

**MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 25 May 2012 at 10.30 am**

**Present:** Councillor LO Barnett (Chairman)  
Councillor ACR Chappell (Vice Chairman)

**Councillors:** PA Andrews, AM Atkinson, CNH Attwood, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, BA Durkin, PJ Edwards, RB Hamilton, J Hardwick, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, RC Hunt, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, G Lucas, RI Matthews, SM Michael, JW Millar, PM Morgan, NP Nenadich, C Nicholls, FM Norman, RJ Phillips, GJ Powell, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, J Stone, GR Swinford, DC Taylor, PJ Watts and DB Wilcox

**1. CHAIRMAN OF COUNCIL**

The Monitoring Officer called for nominations to the office of Chairman of the Council.

Councillor James moved that Councillor Barnett be nominated as Chairman of the Council for the forthcoming municipal year. Councillor Hubbard seconded the proposal. Councillor Barnett was unanimously elected as Chairman of the Council.

**RESOLVED: That Councillor LO Barnett, be elected Chairman of the Council for the forthcoming municipal year.**

**2. PRAYERS**

The Very Reverend Michael Tavinor led the Council in prayers.

The Chairman extended a warm welcome to Her Majesty's Lord Lieutenant, the Countess of Darnley, the Earl of Darnley and distinguished guests attending Council.

**3. APOLOGIES FOR ABSENCE**

Apologies for absence were received from:

Councillors:	CM Bartrum	PGH Cutter
	DW Greenow	KS Guthrie
	PJ McCaull	GA Powell
	JD Woodward	

**4. DECLARATIONS OF INTEREST**

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

Councillor NP Nenadich, Personal, Agenda item 9 Director of Hereford United Football Club.

**11. POLICE AND CRIME PANEL REPORT.**

Councillor AJM Blackshaw, Personal, Agenda item 11 Councillor Blackshaw standing as a candidate, Police and Crime Commissioner.

11. POLICE AND CRIME PANEL REPORT.

Councillor WLS Bowen, Personal, Agenda item 11 Member of the Police Authority.

16. ANNUAL REPORT OF THE REGULATORY COMMITTEE.

Councillor P Rone, Personal, Agenda item 16 Councillor Rone is a taxi driver.

**5. VICE-CHAIRMAN OF COUNCIL**

The Chairman called for nominations to the office of Vice Chairman of the Council.

Councillor Matthews moved that Councillor Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year. Councillor Jarvis seconded the proposal. It was unanimously agreed that Councillor Chappell be appointed Vice-Chairman of the Council.

**RESOLVED: That Councillor ACR Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year.**

**6. MINUTES**

**RESOLVED: That the Minutes of the Council meeting held on 2 March 2012 be approved as a correct record subject to the following amendments.**

**Minute No: 63** Notice of Motion three, page 5 of the minutes, bullet point six – line two and three change Hereford to Herefordshire. Bullet point nine, to read – it was stated that the quarterly meetings between Hereford Futures and City Councillors would be opened up to all Hereford locality Members.

**7. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman in her announcements:

- Congratulated Colonel Charles Thwaites on his appointment as High Sheriff of the County.
- Informed Council that the Olympic torch had attracted thousands of spectators to welcome it on its travels through the County, passing through Bartestree, Hereford, Ledbury, Leominster, Lugwardine and Ross-on-Wye en route to Wales.
- Informed Council that the Chairman and Vice-Chairman had attended the launch in March of Robocap, which is a pioneering treatment for prostate cancer.
- Reported that she had attended an awards ceremony at The Courtyard on 3 May in recognition of long service by Poppy Appeal Collectors and the considerable sums of money raised by collectors.
- Reported that she had attended the 18 anniversary celebrations of Kemble Care. A local company supplying trained staff to provide quality care to people in their own homes.
- Reported that she had attended the opening of the May Fair on 8 May.
- Informed Council of the official naming of the Wye Trow, which the Lord Lieutenant Lady Darnley christened The Hereford Bull. The Trow will represent Herefordshire in the Thames Pageant by being part of the fleet of a 1,000 boats and ships to mark the Queen's Diamond Jubilee on 3 June.
- Reminded Council of the Queen's visit to Herefordshire on 11 July as part of the Queen's tour across the country to mark the Diamond Jubilee and encouraged all schools to take part and attend this once in a lifetime event.
- Informed Council of the wonderful tactile model map of Hereford City which has been erected in the Cathedral Close and made by local artist Matthew Hart and students from the Royal National College for the Blind.

- Thanked the Mayors of the County for their courtesy and kindness during the past 12 months of her office as Chairman.
- Reminded Council of the ceremony following the Council meeting to adopt The Rifles as the county regiment, which was agreed by Council at its meeting on 2 March.

### **Petitions**

One petition has been received from Belmont Abbey expressing concern about the threat posed to Belmont Abbey by the proposal to terminate a major new road with a roundabout encroaching on Belmont Abbey sports field and the intention of constructing a city bypass across the field and beyond.

### **8. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A copy of the public questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 1.

### **9. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS**

A copy of the public questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 2.

### **10. LEADER'S REPORT**

LDF and therefore, parts of the planning application would be post Christmas. The Leader of the Council, Councillor JG Jarvis, presented his report and apologised to Council for some grammatical errors in the report. Members made comments on the following items:

- Page 29 paragraph 1, in appreciating the budget difficulties Councillor Hempton-Smith stated that he had grave concern for the lack of support and only basic provision that was being made for young people. The Leader stated his support for this area of work but added that it should be looked at in context with all other areas of work in the county.
- Page 31, Herefordshire's Economy and Communities Councillor Hubbard congratulated the administration on the improvements made at the Yazor Brook as the recent heavy rain fall had not caused any difficulties for the residents, but added that Tupsley and Three Elms now had some sewage in the brook. The Leader responded that he would ask for this concern to be checked.
- In response to the question as to who had paid for the erection of the hoarding around the retail quarter it was the Leader's understanding that the developers had done so, however, he would inform the Councillor if this was not the case.
- In response to a question on the timetable of the Local Development Framework (LDF), Council was informed that the timetable that the Cabinet Member Highways, Transportation and Sustainability had given was correct and that parts of the Local Transport Plan (LTP) would need to be separated from the LDF. The Leader added that he would be happy to discuss the matter further outside the meeting and acknowledged the need to keep neighbouring ward Councillors informed.
- Page 31 paragraph 11 the Leader was asked to confirm that there were no legal or binding agreements with Stanhope and British Land in place. The Leader referred the Councillor to the answer given previously and stated he would provide a written response.
- In response to a question as to the financial benefits to the tax payer from the new livestock market, the Cabinet Member Enterprise and Culture reminded

Council that agriculture was the biggest industry in the county and that the market was working to capacity. A market of this quality would enhance the agriculture business in the county.

- Page 31 paragraph 12 a reference was made to the LDF being moved to the July Cabinet meeting and that there would then be a significant break before the next meeting of Council in November. A Councillor asked for assurance that the improved consultation process would take place and that consideration would be given to a Council meeting in September to overcome the gap between the July and November Council meetings. The Leader advised that an extraordinary meeting of Council was being considered. The Leader added that care was being taken to ensure that further extensive consultation would be carried out and urged all Members to attend the June Member seminar on consultation.
- Page 31 paragraph 9 a Councillor referred to the housing needs of local people and the need for energy efficient homes. The Leader noted the comments and advised that Councillor Rone would take up this issue, as the new Cabinet Support Team member dealing with housing matters.
- Page 32 paragraphs 14 to 21 it was asked when residents would see improvement to the benefit of their communities. The Leader noted the comments and stated that the degree of community engagement varied across localities.
- Page 32, first bullet point Destination Hereford and paragraph 14 of the report, a Councillor stated that they felt the grant funding could be spent better elsewhere in the county and that they had spoken with businesses in the area who had expressed a wish not to see any reduction in the parking spaces available in Broad Street. The Leader advised there was a need to look at the scheme in context for the whole of the city and that if the authority tried to move the £5m grant funding it would be in danger of losing it altogether.
- In referring to the provision of affordable housing a Councillor asked if consideration had been given to opportunities under new legislation. The Councillor congratulated the Leader on the excellent work done in Ledbury on the Masters House and requested that any loss in car parking was taken into consideration during the development of the project. The Leader thanked the Councillor and added that he would speak separately outside the meeting regarding new legislation.
- In response to a question on business rates and charity shops the Leader stated he was referring to national charities paying business rates and not local charities.
- In response to a question on improving the county's waste recycling rates the Leader stated that it was dependent on the good will of local people and if garden waste was included it would be at a considerable cost to the Council, but he was willing to explore options which should be brought to the attention of the recycling officer.
- In response to concerns raised about Overview and Scrutiny and improvements that needed to be made, the Leader reminded Council that he had stated the previous year that a review would be carried out. This was now coming to a conclusion and proposals would be brought to the July Council meeting.
- Concern was raised over the low turnout by Members at some seminars and in particular the recent one on Root and Branch reviews. It was asked if Group Leaders could reiterate the importance of attending seminars to their political groups.
- The Leader confirmed the appointment of Councillor Hamilton as the new Cabinet Member for Environment, Housing and Planning and that further changes to Cabinet would be made in the future which would include bringing Councillor Graham Powell into Cabinet. The Leader added that he had invited Councillor Rone to join the Cabinet Support Team with a remit for Housing.

## **RESOLVED**

### **THAT:**

- (a) the intention to revise the timetable for the production of the Local Development Framework, as set out at paragraph 12 to the report, be noted; and**
- (b) the overview of the Executive's activity be noted.**

## **11. POLICE AND CRIME PANEL REPORT**

Council was reminded by the Assistant Director Law, Governance and Resilience that all authorities needed to agree the same recommendations to ensure the establishment of a West Mercia Police and Crime Panel as a joint committee of the 10 principal local authorities, to be administered by the lead authority Worcestershire County Council.

Councillor Hubbard noted the complications to moving any amendments to the recommendations but asked that consideration be given to one of Herefordshire's panel members being a city Member, given that many of the policing issues arose in the City. Concern was raised at the potential poor turn out for a November election for the Police Commissioner and whether the responsibility for policing matters should lie with the Chief Constable. The Leader moved the report which was seconded by Councillor Price. There was a majority agreement for the recommendations with nine abstentions.

## **RESOLVED**

### **THAT:**

- a) Council approved the establishment of a West Mercia Police and Crime Panel (PCP) as a joint committee of the 10 principal local authorities in the West Mercia Police force area, to be administered by Worcestershire County Council as lead authority.**
- b) Council approved the proposed membership of the PCP, the Panel arrangements and any consequential actions required under the Act; and**
- c) Council authorised the Deputy Chief Executive to finalise the details of the proposals in consultation with the Leader.**

## **12. TRANSITIONAL STANDARDS MATTERS**

The Monitoring Officer outlined to Council the requirements of the new standards regime under the Localism Act and the need to recruit independent persons as required by Section 28 (7) of the Localism Act 2011.

## **RESOLVED**

### **THAT:**

- a) The Monitoring Officer be authorised to recruit up to three independent persons pursuant to Section 28 (7) of the Localism Act 2011;**
- b) Independent persons be entitled to reimbursement of expenses; and**

- c) **The Monitoring Officer be authorised to appoint such additional parish members as may be required to complete the outstanding business of the Standards Committee.**

**13. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE**

The Chairman of the Audit and Governance Committee presented the Annual Report. The Chairman was asked for a copy of the presentation on the new Amey Wye Valley Ltd., contract, which the Chairman stated he would follow up following the Council meeting. In response to further questions on the Amey Wye Valley Ltd., contract the Chairman assured Council that the Committee was very aware of Members concerns, which would be raised at Committee.

**RESOLVED: That the report be noted.**

**14. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Chairman presented the Annual Report of the Overview and Scrutiny Committee. The Chairman informed Council that the model currently adopted for Overview and Scrutiny had not been entirely successful and the results of a review would be put to Council at the July meeting. There was still a considerable amount of outstanding work to be dealt with in various areas, but particularly in Health.

In response to a question the Chairman advised that it had been difficult for the Task and Finish Group to carry out their review of income and charging whilst consultants Price, Waterhouse, Cooper (PWC) were also carrying out their review at the same time. The Chairman added he felt some of the work of PWC could have been dealt with by the Task and Finish Group and hence reduced some of the cost to the authority for the services of PWC. The Chairman thanked the Vice-Chairman and officers for their support.

**RESOLVED: That the report be noted.**

**15. ANNUAL REPORT OF THE PLANNING COMMITTEE**

The Vice-Chairman of the Planning Committee presented the Annual Report and thanked the Members for their regular attendance and hard work at Committee and also that of officers. The Vice-Chairman noted the comments in relation to the number of appeals and the related costs including officer time and stated this information could be a valuable addition to future reports.

**RESOLVED: That the report be noted.**

**16. ANNUAL REPORT OF THE REGULATORY COMMITTEE**

The Chairman of the Regulatory Committee presented the Annual Report of the Regulatory Committee 2011/12.

**RESOLVED: That the report be noted.**

**17. ANNUAL REPORT OF THE STANDARDS COMMITTEE**

Mr David Stevens, Independent Chairman of the Standards Committee presented the Annual Report. Mr Stevens stated that as this could be the last report of the Committee he would like to thank all Members for their support and trust. The Chairman also extended his thanks to the independent members, parish council representatives and officers.

Council complimented Mr Stevens on his chairing of the Committee and the Chairman of Council thanked Mr Stevens for all his hard work and guidance the he had provided.

**RESOLVED: That the report be noted.**

**18. DATES OF FUTURE MEETINGS**

**RESOLVED: That the programme of ordinary meetings of Council be approved.**

**19. DEED OF ADOPTION**

Following the formal business meeting Council held a presentation for the Deed of Adoption of The Rifles Regiment as the County Regiment.

The meeting ended at 12.25 pm

**CHAIRMAN**