

## **Title of report: Motions on notice**

**Meeting: Council**

**Meeting date: Friday 8 October 2021**

**Report by: Monitoring Officer**

### **Classification**

Open

### **Decision type**

This is not an executive decision.

### **Wards affected**

Countywide

### **Purpose**

To consider motions received on notice.

### **Recommendation**

**THAT: the motions listed at paragraph 6 are debated and determined by Council.**

### **Alternative options**

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

### **Key considerations**

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may

be varied at the discretion of the chairman.

- 6 Three motions have been received and will be debated at the meeting. The motions for discussion are set out below:

**Motion 1 – Cabinet Posts - Childrens Services and Adult Social Care**

(Proposed by Councillor Jim Kenyon, Seconded by Councillor Paul Rone. )

**This motion asks the leader to consider, in light of the children’s services improvement order issued on the 18th May, that the cabinet positions for Childrens Services and Adult Social Care are removed and are replaced with two teams of three councillors appointed on merit**

- **One being councillor for Childrens services with two support councillors and**
- **One being councillor for adult social care with two support councillors.**

**They are to report direct to cabinet when required but their sole purpose is to be responsible for their own portfolios.**

**Remuneration should be in line with the current cabinet pay system.**

**Motion 2 – Belmont**

(Proposed by Councillor Tracy Bowes, Seconded by Councillor Jeremy Milln)

**Belmont, comprising Abbey, House, Park, ancillary buildings set about a glorious reach of the River Wye extending across to Warham and Breinton, has been described as an astonishing historical agglomeration.**

**In spite of its historical importance the Belmont Landscape remains unprotected. The purpose of this Motion is to set the framework for responsible stewardship and to demonstrate that Herefordshire Council is a willing partner to its communities for improving the conservation outlook of this most significant place.**

**Motion:**

**In the light of the Herefordshire County Plan objectives for heritage and well-being, this Council recognises:**

- **the special importance of the cultural landscape at Belmont to the City and County of Herefordshire**
- **the potential for Belmont to enrich the lives and sustain the health of the people of Herefordshire (and especially for residents of the South Wye area)**

**That in recognising the importance and potential of Belmont, this Council calls on the Executive to appraise Belmont for designation as a new Conservation Area to include the House, Abbey and Park on the south side of the River and the adjacent hamlets of Warham and Breinton on the north side, seeking funding to support this work.**

### **Motion 3**

(Proposed by Councillor Louis Stark, Seconded by Councillor Jeremy Milln)

#### **This Council notes:**

- 1. The rapid deterioration in the water quality of the Rivers Wye and Lugg, which is evident from citizen science testing and visual observation. The rivers are important natural assets and the council is extremely concerned at their current state. As well as an importance as natural habitats, they are also a recreational resource for many, including use for swimming and other water-borne activities;**
- 2. The recent success in Ilkley in designating parts of the River Wharfe as bathing waters, and the increased regulatory protection that has resulted;**
- 3. The historically low level of funding which the Environment Agency has available to enforce existing regulatory controls.**

#### **This Council therefore resolves to call upon the executive to:**

- 4. Investigate seeking designation of appropriate stretches of the Wye and Lugg to be officially identified as bathing water.**
  - 5. Urge concerned residents to support the River Action petition, which asks the English and Welsh governments to double the Environment Agency and Natural Resources Wales's regulatory budgets so that they can more effectively enforce the existing legal protections for the Wye and Lugg;**
  - 6. Forward this resolution to the Members of Parliament in Herefordshire, to ask them to support the campaign by River Action for increased funding for the Environment Agency.**
  - 7. Forward this resolution to other English and Welsh councils in the Wye Valley to ask them to support the campaigns for bathing water status and for increases in regulatory budgets.**
- 7 The constitution provides that the report to Council containing notices of motion on hand will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to three motions considered at earlier meetings of full Council. The resolutions and updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
12 July 2019	Community Infrastructure Levy	The decision taken on the update to the Core Strategy on 9 <sup>th</sup> November, see: <a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296</a>

		<p>This included resolution as follows: (e) work on progressing a Herefordshire Community Infrastructure Levy should be put on hold pending the outcome of the significant proposals for reform of planning obligations in the White Paper</p> <p>The outcome of the Planning White paper is still awaited, we remain unsure when a new Planning Bill will be published by the Government or a new system implemented</p>
<p><b>RESOLVED:</b></p> <p>That this Council asks the executive to investigate the adoption of the Community Infrastructure Levy as a matter of urgency, ensuring it is implemented for Herefordshire no later than January 2021.</p>		

Date of meeting	Motion	Current Status
17 July 2020	Tree Strategy	<p>An executive response is being prepared for October 2021.</p> <p>This will jointly respond to the Tree Strategy and Decline in hedgehog population motions proposing the development of a more comprehensive Nature Strategy to further protect and enhance local biodiversity.</p>
<p><b>RESOLVED:</b></p> <p>We call upon the executive to expedite the delivery of a detailed tree strategy for the county. A 2014 draft document exists that might provide the basis for a new strategy which will reinforce our commitment to the environment and align with our declaration of a climate emergency.</p> <p>The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.</p> <p>Furthermore, in the interim and as a matter of urgency, we ask the executive to consider what can be done to protect existing trees and to take immediate action by planting, maintaining and protecting trees in order to have established growth by 2030.</p>		

Date of meeting	Motion	Current Status
9 October 2020	Decline in hedgehog population	An executive response is being prepared for October 2021.

	<p>This will jointly respond to the Tree Strategy and Decline in hedgehog population motions proposing the development of a more comprehensive Nature Strategy to further protect and enhance local biodiversity.</p>
<p>RESOLVED: That –</p> <p>A recent study has shown that the UK population of Hedgehogs has declined from around 30 million to only 1 million. Whilst it is not yet a European Protected Species it is a British mammal where the population is in steep decline and I am calling upon our executive to please consider ways in which Herefordshire Council can include measures for adaptation, mitigation and for the protection of Hedgehogs to a level comparable to that required for European Protected Species.</p>	

## Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."
- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

## Equality duty

- 10 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
 

A public authority must, in the exercise of its functions, have due regard to the need to –

  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. If any motion results in a request that the executive (cabinet) consider taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

## **Resource implications**

- 12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

## **Legal implications**

- 13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

## **Risk management**

- 14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

## **Consultees**

- 15 None.

## **Appendices** – none

## **Background papers** – none identified