

MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 16 July 2010 at 10.30 am

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

Councillors: PA Andrews, WU Attfield, LO Barnett, DJ Benjamin, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, ACR Chappell, ME Cooper, PGH Cutter, SPA Daniels, H Davies, JP French, JHR Goodwin, AE Gray, DW Greenow, KG Grumbley, KS Guthrie, JW Hope MBE, MAF Hubbard, B Hunt, RC Hunt, TW Hunt, JA Hyde, TM James, JG Jarvis, Brig P Jones CBE, MD Lloyd-Hayes, G Lucas, RI Matthews, PJ McCaull, PM Morgan, AT Oliver, JE Pemberton, RJ Phillips, GA Powell, PD Price, SJ Robertson, A Seldon, RH Smith, RV Stockton, AP Taylor, AM Toon, WJ Walling, PJ Watts, DB Wilcox and JD Woodward

24. PRAYERS

The Very Reverend Michael Tavinor, Dean of Hereford, led the Council in prayer.

The Chairman expressed the Council's sincere condolences to Councillor PJ Edwards and family on the sudden loss of Mrs Mavis Edwards.

25. APOLOGIES FOR ABSENCE

Apologies had been received from Councillors CM Bartrum, GFM Dawe, B Durkin, PJ Edwards, MJ Fishley, AW Johnson and DC Taylor. Mr Robert Rogers, Chairman of the Standards Committee had also tendered apologies.

26. DECLARATIONS OF INTEREST

There were none.

27. MINUTES

The minutes of the Annual Council Meeting held on 28 May 2010 were approved as a correct record.

28. CHAIRMAN'S ANNOUNCEMENTS

The Chairman in his announcements:

- Thanked Members who attended the Raising of the Flag at the Shire Hall on Armed Forces Day 21 June.
- Informed Council that a re-dedication of the Hereford War Memorial in St Peter's Square would be taking place on 17 July at 2.30pm which would acknowledge the honour of the inclusion of the Rifles badge on the monument. The traditional sounding of the Retreat would take place on the Castle Green at 6.30 pm.
- Advised that he had attended the opening of Riverside Primary School on Friday 9 July and commented that the outstanding new facilities funded by local authority prudential borrowing would benefit generations of children.

- Congratulated FC Phoenix Disability Centre and Wye Amateur Boxing Club who were each honoured with the Queen's Award for Voluntary Service; the award being similar to an MBE Honour to an individual.
- Wished the England team well at the World Blind Football Championships which would be taking place at the Royal National College for the Blind from 14 August. Members were encouraged to attend.
- Acknowledged the receipt of the Good Egg award by Compassion in World Farming in recognition of the Council's catering policy of using free range or organic eggs at all Council events catered for by Amey Herefordshire. The Leader of the Council collected this award at the Local Government Conference held recently.

The Chairman informed Council that Councillor RI Matthews had presented him with a petition of 730 signatures (on behalf of Councillor PJ Edwards) on Active Open Space in Belmont. The petition was presented to Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing.

29. QUESTIONS FROM MEMBERS OF THE PUBLIC

Copies of all public questions received by the deadline, with written answers, were distributed prior to the commencement of the meeting. A copy of the public questions and written answers together with the supplementary questions asked at the meeting and answers provided are attached to the minutes as Appendix 1.

30. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

Please see Appendix 2 to the Minutes.

31. NOTICES OF MOTION UNDER STANDING ORDERS

There were none.

32. CONSTITUTION REPORT

The Cabinet Member for Corporate and Customer Services and Human Resources presented the report on matters relating to the Council Constitution and which sought approval to proposed changes. All Members had received an accompanying table which set out technical changes to the constitution which came into effect on 1 January 2010. A full index would be prepared and circulated to Council in advance of 1 September 2010.

Members were advised, that subject to the approval of the revised constitution, a Parts 1 and 2 of the Constitution would be submitted to the Plain English Campaign for crystal mark accreditation.

Council was also asked to consider and adopt the revised Contract Procedure Rules which had been reviewed by a Task Group; Councillor M Cooper was thanked for her assistance as Lead Member on the Task Group.

A further report on the constitution would be presented to Council in November 2010 which would report on the work of two Task Groups currently underway one reviewing the Financial Regulations, with Councillor JG Jarvis as Lead Member, the other undertaking a review of regulatory matters, with Councillor JP French as lead member.

Responding to comments from Members regarding the Contracts Procedure Rules, the Cabinet Member stated that;

- the Council had done much to encourage the involvement of local firms and would continue to do all which was possible to support local companies to be involved in contracts;
- the Monitoring Officer's responsibilities within the Rules would be delegated appropriately to officers in the authority within the Scheme of Delegation;
- that the monetary thresholds of contracts would be clarified and the appropriate pages re-circulated.

The Chairman expressed thanks to the Constitutional Review Working Group for their continued work on constitutional and governance matters.

RESOLVED that Council:

- a) **Approves the following changes to the Constitution:**
 - i. **The Contracts Procedure Rules**
 - ii. **The designation of Monitoring Officer to the successor post of Assistant Director Law and Governance following the cessation of the current interim arrangements**
- b) **Notes that a technical redraft of the constitution has been undertaken**
- c) **Receives and adopts the refreshed constitution to take effect from 1 August 2010**
- d) **Notes the work undertaken by the Constitutional Review Working Group which will continue to assist with such further constitutional review work as it determines.**

33. REPORT OF THE LEADER OF THE COUNCIL

The Leader of the Council, Councillor RJ Phillips presented his report to Council.

He informed Council of two changes to portfolio responsibilities; namely that;

- He had moved responsibility for procurement from the Resources Portfolio to that of the Corporate and Customer Services and Human Resources Portfolio in order for better alignment with the wider transformational agenda.
- The selection of tenants for smallholdings was now delegated to the Chief Executive who had in turn delegated to the appropriate officer.

In highlighting aspects of the report, the Leader;

- Emphasised the financial challenges following the announcement of the revenue and capital grant reductions, the impact of which would need to be met within the current financial year. Council was advised that there was a need to maintain as much flexibility as possible when determining where the cuts would be made to ensure that the impact on the most vulnerable be kept to a minimum. Given the level of reductions, it was important that all Members recognised the possible impact on services and that there was a need for a strategy for how the Council would manage spending reductions.

- An immediate impact was the ceasing of the free swimming programme for local people under 16 or over 60 years of age following the end of government support to the scheme.
- A consultation process would be undertaken jointly with NHS Herefordshire to seek views and suggestions on how, together, the needs of local people could be best met in light of the new financial pressures. The Council would work with the Government to meet its obligations to freeze council tax. A detailed announcement on the comprehensive spending review would be expected on 20 October 2010.
- Stated that the Audit and Governance Committee approved the annual Statement of Accounts for 2009/2010 in advance of 30 June, as was required. The Finance Team was congratulated for their efforts.
- Informed Council that the Health White Paper was consistent with Herefordshire's joint working across health and social care. The Council was at the forefront of national policy development with joint work between health and local authorities providing a holistic approach to health and social care budgets. Such a joint approach should be encouraged to ensure that the public spend within a locality (which included other public services) was effective and that organisations did not focus on self preservation and have a silo mentality.
- Outlined that the principle behind Hereford Futures was to establish a single company which would join up thinking and contribute to future enterprise, housing, jobs and infrastructure in Hereford City. There was a need to ensure that important projects for the City went ahead. All Members were encouraged to promote and use the Shop Hereford loyalty card, which would be distributed through Herefordshire Matters. This was one new approach to encourage the public to view Hereford as a centre of choice for medical, educational, civic and retail matters. The Leader stated that he looked forward to the loyalty scheme to be developed further.
- Stated that hosting the World Blind Football Championships in Herefordshire provided an opportunity for promoting the county. The county was proud to host such a prestigious event which had been held previously in Rio de Janeiro, Beijing and Canada. Members were urged to champion the event within their communities.

The Leader in responding to comments and questions raised by Members in attendance stated that:

- Integration was at the heart of the new proposed legislation relating to health and social care, which aligned itself well to the approach adopted by Herefordshire. Assurance to this effect had been provided to the Leader by the Secretary of State for Communities and Local Government, Eric Pickles MP. It was proposed that responsibility for a large part of the public health role would be given to local government thereby widening and strengthening the future role for local authorities. The Government was proposing to ring fence specific monies to support the role of public health.
- In relation to the Academies Bill, whilst there seemed to be much interest nationally, only those schools rated outstanding would be considered to change their status to that of an Academy. It was expected that the scheme would take time to be rolled out. Hereford Academy had been provided with a substantial amount of investment and tribute was paid to the head teacher, staff, governors and communities for their work in making the Academy a success.

- The concerns of traders in the Rockfield area was acknowledged and it was stated that there had been difficult times. The reduction in public expenditure would prevent some projects going ahead to the original timescale proposed. However, the commitment remained and an open dialogue was encouraged. The Leader commented on the need to provide a level of stability for the traders, especially in respect of leases. The Council would work proactively with traders in relation to the provision of suitable sites within the new market site.
- The ESG was in a period of transition and, whilst as a company it would disappear, the Chairman would remain. Ray Stone (formally of Wiggins) had been appointed as a Director to the Board. The establishment of Hereford Futures was a clear commitment to Hereford City to ensure that it became a strong destination to shop, undertake business and welcome tourism. Dialogue with the market towns would be undertaken to manage changes constructively and proactively.
- The significant reduction in Area Based Grant would have an impact on important areas of activity. Therefore, consideration would need to be given to the budgets of all areas in order to maintain other priority tasks. It was essential that such decisions were well informed. Assurance was provided that some ring fencing of budgets was still in place.
- Herefordshire had a sound reputation for delivering good quality education; however, some weaknesses and trends had developed in relation to Key Stages 1 and 2. It was important to tackle these issues as soon as possible.
- In relation to the proposed formation of GP consortia in the Health White Paper, the Leader emphasised the need for a smooth transition to ensure the continuation of quality services without disruption. Within Herefordshire a strong relationship had developed with GPs and this would be built upon to support the GPs during the transition period.
- Welcomed the inclusion of the Wye Valley and Forest of Dean on the list of applications for the UK's new Tentative List of sites for World Heritage status and stated that such high profile promotion of the Wye Valley was to be welcomed.
- ESG Ltd was a private company which published its accounts in Companies House. Members were requested to consider the sensitivity which would surround the transition arrangements for some staff as ESG Limited ceased and Hereford Futures started its work.
- In addition to the secondment in part of an officer, the World Blind Football Championships had received £25,000 in sponsorship from the Council which was deemed to be a proportionate and appropriate response.
- Whilst the level of any debt was an issue, Members attention was drawn to the development of Riverside School which had been supported by prudential borrowing by the Council as the scheme had been refused support from the previous government. It was agreed that it was important to watch the level of borrowing. The injection of monies to the public sector over the previous 10-12 years had been unprecedented and had led to high budgets and staff costs. The new era required the public sector to re-prioritise, re-engineer services and consider issues more strategically; the consequence of which would be fewer staff. All Members would need to part of these processes and lead communities through these challenges.

Responding to questions and comments relating to their portfolios the;

- Cabinet Member for Highways and Transportation stated that whilst he was aware of some claims received by the Council in respect of trips and falls relating to the Widemarsh Street redevelopment it was too early to consider formal legal proceedings. A review of the Widemarsh Street scheme was underway and would be reported to the Cabinet Member by the end of the month.
- Cabinet Member for Economic Development and Community Services advised Council that the free swimming had been very successful in Herefordshire with 4,500 individuals under 16 taking part (which equated to 23,588 free swims) and 1,180 over 60s taking part (equating to 5,200 free swims). Whilst the scheme had finished prematurely, residents had understood that this was as a result of a national directive.

RESOLVED: That the Leader's report be noted.

34. STANDARDS COMMITTEE

Mr David Stevens presented the report of the Standards Committee.

In responding to questions and comments raised by Members in attendance, Mr Stevens stated that:

- Standards Committee members attended and took part in many events and training courses during the year. The process by which Standards Committee dealt with vexatious and persistent complainants may be considered during these events, though there was no specific course to solely consider such matters.
- The appellant whose appeal was considered and rejected by the first tier tribunal did have the opportunity to seek a further appeal from the second tier tribunal within a specific time frame. Sanctions would not be undertaken until the required appeals process had run its course.
- For clarification, the Standards Committee is independent of any Council portfolio.

RESOLVED: That Council approve the Guide to Blogging and Social Networking for members as attached at Appendix A to the report.

The meeting ended at 12.05 pm

CHAIRMAN