

MINUTES of the meeting of COUNCIL held at The Shire Hall, St Peters Square, Hereford. on Friday 7 March 2008 at 10.00 am.

Present: Councillor J Stone (Chairman)
Councillor JB Williams (Vice Chairman)

Councillors: PA Andrews, WU Attfield, LO Barnett, CM Bartrum, DJ Benjamin, AJM Blackshaw, H Bramer, ACR Chappell, ME Cooper, PGH Cutter, H Davies, GFM Dawe, PJ Edwards, MJ Fishley, JP French, JHR Goodwin, AE Gray, KG Grumbley, KS Guthrie, JW Hope MBE, MAF Hubbard, B Hunt, RC Hunt, TW Hunt, JA Hyde, TM James, JG Jarvis, P Jones CBE, G Lucas, RI Matthews, TMR McLean, R Mills, PM Morgan, AT Oliver, JE Pemberton, RJ Phillips, GA Powell, PD Price, SJ Robertson, A Seldon, RH Smith, RV Stockton, JK Swinburne, AP Taylor, AM Toon, NL Vaughan, WJ Walling, DB Wilcox and JD Woodward

1. PRAYERS

The Very Reverend Peter Haynes led the Council in prayer.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: WS Bowen, RBA Burke, SPA Daniels, DW Greenow, MD Lloyd Hayes, DC Taylor and PJ Watts.

3. DECLARATIONS OF INTEREST

Councillors: WU Attfield and ACR Chappell declared a personal interest as School Governors in Item 2.1 (i) Wyebridge Academy of the supplementary Cabinet report.

4. MINUTES

The Chairman announced that as the meeting of 8 February 2008 had been adjourned, there were no Minutes for signature.

5. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced the death of a member of staff, Jeremy Beavan, who had been killed in a collision on the A40 on 18 February 2008. Mr Beavan had been based at the Ross Library, working as a Rural Learning Champion within Cultural Services; he had only been employed by the Council since 12 February 2008. He was survived by his wife Ziming.

The Chairman went on to report that both he and Councillor SJ Robertson had successfully completed their sponsored swims in all four of the Halo swimming pools. They had started at Leominster, had progressed to Ledbury and Ross-On-Wye, and had finished at the Hereford Leisure Pool. They had successfully raised over £2,000 and he thanked Halo and Councillors and Members of the public for all their support and sponsorship.

The Chairman reported that, as a result of the resignation of former Councillor McLean, there would be a by-election for the Old Gore Ward on 10 April 2008.

The Chairman reminded Members of the Civic Service on Sunday 9 March at 3.30pm at Hereford Cathedral. The service would be followed by afternoon tea at the Town Hall.

The Chairman reported that he had received a petition from the Children of Burghill School regarding speed limits around the school. The petition would now be passed to the Cabinet Member for Children's Services, Councillor JA Hyde. He thanked the children for coming to the meeting, and added that he hoped to be able to visit the school soon to see the situation for himself.

6. QUESTIONS FROM MEMBERS OF THE PUBLIC

Question from Mr Keith W Francis, Ledbury, Hereford.

As Chairman of Ledbury Civic Society which contributed £5,000 towards the Ledbury Area Development Trust Business Plan for the Master's House, Ledbury, I wish to put the following questions to Herefordshire Council as 'Public Questions for Council' at their meeting on 7th March 2008.

'The Master's House in Ledbury is a Herefordshire Council owned building, currently in a poor state of repair, despite being a Grade 2 listed building in the heart of the town. Can the Council confirm that it will commit itself to the full re-development plan for the site, including the building of a new extension to accommodate a new library, as detailed in the Ledbury Area Development Trust Business Plan?*

Secondly, over what period of time and how will the redevelopment project be funded and will the work commence in the next financial year?

ANSWER FROM COUNCILLOR AJM BLACKSHAW, CABINET MEMBER ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

Councillor Blackshaw stated that Herefordshire Council was fully committed to the development of the Master's House site in Ledbury; in preserving the heritage of the area whilst creating opportunities to improve the access to services. The Council had been fully involved in the development of the Business Plan. This included consultation with local people and other bodies who were interested in making sure that the site was fully utilised.

The next stage was to confirm the detailed costs of the proposals and to secure the finances to deliver the proposals. Applications for funding had been made to the Rural Regeneration Zone (RRZ) for a multi use facilities grant; other funding routes were being considered. Cabinet had recently agreed to utilise prudential borrowing to create additional capacity in the Council's capital programme. The Master's House scheme was currently being considered alongside other projects for prioritisation in the capital programme. As soon as funding had been identified, a timescale for the project would be established.

Questions from Mr Roger Steeds, Bringsty

School Closures

The recent decision by Herefordshire District Council that no secondary school will close during this council (i.e. before May 2011) whilst most welcome is insufficient.

Would the Council please make clear with some urgency that no school which dominates a geographical area, by being say at least 10 miles from the nearest

similar establishment, should be considered for closure whilst there are clusters of 3 or more schools (Hereford has 6) grouped around its perimeter all within say 15 miles.

Such a sensible decision would remove the threat that Herefordshire District Council made by singling out Bromyard's Queen Elizabeth Humanities College a threat which it has not withdrawn only masked. It would also prevent the LEA staff wasting time considering unacceptable options if only during this Council.

ANSWER FROM COUNCILLOR JA HYDE, CABINET MEMBER CHILDREN'S SERVICES

Councillor Hyde reported that other than the technical procedures required to create an Academy, none of the 14 High Schools in Herefordshire would close in the life of this administration. The policy of any future Council could not be fixed by the current one. That was not to suggest that the policy would not change. The factors behind the current decision were likely to be relevant in the future; location of Bromyard and the High School in relation to other High Schools, and its catchment area, was likely to be as relevant in the future as it currently was.

Linton Tile Works

When will Herefordshire District Council take the required steps to ensure essential repairs to the poor public access to their Bromyard recycling centre? This urgent work has been put off repeatedly with vague reference to a long-term development plan.

Does such a plan exist? The Parish Council were told it did in July 2007.

Are Herefordshire District Council, Marsten Developments Ltd and Advantage West Midlands discussing the plans finances?

Are Herefordshire District Council seeking public monies to fill in, at great expense, a substantial hole which may well have significant ecological benefit and is unlikely to bring real benefits?

Have Herefordshire District considered the ethics of the situation with two of the more relevant landowners not being involved and where it appears that the council and the developer may be acting as one another's agents?

Who is representing Herefordshire District Council in these talks?

How did Marsten Developments become involved? Was it by Public Tender? Do Marsten Developments have an option to buy Herefordshire District Council land? Was this acquired by public tender?

Does the plan involve scrapping the existing "Travellers" park built at considerable expense with public money and using more public money to replace it with a smaller unit?

A group of Burley residents wrote in August 2007 to the Highways Department expressing their concerns over potential HGV access. The local County Councillor was copied. When can they expect a response?

Letter addressed to The Northern Planning Division, copy to The Chair, Northern Area Planning Committee, dated 19 August 2007, referred to in Mr Steed's Question

9 above:

Re: Development of Linton Tile works

At the July meeting of the Parish Council it was announced that plans for the development of Linton Tile works had reached an advanced stage. We, the undersigned Burley residents, urgently seek reassurance that there is no intention of allowing HGV's access to the site from the narrow road over the single track railway bridge on Burley Lane coming from the A44. We would ask for this reassurance to cover both the development and subsequent phases.

We look forward to hearing from you

Signed by 20 residents.

Answer from Councillor AJM Blackshaw, Cabinet Member for Economic Development and Community Services

Councillor Blackshaw reported that the Council had no right to repair a road that was not in its ownership. The Council was well aware of the condition of the road and was seeking to persuade the owners to undertake the repairs (for which the Council would have to make some contribution). The property department was seeking legal advice as to how the Council might enable the road to be repaired and upgraded as soon as possible. His understanding was that the Council was exploring possible remedies under Civil Law but Councillor Blackshaw had been advised this was not necessarily straightforward.

In the meantime, he had visited the site and would be talking to the Council's Property Department concerning whether temporary repairs could be undertaken to some of the potholes in the road to try and reduce some of the problems in the short-term.

Herefordshire Council was examining the potential to redevelop the land at the rear of the existing estate for employment purposes. This site was zoned for employment use within the UDP and currently the constraints that would impact on development were being considered. This included scoping out the costs associated with appropriate surveys and costs associated with any potential relocation of the travellers' site and waste facilities. Additionally, the Council was establishing the potential for alternative sites for both of these facilities. This piece of work would allow the Council to establish some basic development costs and help identify impacts on land values prior to any work being undertaken.

Should the Council decide that the site should be redeveloped for employment use then the disposal of such an asset would be undertaken via a public tender procurement route that adhered to Council guidance. Herefordshire Council had been approached by a developer interested in developing the site for employment purposes, they had been advised that the Council was required to undertake a tender process and that the Council would only consider an offer that came through this route.

Should the Council decide to redevelop the site AWM might be approached in an attempt to secure funding for the servicing of the site. This would be the subject of a funding application and would be dependant on gaining internal AWM approval for the project.

Councillor Blackshaw went on to reply to the additional question as to whether a plan existed for the work by saying that, as previously mentioned, a scoping process was

underway for the facilities. Any redeveloped site that gained access via the existing estate would require the involvement and agreement of all affected parties, especially the owners of the existing access route. Should the Council decide that the site should be redeveloped for employment use then the disposal of such an asset would be undertaken via a public tender procurement route that adhered to Council guidance. The Economic Regeneration team were currently leading on the project in terms of establishing costs and timescales and were working closely with colleagues in the Property Services section.

The Council's Travellers' Policy had been to reduce the size of most of its sites. This policy was based around making the sites easier to manage and experience had shown that larger sites were more expensive and difficult to manage. Bromyard Travellers' site did require considerable investment as it had been badly vandalised a number of years ago. The Council had sought funding through a Central Government grant scheme. To date grant applications had been unsuccessful and the Council was continuing to seek ways of funding a refurbishment and reduction in size of the site.

Whilst there had been informal discussions regarding potential redevelopment of the Linton Tile Works these had not, as yet, been formally submitted to the Council for consideration. Should any formal proposals for this site come forward in the future, the Highways and Transportation Service would consider in detail the likely traffic implications of any development, including in relation to HGV movements, and seek to minimise any adverse impact on the local road network.

7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

Question from Councillor AT Oliver to the Cabinet Member for Highways and Transportation

Within the national policy context Herefordshire Council will be required to

- (i) Provide sustained and increasing investment in improving road conditions; and*
- (ii) Create better quality bus services and national concessionary travel, with better integrated transport provision.*

Where within the Medium Term Financial Strategy do we provide the necessary investment and strategy to address these requirements?

Answer from Councillor DB Wilcox, Cabinet Member for Highways and Transportation

The Councillor stated that the Local Transport Plan 2006/7 - 2010/11 set out the Council's investment strategy for transport over the medium term. The Council had managed to secure increased funding from Government for the maintenance allocation following successful lobbying for improvements in the formula which determined its level of funding.

The Council had also prepared a Supplementary Planning Document on Planning Contributions which would help it legitimately increase the level of funding that it secured through new development to improve the transport network. This would also help improve medium term funding for transport.

The Council was currently developing the Herefordshire Transport Asset Management Plan (TAMP) which would help it take a longer term view of how best

to invest in the transport network. It was intended that a final TAMP would be available in May. It was anticipated that the document would provide an action plan of ongoing improvement in investment in the network.

In terms of public transport, the Council continued to invest significant amounts in supporting services and had increased funding to support free bus travel for OAPs. The concessionary fares scheme was likely to cost just under £1.5M for 2007/8 and was predicted to cost £1.7M in 2008/9.

Question from Councillor AT Oliver to the Cabinet Member for Resources

The Financial Management Strategy states that effective project management of capital schemes to ensure they stay within budget is required to increase capital investment capacity.

In the light of the doubling in cost of provision of the new capital market, how may we have confidence this effective management will be achieved, and that major schemes such as the Edgar Street Grid, the Office Accommodation Strategy, and the ICT Strategy Programme, will stay within budget?

Answer from Councillor H Bramer, Cabinet Member for Resources

Councillor Bramer stated the Council had a policy that required all major projects to be managed in accordance with PRINCE 2 project management principles. Each major project was supported by an appropriately qualified project manager from the Corporate Programmes and Projects team within the Corporate & Customer Services Directorate. Adoption of the PRINCE 2 methodology ensured that, amongst other issues, there was strict financial control of projects against the approved budget with exceptions on financial or any other matter being escalated to the appropriate officer or body of the Council for decision in line with the Council's Constitution. In addition to formal reports on any major project, Cabinet also received a budget monitoring report on an at least bi-monthly basis which provided information on progress with major projects from the financial perspective. This provided the opportunity for Members to be advised of any significant financial risks in connection with major projects in relation to the budget provision.

Question from Councillor AT Oliver to the Cabinet Member for Resources

Within the capital programme for funding bids not recommended is a bid for essential maintenance work to a Grade II Listed Building, that is the Broad Street Library.

On the face of it, it would appear this work is not essential, and can be postponed indefinitely. May we be assured that if we walk down Broad Street we are not in imminent danger of being hit by falling coping stones?

Answer from Councillor H Bramer, Cabinet Member for Resources

Councillor Bramer said that he could confirm that the decision not to proceed with capital expenditure was based on the wider intentions to consider a relocation of the library to a new building and to completely refurbish and adapt the Broad Street building as a museum that was being considered by the Adult & Community Services Directorate. In the circumstances, major capital expenditure on the building at this time could be counter-productive. The report on library provision was due to be received from the external consultants in the near future with a report to Cabinet which would come forward in July or August. In the interim, any essential safety or wind and watertight repairs that required attention would be met from the Council's revenue budgets.

Councillor Oliver thanked Councillor Bramer for his answers, and posed a supplementary question on the Edgar Street Grid project. He said that it was almost inherent in such large capital projects that costs could spiral above budget. How sure could the Council be that such increased costs could be dealt with. Councillor Bramer replied that ways were being looked at reducing costs in all areas.

8. NOTICES OF MOTION UNDER STANDING ORDERS

The Chairman reported that there were no notices of motion.

9. CABINET

The Council received the Cabinet report and recommendations to Council arising from the meetings held on 21 and the 28 February 2008.

The Chairman reported that Council would be asked to debate the Revenue Budget and Council Tax for 2008/09 as part of the Cabinet report and advised Council of the process of the debate. He stated that once the Leader had proposed the council tax and budget, Members of the Council would be provided with the opportunity to move any amendments. Once the Council had agreed the Cabinet item, the meeting would move to Item 10 on the Agenda, and would formally set the Council Tax and the Revenue Budget in accordance with legislation. That was not however, the opportunity for further debate, as it was the necessary formal step that was required to give effect to the resolution on the Cabinet Report.

The Leader of the Council presented the report of the Meeting of Cabinet held on 21 February 2008. He reported that the first two pages consisted of the Draft Financial Strategy and the Draft Revenue Strategy. These should be considered within the three year rolling strategy. The Government settlement of three years was to be welcomed, and was a tribute to the lobbying by the Local Government Association.

Councillor Bramer, Cabinet Member for Resources, presented the Medium Term Financial Management Strategy (MTFMS) 2008 – 2011. The document represented a capital and revenue budget for the next three to five years, as well as a Treasury strategy for the next year. It was noted that it had been commended by the External Auditors, and he commended it to the Council as a positive budget for the County. An additional £3.5m had been made available for Social Care, £900k of which would be spent within the next financial year.

The Comprehensive Spending Review showed how Central Government planned to allocate public spending. Balancing the Council's future finances, as well as making sure that they were sustainable, had not been easy. Efficiency targets for the Council as a whole, as well as individual Directorates, had been set. Savings of £400k alone had been identified by rationalising photocopiers and printers within the Council, which would allow for further investment in priority areas. Councillor Bramer went on to say that the clarity of management of balances and reserves was sufficient to provide £4.5m in 2008/09 to cover any variables in the resources model. This would be monitored throughout the year and adjusted as necessary. It would mean that the Council would have monies set aside for any unforeseen situations, such as another flooding incident requiring the activating of the Bellwin Scheme.

Councillor Bramer went on to say that the Council had received a 2.35% real term increase for the next fiscal year, which was better than had been expected. However, Hereford Council still received 20% less funding than the average upper tier authorities. The Council tax rise of 4.4% only represented 1.5% in real terms,

and therefore represented value for money for the tax payer. Thirty five councils had set their council tax for the coming year, and Worcestershire and Shropshire had set 4.34% and 4.4% respectively. The proposed rise of 4.4% sat well with the Council's rural neighbours. Band D Council Tax would therefore be slightly above the average of £1,099, at £1,131.00 increase for the next fiscal year.

Councillor Bramer said that the MTFMS was a comprehensive document and the Corporate Management Board should be congratulated on their presentation. The budget had been balanced, and the Council had not drawn on reserves to achieve this. He recommended it to the Council for adoption.

Councillor PJ Edwards thanked Councillor Bramer for his report, and asked the Council to consider three important points. The first of these was the coming financial risks; the second the duty to contain spending by balancing future budgets; and thirdly was the incremental effect of Prudential Borrowing on the Council Tax. This would be £36.17 in 2008/09 for a Band D property, a figure that would rise to £68.89 in 2009/10 and £85.58 in 2010/11. These figures had to be contained, and he urged the Executive and the Council to manage capital bids more effectively.

Councillor AM Toon concurred that the capital areas were of the greatest concern. She drew the Council's attention to the level of Prudential Borrowing, which she considered to be an area of great concern: the rising cost of this borrowing was one of the biggest burdens for the Council. She blamed poor procurement and financial management for the situation.

Councillor MAF Hubbard remarked that he felt that there was insufficient financial training for Councillors to be able to critically assess these reports. This was an important matter, as Members were being asked to set a central part of the Council's finances.

Councillor RI Matthews drew Member's attention to item 34 subsection d) on page 26 of the report. He said that Herefordshire Connects was an item that had been on the Agenda for a while, and requested that Council be informed when the programme was to be delivered and when the Council would see the benefits.

Councillor TM James, Leader of the Liberal Democrats, said that he felt that the documentation could be simplified in its presentation. He suggested that the Budget summary should have been included in the main text. He was also concerned about the Medium Term Strategy and the impact of the proposed borrowing on council tax rates. He went on to point out that the Capital Receipt reserves would be depleted during a period when future financial stability was difficult to predict. A recession could increase interest rates in the medium term. The level of borrowing meant that in order to service the Council's debt, a sum of around £2 per week per householder would be required and that this strategy should be reconsidered. He added that he would caution against funds being managed internally.

Councillor SJ Robertson highlighted item 6.4.9 Smallholdings Estate on page 64 of the report. She said that the principle of raising funds from vacant properties was sensible, but that eight occupied smallholdings had been given notice to quit. She was concerned, as there had apparently been no debate over the matter, and the local Members had not been informed. She said that the Council had a moral duty to help those who were being asked to leave, especially as the Council would be benefiting financially from the sale. She added that a resident of many years in her ward had been offered a place that was outside of the ward area.

Councillor AT Oliver said that he had concerns regarding the Revenue Budget summary on page 18 of the report and the amount raised through Council Tax this

year compared to last year.

Councillor Bramer replied to the issues that had been raised. He said that the difference that had arisen between the £42m and £74m figures was as a result of the Dedicated Schools Grant.

He went on to say that the concerns that had been raised around the issue of Prudential Borrowing were addressed by the Prudential Code on page 91 of the report. The Council must have regard to the Prudential Code when it sets its Affordable Borrowing Limits, which required it to ensure that total capital investments remained within sustainable limits and that impact on future council tax levels was acceptable. The Cabinet would continue to work within this code.

Councillor Bramer stated that eight smallholders had been served notices to quit. Three of the premises would be sold as part of the construction of significant capital projects; two were in difficulties and had fallen behind with their rent. The remainder were subject to the Council's policy that these farms should be considered as a starter route into agriculture, and not as farms for life.

Councillor Edwards remarked that he supported the view that the overall capital borrowing spends for 2010/2011 outlined on page 101 were not exceptional. It was quite possible for capital budgets to double within 12-18 months, and it was conceivable that the Council would soon reach the limits outlined.

In reply to a comment on revenue streams Councillor JP French said other local authorities had to make cuts; Herefordshire did not have to face such drastic action. However, efficiency savings were being made. It was conceivable that the Council could attain savings in the region of £8m in-year spending on bureaucracy. A report from the District Auditors had been received, and the Chief Executive would be submitting a further report later in the year. The recommended changes in children and adult programmes had been adopted.

In reply to queries from Councillors TM James and GFM Dawe, Councillor Bramer said that the Council's borrowing remained at 8%, which left a large differential between authorised external debt, and what the Council was actually taking out. Changes in the presentation of the budget had been adopted as a result of requests from Central Government. The Leader added that ongoing Member development in financial matters was important, and said that the Council's Finance Team would answer any questions that Members might have. The Council's financial capacity was within the budget and was clearly set out in the table on page 15 of the report, where the excess of income over expenditure had been clearly laid out. The Government had encouraged the Council to go down this route. The Council would be obliged to prioritise the timescale and cash flow of capital budgets for all major projects currently under consideration. The capacity for the rest of the supported borrowing arrangements was also laid out, and Members would have the opportunity to scrutinise the figures.

The Leader reported that the integrity of the £2.5m grant that had been provided for the super refresh of the key priorities for the development of Local Area Agreement as outlined on page 9 of the report would be maintained.

Councillor AM Toon reported that the business case for the Wyebridge Academy had not yet been presented to Cabinet. She considered that there was a potential estimated overspend on the project of £1.5m. The lack of a business plan had resulted in a call in on the matter in December 2007. The subject would be exhaustively considered at a Cabinet meeting on the 27 March 2008. Councillor Hyde, Cabinet Member for Children's Services, replied that there had

been slippage on the timing of the presentation of the business case as a result of doubts over funding. If the Council missed the chance to get the grant from the Department for Children, Schools and Families of £21,939,195 that was currently on offer, it would not be eligible for funding again until 2020. The grant would meet the cost of the rebuilding of the school in its totality.

Councillor Toon went on to say that she was concerned about the involvement of the Diocese of Hereford in the running of the Academy as parents and children would lose their right to appeal once the Academy would be out of the control of the Local Authority. Councillor ACR Chappell concurred with these comments, and said that if it had been made clear that the Church would be running the Academy, neither he nor Councillor WU Attfield, as Governors, would have voted for that arrangement. It was clear, however, that it was important that the Council should support the South Wye area. There were also other schools within the County that might be looking to be independent, such as the Lord Scudamore School. The issue was important for the people of South Wye, and he assured Members that should either he or Councillor Attfield have any concerns about the project, he would bring them to Council immediately. The Leader thanked the Councillors for their comments, and pointed out that the Department had made it clear that there was a real risk that the Council might not receive the funding for the Academy if the schedule slipped. It was clear that a debate on the matter was needed, and he assured Members that a practical solution would be reached at the next Cabinet meeting.

Councillor Oliver highlighted the fall in the Comprehensive Performance Assessment score from 2 to 1 for Housing, and asked whether there were any other schemes apart from the mandatory 35% of affordable housing that was required of a developer to help solve the affordable housing issue. The Leader replied that the Council might have to look again at the 35% proportionality. The County was bidding to be a centre for growth, and there was a blue print for 16,500 houses to be built. Herefordshire's sub-regional importance within the region was vital, and the Council needed to be supportive and imaginative in how it supported this. A sensible debate on the housing issue was clearly needed, and ways of educating the public about the situation would need to be found as growing generations could not now afford to buy houses. This was a national as well as a local matter.

Councillor JG Jarvis, Cabinet Member for Environment and Strategic Housing, added that, in the current year to date, 41 affordable units had been completed. A further 67 had been completed by Housing Associations, and 38 empty properties had been brought back into use. 158 affordable units had been delivered in the year, with a further 160 to be delivered by Housing Associations. He went on to say that 1200 homes would be delivered over the next three years, which would bring the waiting list down by 25%.

In reply to Councillor James's concern that the treatment of the Landlord of the Dog Inn, Ewyas Harold, was disproportionate, Councillor Jarvis replied that the Council had a duty to enforce the law, especially when there had been complaints from the public. The District Judge had said that the Council had acted in a professional and impartial way. The Council had offered alternative ways of dealing with the matter, but these had been ignored.

RESOLVED:

- (a) That the reports from the meetings of Cabinet held on 21 and 28 February be received.**
- (b) The Medium Term Financial Strategy 2008/11 be endorsed.**

(c) The funding allocations to capital bids be endorsed.

10. COUNCIL TAX RESOLUTION 2008/09

It was unanimously formally RESOLVED: THAT:

(1) In respect of the Council's 2008/09 budget:

(a) a Council Tax of £1,131.13 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 2008/09 that the following amounts be approved by the Council for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

(a) £323,319,576 being the estimated aggregate expenditure of the Council in accordance with Section 32(2)(a) to (e) of the Act;

(b) £189,148,000 being the estimated aggregate income of the Council for the items set out in Section 32(3)(a) to (c) of the Act;

(c) £134,171,576 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) £53,307,413 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) £1,165.62 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) £ 2,393,176 being the aggregate amount of all special items referred to in Section 34(1) of the Act;
- (g) £1,131.13 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.

11. REVIEW OF THE CONSTITUTION IN RESPECT OF FINANCIAL AND CONTRACTUAL PROCEDURES AND QUESTIONS FOR COUNCIL BY COUNCILLORS

The Council received a review of the Constitution in respect of financial and contractual procedures and questions for Council by Councillors.

In reply to Councillor Toon's concern over the change of deadline for the submission of questions to Council, the Leader informed Council that the Group Leaders had supported this alteration. It would provide a better service to Councillors, as Officers and Cabinet Members would have more time to undertake the necessary research to provide appropriate answers to queries.

Councillor Edwards reported that the Strategic Monitoring Committee had

considered the review at its last meeting, and had endorsed all the points. It had suggested the addition of item (b), that the Head of Legal & Democratic Services should ensure a thorough revision of the Scheme of Delegation for approval by Council in May 2008

Councillor Dawe, Alliance Group Leader, requested that his vote against the recommendations be noted.

RESOLVED

THAT:

- a) **the Budget and Policy Framework Procedure Rules, Financial Procedure Rules and Contract Procedure Rules attached to this report be adopted, subject to consideration of any further recommendations from Cabinet, the Audit and Corporate Governance Committee and the Strategic Monitoring Committee;**

- b) **the Head of Legal & Democratic Services ensures a thorough revision of the Scheme of Delegation for approval by Council in May 2008;**

- c) **the Head of Legal & Democratic Services carries out a thorough review of the remainder of the Constitution for approval by Council in July 2008; and**

- d) **the amendments to Part 4 of the Constitution paragraph 4.25.1 Formal Questions from Councillors be approved.**

The meeting ended at 1.30 p.m.

CHAIRMAN