

Appendix 2 - Questions from members of the council

Question Number	Questioner	Question	Question to
MQ 1	Councillor Powers	The Council has a statutory duty to demonstrate that 'best consideration' was obtained on the sale of all the farm smallholdings in the Disposal Plan. As landlord until 30 September the Council also had a duty of care to all tenants. What assurance can the Leader give that these statutory duties have been fully undertaken and discharged?	Leader
<p>Leader response</p> <p>The criteria used in selecting the disposal plan are set out in the report to cabinet on 13 October 2016. The factors taken into account when assessing bids received are set out in the record of officer decision taken on 20 July 2017. Collectively these provide assurance that best value has been achieved and open market value realised. Throughout the process the council has gone beyond its mere statutory duties as a landlord and offered support to tenants as set out in the officer decision taken 3 March 2016. The council, and its agents, have provided tenants with regular updates throughout the process including ensuring that all were aware of the opportunity to submit a bid. All decisions referred to can be found on the council's website.</p>			
<p>Supplementary Question – Councillor Powers</p> <p>As far as the duty of care to the tenants can the Leader confirm whether his answer is the view of all the affected tenants?</p>			
<p>Leader response to supplementary question</p> <p>I cannot provide such assurance, were I a gambler which I am not, I suspect there will always be somebody who would be dissatisfied or less than totally satisfied with the arrangements that we have made and that would be predictable I suppose to anybody. But the facts are that we did everything that we were required to do to comply with our responsibility as landlords and additionally offered some money available to each to help with the cost of preparing bids if they wished to buy.</p>			
MQ 2	Councillor Shaw	I understand that the EU target for the recycling of municipal waste is 50% by 2020, what is the current rate for Herefordshire and are we on course to meet the EU target?	Cabinet member contracts and assets
<p>Cabinet member response</p> <p>It is possible to increase the percentage of recycled waste from 41% towards the government target of 50% but limited funds make this extremely difficult. The most likely route to increase the percentage is for the government to allow the 'bottom ash' from the new energy to waste plant to be counted in the figures. This is because this ash is re-used for other purposes and does not go to landfill. It is worthy of note that councils within Wales are allowed to include this but at present authorities in England are still precluded from so doing.</p>			
MQ 3	Councillor Harvey	Please will the Leader provide this council with his assurance that the decision made on any code of conduct complaint which is formally determined by the Monitoring Officer – whether upheld or dismissed – can be relied upon in exactly the same manner as a complaint determined by a full Standards Panel; and that therefore this council's adopted Standards Procedure meets all of the objectives for the changes to the standards process which were intended under the Localism Act 2011?	Leader
<p>Leader response</p> <p>The code of conduct and the associated standards procedure are not functions of the executive, I therefore</p>			

am not in a position to provide the assurance that you refer to and I move that this issue be referred to the audit and governance committee, of which Councillor Harvey is a member, to consider at its next meeting.

Chairman of Audit and Governance response

The Audit and Governance Committee would be happy to consider the matter at its next meeting.