners present at the meeting can vote. As this is an election to a public body responsible for the management of Hereford Council property, will the Council confirm at the next meeting in April 2007 -

- 1. that normal electoral procedures should prevail since there is no published or approved Management Committee or Parish Council constitution rules to suggest otherwise.*
- 2. in the interests of local democracy proxy votes are permitted.*
- 3. the list of 90 or so commoners is made available to candidates on request*
- 4. the Commoners Annual General Meeting is a public meeting."*

Councillor R.V. Stockton, the Cabinet Member (Community Services) stated that the introduction to the question was a broadly accurate statement of the factual position. He said that the Agreement, dated 22nd May, 1991, between the Council and Brockhampton Group Parish Council was the operating document which determined responsibility for, not only the management of the Bromyard Downs, but also the delegation of the function to the Parish Council. He said Mr Grover would be aware that a review had started which would consider carefully whether the present system should be maintained, with or without amendment. He said that under the existing arrangements it was a matter for the Parish Council to carry out appropriate electoral functions rather than the Council. It followed that electoral arrangements were also a matter for the Parish Council.

He went on to say that the list of commoners is a public document and should be available to any member of the public or the commoners and that the Council is willing to disclose such documents as it hold in relation to the Downs. He advised that the current management agreement is silent on elections and admission to meetings and those issues fall to the Parish Council to determine.

81. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

82. CABINET

Before calling on the Leader of the Council, to present the report of Cabinet, the Chairman advised that the Revenue Budget and Council Tax for 2007/08 would be debated at pages 27 and 28 of the agenda. He asked any Members wishing to move an amendment to the proposed Council Tax and Budget, to do so once the Leader had proposed the recommendations.

He advised that, once the Council had agreed the whole of the Cabinet report, it would move to item 9 of the agenda to set the Council Tax and Revenue Budget for 2006/07, formally, in accordance with the legislation.

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 8th and 22nd February, 2007.

In relation to Item 1.1 - Revenue Budget and Capital Programme 2007/08 - the Leader spoke of the many challenges facing the Council in terms of existing demands and future expectations in relation to service delivery and warned of the effect that the forthcoming report by Sir Michael Lyons would have on all local councils, but especially rural authorities such as Herefordshire. He said that the Review of Comprehensive Spending would lead to further pressures on Council funding and Herefordshire would be particularly affected by rising costs in services such as social care and waste management.

He reminded Council that Herefordshire's funding from central government was 20% below the national average and that its schools were the third poorest funded in the Country. He spoke of Herefordshire's need to maintain a three year medium term financial plan to deal with the funding pressures and that a draft plan, published in July and November 2006, had had the full backing of all the political groups on the Council and that the trade unions had been involved in the consultation.

He said that Herefordshire's situation was different to neighbouring authorities who were proposing significant cuts in front line services. Instead, Herefordshire was planning to introduce its Herefordshire Connects programme which was expected to produce efficiency savings of £11.5 million over the next few years. The project would be funded from reserves which had been built up over the past few years.

He stated that the total budget for 2007/08 was approximately £122 million not including the schools budget which amounted to some £81 million. He said that it was proposed to make £4 million in efficiency savings which would be used to fund social care for children, the elderly and those with learning disabilities.

The Capital Programme Budget, of approximately £64 million would be used for a range of projects from new schools and libraries to the upgrade of the crematorium as well as the current projects which included the Rotherwas Futures scheme, regeneration of the Edgar Street Grid and the Ross Flood scheme.

He said that the proposed Council Tax increase, at 3.8%, was the lowest in the Council's history. He confirmed that the Fire Service and the Police had already agreed rises of 4.94%, and that the parish and town councils had increased their precepts by an average of 2%. He acknowledged that even such a low increase could mean financial difficulty for those on low and fixed incomes but said the

Council needed to find a balance between maintaining services and affordability.

Councillor T.M. James, the Leader of the Liberal Democratic Group supported the proposed level of precept but had some concerns about whether the Herefordshire Connects Programme would deliver the anticipated savings within the anticipated timescale. He said there were a number of major challenges ahead, including the Accommodation Strategy and recent developments in relation to Equal Pay elsewhere in the country which may have major implications for the Council.

Councillor A.C.R. Chappell, the Leader of the Labour Group, also supported the proposals. He spoke of the difficulties that other Councils were facing including closure of care homes and said he would continue to lobby central government for better funding for Herefordshire. He recognised the importance of the Herefordshire Connects programme and welcomed the involvement of the trades unions in the consultation exercise.

Councillor R.I. Matthews, Leader of the Herefordshire Group of Independent Members also supported the proposals. He said that the Council had made considerable efficiency savings over the past year and thanked the Director of Resources and her team for their efforts in identifying such savings. He said the Council must continue to look for more cost effectiveness without affecting services. He was pleased that the works at Stretton Sugwas Closed Landfill Site was being recommended for inclusion in the Capital Programme and asked for clarification about the Hereford CCTV being "potentially" part funded by the police. In response, Councillor B. Hunt said he would be encouraging the Police Authority to support this very effective crime reduction measure.

Councillor Mrs. J.P. French spoke of the importance of the Herefordshire Connects programme to the Council and advised that, based on experiences in other authorities, the expected financial benefits were both conservative and prudent.

She also addressed Councillor James' concerns about equal pay claims. She said that Herefordshire was one of just 32% of councils in the country that had reached a settlement on job evaluation and single status. She acknowledged that, as a result of litigation elsewhere in the country, this may be an issue in the future but thought central government would be obliged to provide some help if this proved to be the case. She said that the trades unions in Herefordshire had been very responsible in dealing with job evaluation and single status and went on to praise staff employed by the Council. She said she was proud of the Info Shop which had recently opened in Hereford and hoped that, following the elections in May, Members and officers would continue to work together for the benefit of the citizens of Herefordshire.

Councillor W.J.S. Thomas, Chairman of the Health Scrutiny Committee, said that the most effective Councils nationally were those with the best scrutiny arrangements. He thanked the Members of his scrutiny committee and those officers who supported the committee for all their work during the year. He also stated that the Council needed to engage with the Voluntary Sector to ensure that services continued to be delivered in an effective and efficient manner. He warned that the level of regulation and governance in the voluntary sector was discouraging many people from getting involved and that this would make it increasingly difficult for the Council to deliver its services in the future.

Councillor James said that, despite the low level of Council Tax increase being proposed, the average increase over the past four years was between £250 and £300. He said the Council Tax system was unfair, did not reflect people's ability to pay, and should be reviewed.

In response to a query on the revised Council Tax report and appendices which had been circulated in advance of the meeting, Councillor R.M. Wilson, Cabinet Member (Resources) advised that the changes were necessary because one parish council had intimated that it would set its precept at a certain level. When it met, after the council agenda had been despatched, it actually set its precept at £1,000 less than had been anticipated. This had a knock-on effect on the rest of the figures.

He said that this was a common sense budget which would provide a clear financial steer over the next few years. He thanked Councillor Hunt for his comments and hoped the police would agree additional funding for CCTV. He agreed with Councillor J.P. Thomas's comments on homelessness and the need to provide additional housing, but advised that this was also a national issue and any improvements would rely on investment from central government.

The Leader closed the debate by responding to a number of comments and queries. He confirmed that the funding for the Rotherwas Futures project would be realised through a combination of projects and managing funding. He shared Councillor W.J.S. Thomas's comments on the voluntary sector and said that central government would need to understand the need to reduce the regulatory burden on the voluntary sector to encourage more people to volunteer. He spoke of the contribution Council employees make to society, making a difference to the lives of ordinary men and women, including the young and the elderly and the disadvantaged.

In relation to Item 1.2 - Proposed Corporate Plan 2007/10 - The Leader advised that approval of the Corporate Plan was integral to the approval of the Revenue Budget and Capital Programme 2007/08.

It was unanimously RESOLVED: That the report from the meetings of Cabinet held on 8th and 22nd February be received and the recommendations set out below be adopted:

- That (a) **the Medium Term Financial Management Strategy (MTFMS) for 2007/08 to 2010/11 be approved;**
- (b) **in approving the MTFMS (referred to in (a) above), Council also approves the:**
- a. **Medium-Term Financial Resource Model for 2007/08 to 2010/11;**
 - b. **Directorate revenue base budgets for 2007/08;**
 - c. **Invest to Save / Invest to Mitigate proposals for 2007/08;**
 - d. **Medium-Term Capital Plan for 2007/08 to 2010/11;**
 - e. **Capital Programme for 2007/08, (subject to the deferral at paragraph 7.1(ii) in the Cabinet report);**
 - f. **Efficiency Strategy for 2007/08 to 2010/2011**
 - g. **Treasury Management Strategy for 2007/08 and the Prudential Indicators for 2007/08 to 2009/2010;**
 - h. **Corporate Risk Register as at February 2007; and**

- i. Financial Risk Assessment as at February 2007.
- (c) the revenue and capital budget proposals for 2007/08 outlined in the MTFMS be approved for Council Tax setting purposes;
- (d) a corporate strategy on fees and charges be developed as an integral part of the MTFMS when it is updated prior to the start of the next Performance Improvement Cycle;
- (e) the delivery of the benefits resulting from the Invest to Save /Invest to Mitigate proposals be managed using the benefits realisation process developed for Herefordshire Connects;
- (f) the Council's responsibilities under Sections 25 – 29 of the Local Government and Finance Act 2003 be noted; and
- (g) subject to detailed final changes, the Corporate Plan 2007/10 be approved.

83. COUNCIL TAX AND REVENUE BUDGET RESOLUTION 2007/08

Following the resolution at Minute 82 above, it was **unanimously** formally **RESOLVED: THAT**

- (1) In respect of the Council's 2007/08 Budget:
 - (a) a council tax of £1,083.46 be levied (at Band D);
 - (b) service areas contain expenditure within "cash limits" i.e. outturn budgets with no further allowance for pay or price inflation beyond that already provided; and
- (2) in respect of council tax for 2007/08 that the following amounts be approved by the Council for the year 2007/08 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a)	£311,899,880	being the estimated aggregate expenditure of the Council in accordance with Section 32(2)(a) to (e) of the Act;
(b)	£187,472,000	being the estimated aggregate income of the Council for the items set out in Section 32(3)(a) to (c) of the Act;
(c)	£124,427,880	being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the Council in accordance with Section 32(4) of the Act, as its total net budget requirement for the year;
(d)	£47,904,366	being the aggregate of the sums which the Council estimated will be payable for

the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or relevant special grant, increased by the transfer from the Collection Fund;

- (e) £1,113.39 being the amount at (c) above less the amount at (d) above all divided by the amount of the Council Tax base calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year;
- (f) £2,056,880 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £1,083.46 being the amount at (e) above less the result given by dividing the amount at (f) 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 special item relates;
- (h) that the precepting authority details incorporated in Annex 1 (i-v), relating to Special Items, West Mercia Police and Hereford and Worcester Combined Fire Authority be approved in accordance with Sections 30(2), 34(3), 36(1) and Section 40 of the Local Government Finance Act 1992.

- (3) Pursuant to the requirements of the Local Government (Functions and Responsibility) (England) Regulations 2000, any decisions on the application of reserves and balances as required from time to time during the financial year be taken by Cabinet.

84. WEST MERCIA POLICE AUTHORITY

In presenting the report of the West Mercia Police Authority held on 13th February, 2007 Councillor B. Hunt drew particular attention to the Police Authority's precept for 2007/08, an increase of 4.94% on the previous year's Council Tax. He reminded Council that the West Mercia Constabulary continued to be one of the best performing forces in England And Wales despite receiving one of the lowest government grants. He also pointed out that accommodation was to be provided for Community Support Officers at Bromyard Police Station.

Councillor Hunt received a number of questions and responses were given as follows:

Arrangements for covering Community Support Officers on long term sick leave - he advised that long term sickness levels among Community Support Officers in Herefordshire was in line with the national average. He said every effort was made to rearrange shift patterns to cover any absences.

Police Station opening hours - He advised that studies had shown that the number of people wishing to visit police stations after 6.00 pm was extremely low and that most enquiries were made by phone. He also said that less than 10% of police stations nationally opened after 6.00 pm.

Police Choir - Councillor Hunt thanked Councillor R.I. Mathews for his kind comments about the Police Choir which had recently celebrated its 50th anniversary.

Community Safety Officers - compliments - Councillor Hunt agreed that bad news received more attention than good news, but that the authority was working on ways of spreading good news.

Scrutiny of Policing - In response to a query from Councillor W.J.S. Thomas, Chairman of Health Scrutiny, Councillor A.C.R. Chappell, Chairman of the Community Services Scrutiny Committee advised that Chief Superintendent Mark Turner was due to attend his Committee on 26th March to answer pertinent questions and invited Councillor Hunt to attend the meeting. Prior to that the Committee would be attending a tour of the Police Station. In response to a request that some of the additional money raised from the increase in Council Tax be used to operate the CCTV system he advised that a scrutiny review of the CCTV system was ongoing. Councillor Hunt said he would also continue to lobby for additional police spending on the CCTV system.

Councillor T.M. James returned to a question he had asked at the previous Council meeting about the provision of lollipops in pubs over the Christmas and New Year period, asking how much this had cost and how it had been agreed, saying it would be better to spend the money on an additional Community Support Officer. Councillor Hunt did not have the figures to hand but advised that studies had shown that people were less likely to commit an assault while sucking or holding a lollipop.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 13th February, 2007 be received.

85. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY

In presenting the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 15th February, 2007, Councillor G.W. Davies advised that the Authority had been awarded four stars in its Corporate Performance Assessment and was judged to be progressing strongly. As a result, the Authority was currently ranked in the top four or five in the country.

In response to a query he advised that an Equality and Diversity Officer had been employed rather than using a uniformed Fire Officer to undertake this role.

He agreed to obtain a breakdown of the number of road traffic accidents attended compared to fire and rescue incidents.

Councillor D.W. Rule, MBE Cabinet Member (Children and Young People) paid tribute to the retained firefighters in the County but expressed concern that employers were increasingly unwilling to release employees to undertake these duties. He urged to Council to do more to highlight this very important work.

RESOLVED: That the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 15th February, 2007 be received.

The meeting ended at 11.50 a.m.

CHAIRMAN