

**MINUTES of the meeting of Council held at Council Chamber - Brockington on Friday 7 March 2014 at 10.00 am**

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

**Councillors:** PA Andrews, AM Atkinson, CNH Attwood, CM Bartrum, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, PGH Cutter, BA Durkin, PJ Edwards, KS Guthrie, J Hardwick, EPJ Harvey, JW Hope MBE, JA Hyde, TM James, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, RI Matthews, RL Mayo, PJ McCaull, SM Michael, JW Millar, PM Morgan, NP Nenadich, C Nicholls, FM Norman, J Norris, CA North, RJ Phillips, GJ Powell, AJW Powers, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, J Stone, DC Taylor and DB Wilcox

**70. PRAYERS**

The Very Reverend Michael Tavinor led the Council in prayers.

**71. APOLOGIES FOR ABSENCE**

Apologies for absence were received from:

Councillor PL Bettington	Councillor MJK Cooper
Councillor DW Greenow	Councillor MAF Hubbard
Councillor RC Hunt	Councillor JG Jarvis
Councillor GR Swinford	Councillor GA Vaughan Powell
Councillor PJ Watts	

**72. DECLARATIONS OF INTEREST**

**7. NOTICES OF MOTION UNDER STANDING ORDERS.**

Councillor PGH Cutter, Non-Pecuniary, Agenda Item 7, Notice of Motion 2, Director of a renewable energy company.

**73. MINUTES**

**RESOLVED:** That the Minutes of the meeting of Council held on 7 February 2014 be confirmed as a correct record and signed by the Chairman.

**Note:**

The Herefordshire Independents Group Leader enquired of the Solicitor to the Council on the accuracy of the minutes regarding the school transport amendment. The Solicitor to the Council stated that the Minutes accurately reflected the debate at the meeting. However, he accepted that there had been some confusion following the meeting and that Group Leaders had come to an agreement on 17 February. He advised that the matter would be on the Cabinet agenda for 13 March, where the matter would be resolved.

Council also agreed that any named vote taken at a meeting of Council is to form part of the Minutes rather than be published as a supplement.

#### **74. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman drew Council's attention to the announcements in the agenda, in particular the Bloodhound project instigated by Wigmore Teaching School Alliance and Herefordshire Group Training Association.

The Chairman welcomed to Council Glyn Morgan of the Herefordshire Cathedral Perpetual Trust and invited Mr Morgan to address Council on his recent successful visit to Houston, Texas when the Magna Carta was taken there on exhibition. Mr Morgan informed Council of the joint working between the Hereford Cathedral and the Houston Museum of Natural Science and how the British Consul-General for the region had attended the opening, along with the Mayor of Houston, for a US wide media launch. In addition Sir Robert Rogers, former Chairman of the Perpetual Trust and Herefordshire Council's Standards Committee, gave a number of lectures for the consulate, the museum and Rice University. The Consul General stated how important the partnership was for Herefordshire and for the reputation of the United Kingdom, as Texas was the most economically important of all US states to the UK.

#### **75. 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 is attached to the Minutes at Appendix 1.

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

##### **Notice of Motion One – A Herefordshire University**

Councillor Atkinson proposed the Notice of Motion and made the following comments:

- A new university fitted in with the new development in Herefordshire. The City and the County would become the campus for the university.
- It would help fill the demographic gap and bring young people into the County.
- There was a need to designate land in the city for the project and Councillors needed to show their support for this multi million pound project.

Councillor Nenadich seconded the Notice of Motion and made the following comments:

- He informed Council of the historic academic connections between Hereford and Oxford University.
- It was proposed that the university would build on local assets – life sciences, defence and engineering – and fitted with the proposals for the enterprise zone.
- The intention for the future was to establish an international reputation and to both retain young people and encourage them to move to the County.

The following points were made in discussion:

- Several Councillors spoke to endorse the proposal for a university believing it to be an impressive and inspiring vision for the County.
- A university would raise the standards in the County's schools and create aspirations.
- In response to a question on any transfer of assets to the university project, Council was advised that the enterprise board would be looking to lease any assets to avoid any potential losses should the project not come to fruition.

- Council was reminded of the forthcoming seminar for all Councillors on the university project.
- It was suggested that there should be regular briefing notes to Councillors so that, as community leaders, they could be ambassadors for the project.
- That consideration should be given to making a bid to the Local Enterprise Partnership as an infrastructure priority.
- The Council's budget had included proposals to sell £60m of assets to minimise capital borrowing. Assurance was sought that in transferring such assets to the university project, there would be no double counting. The Chief Financial Officer stated everything would be done to ensure assets were properly protected. He added that any assets given to the university project were not the same as those referred to in the budget for disposal.
- Councillor Bramer, Cabinet Member Contracts and Assets gave an assurance that the assets to be disposed of in the budget would not include the assets to be transferred to the university project.

Councillor Atkinson, as proposer of the Notice of Motion, stated his agreement with the points raised regarding the Council's assets and expressed his thanks to Karen Usher, as volunteer project director, for the work she had done.

Council supported the Notice of Motion. There was one abstention.

**RESOLVED: That this Council welcomes the developing proposals to establish a university in Hereford and the wide support being generated for the proposals. This Council requests the Executive to identify the most appropriate way in which the Council can assist in securing the future of higher education in the County.**

### **Notice of Motion Two – Energy Efficiency Standards**

The Chairman informed Council that Councillor Nenadich had withdrawn his support for the Notice of Motion, which would now be seconded by Councillor Bowen.

Councillor Norman proposed the Notice of Motion and made the following comments:

- The Councillor was disappointed that Councillor Nenadich no longer felt able to second the Notice of Motion.
- She agreed there were some encouraging points made in the Core Strategy, but did not feel it set out a specific energy efficiency policy for everyone to adhere to.
- Currently there is a large stock of poor quality housing in the County. A move to a specific energy efficiency policy would help residents with their energy bills.
- It was economically sensible to ensure future housing is of good quality and localising the supply chain would also help the local economy.
- She stated she was asking for a specific policy which set out high standards for energy efficient homes.

Councillor Bowen seconded the Notice of Motion and made the following comments:

- Members would be aware of the number of times he had spoken at Council about raising energy efficiency standards.
- There was a need to act on this motion to put the highest energy efficiency standards into homes in the County.

The following points were made in discussion:

- Councillor Nenadich apologised for withdrawing as seconder of the Notice of Motion but noted that most of the points made in the Notice of Motion were contained within the Core Strategy. He agreed that there was a need for homes to be more energy efficient and affordable.
- Energy conservation must be part of the Core Strategy, but not the sole issue.
- There were a number of developers interested in developments in Herefordshire, therefore, now was the time to insist on building to the highest standard.
- Policy SD1 was already in place in the Core Strategy and provided a comprehensive overview on energy efficiency for new builds.
- Council was generally in support of the Notice of Motion but concern was raised over the last sentence and it was suggested that a slight amendment would help in gaining Council's support for the Notice of Motion.

Councillor Norman proposed an amendment to the final sentence, which was to remove the word '*included*' and replace it with '*considered*'. Councillor Bowen seconded the amendment to the Notice of Motion.

*Orientation and suitability for renewable energy systems, especially passive solar and large-scale active solar should also be ~~included~~ considered at the design stage of any development.*

Following a named vote Council approved the Notice of Motion with:

For	46
Against	00
Abstain	03

**Councillors for the Notice of Motion:**

Barnett, Andrews, Atkinson, Attwood, Bartrum, Blackshaw, Bowen, Bramer, Bridges, Chappell, Chave, Durkin, Edwards, Guthrie, Hardwick, Harvey, Hope, Hyde, James, Johnson, Jones, Kenyon, Knipe, Lester, Lloyd-Hayes, Matthews, Mayo, McCaull, Michael, Millar, Nenadich, Nicholls, Norman, Norris, North, Phillips, Powell, Powers, Preece, Price, Robertson, Rone, Seldon, Sinclair-Knipe, Stone and Taylor.

There were no Councillors against the Notice of Motion.

Abstentions:

Cutter, Morgan and Wilcox.

**RESOLVED: That the Executive consider how it can, through planning and other housing policies, influence the design of new housing, (especially affordable housing), and encourage builders to adopt the highest possible energy efficiency standards, Passivhaus, AECB Silver Standard or similar. Orientation and suitability for renewable energy systems, especially passive solar and large-scale active solar should also be considered at the design stage of any development.**

**77. COUNCIL TAX RESOLUTION**

Prior to the commencement of the debate on Council Tax the Chairman reminded Council this was not the time to discuss the budget again and that Members should restrict the debate to the subject matter.

The Leader moved the recommendation for the Council Tax Resolution. The following points were made during the debate:

- Council at its February meeting had set the budget. Council now had a duty to ensure the budget could be paid for through the Council Tax. It was understandable that some Members would prefer no increase, but it was felt there was little option than to accept the 1.9% increase.
- Reference was made to the referendum by Brighton and Hove Council regarding Council tax and it was proposed that in future similar action for a referendum should be taken in Herefordshire.
- Concern was expressed on the way the Council engaged with the public over the choices that needed to be made on the budget and that there had not been a specific question asking whether residents whether they would pay more. A consultation had been carried out in Ledbury and 56% had indicated that they would be prepared to pay more Council tax.
- Councillor Morgan, Deputy Leader, seconded the recommendation and stated the 1.9% increase was comparable to other neighbouring counties. It was acknowledged that there was a below average wage in Herefordshire and therefore consideration should be given to a reduction in Council tax in future years.
- Following a point of order the Solicitor to the Council reminded Council of the legal requirement under regulations set earlier this year to have a named vote for the Council tax resolution.

Following the named vote for Council tax, Council voted:

For	37
Against	01
Abstain	10

**Councillors for the recommendation:**

Barnett, Andrews, Atkinson, Bartrum, Blackshaw, Bowen, Bramer, Cutter, Durkin, Edwards, Guthrie, Hardwick, Harvey, Hope, Hyde, Johnson, Jones, Kenyon, Knipe, Lester, Mayo, Millar, Morgan, Nenadich, Nicholls, North, Phillips, Powell, Powers, Price, Robertson, Rone, Seldon, Sinclair-Knipe, Stone, Taylor and Wilcox.

Against:  
Preece.

Abstentions:  
Bridges, Chappell, Chave, James, Lloyd-Hayes, Matthews, McCaull, Michael, Norman and Norris.

**RESOLVED**

**THAT:**

- a) Council noted the tax base for 2014/15;
  - 1) for the whole council area is 64,942.09 band D equivalent properties;
  - 2) for dwellings in those parts of the area to which a parish precept relates as in the attached at Appendix 1 to the report;
- b) in respect of council tax for 2014/15 that the following amounts be approved by the Council for the year 2014/15 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011);
  - (i) £331,897,091 being the estimated aggregate expenditure of the council in accordance

- with section 31A (2) of the act, including all precepts issued to it by parish councils;
- (ii) £247,796,013 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including Revenue Support Grant);
- (iii) £84,101,078 being the amount by which the aggregate at (b)(i) above exceeds the aggregate at (b)(ii) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts);
- (iv) £1,295.02 being the amount at b(iii) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);
- (v) £2,837,742 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;
- (vi) £1,251.32 being the amount at (iv) above less the result given by dividing the amount at (v) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes)
- c) that the net budget requirement for 2014/15, excluding parishes, be approved as £146,135,000;
- d) that the Council tax requirement for the Council's own purposes for 2014/15 (excluding parishes) be approved as £81,263,336; and
- e) that the precepting authority details incorporated in Appendices 1 to 5 of the report, relating to parishes, West Mercia Police and Hereford and Worcester Fire and Rescue Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended).

## **78. LEADER'S REPORT**

Councillor Johnson, the Leader of the Council, presented his report to Council.

In response to a series of questions regarding the condition of the road structure and potholes, Councillor Price, Cabinet Member Infrastructure responded stating a successful application had been made under the Bellwin scheme for emergency financial

assistance for road repairs following the winter flooding. This was in addition to the £20m already set aside for the County roads. In the first instance work would be carried out on A roads, followed by the B and C roads, as well as carrying out remedial work. The Highways Agency had been made aware of the issues on the A49.

In response to questions on the presentation given by the Chief Executive at the Herefordshire Business Summit the Leader stated that the 15 year future plan presentation was work in progress and would form part of the future work of the Council. He added that the presentation endeavoured to set the scene for the future but also to make everyone aware that the authority could not do everything that the County needed done and strived to encourage private participation. The Chief Executive added that the intention was to make a number of connections with local partners to provide clarity for the future, and develop plans for creating growth in Herefordshire and the Marches. This matter would come back to Cabinet for final agreement and approval.

In response to questions on the restructure within Balfour Beatty, the Leader replied that it was natural that the management team would wish to set out their own staff structure as part of a restructure for the whole organisation. He had received assurance that Balfour Beatty would put the necessary resources in place to deliver the contract. It was noted that staff had worked extremely hard during the wet weather to provide for residents in the County.

In response to a comment relating to Army personnel staying in Hereford when assisting with the floods, Councillor Price, Cabinet Member Infrastructure advised that all personnel involved had been happy with the welcome they had received and no complaints had been made. The Chairman added that on behalf of the Council she would write to all the services involved in the flooding to thank them for their assistance and to the supermarkets for the food donated for servicemen.

**RESOLVED: That the Leader's report on the activities of Cabinet since the meeting of Council in October 2013 be noted.**

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

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

The meeting ended at 1.00 pm

**CHAIRMAN**