

Minutes of the meeting of Council held at Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Friday 8 October 2021 at 10.00 am

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Barrum, Christy Bolderson, Tracy Bowes, Ellie Chowns, Gemma Davies, Barry Durkin, Toni Fagan, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Probert, Paul Rone, Louis Stark, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Democratic services manager, Chief Executive and Acting deputy chief executive - solicitor to the council and Democratic Services Manager

10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dave Boulter, Pauline Crockett, Elizabeth Foxton, Mark Millmore, Alan Seldon, Nigel Shaw and John Stone.

11. DECLARATIONS OF INTEREST

Councillor David Hitchiner declared an other interest in the Belmont motion at agenda item no 12; living within a mile of the proposed Belmont conservation area.

Councillor Tracy Bowes declared an other interest in the Belmont motion at agenda item no. 12; living in the electoral ward of Belmont Rural within which the proposed conservation area was located.

Councillor Christy Bolderson declared a schedule 1 interest in the Belmont motion at agenda item no, 12; living within the proposed conservation area.

Councillor Bob Matthews declared an other interest in the Belmont motion at agenda item no. 12; living in close proximity to the proposed conservation area.

There was one further declaration of interest at the meeting; please see minute 17 below.

12. MINUTES

RESOLVED: That the minutes of the annual meeting held on 28 May 2021 be confirmed as a correct record and signed by the Chairman.

13. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman's and Chief Executive's announcements as printed in the agenda papers.

(There was an adjournment at 10:20 a.m., the meeting reconvened at 10:54 a.m.)

14. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 9 - 10)

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

15. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 11 - 14)

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

16. SUBMISSION OF MINERALS AND WASTE LOCAL PLAN (MWLP)

Council considered a report by the cabinet member finance, corporate services and planning concerning the submission of the Herefordshire minerals and waste local plan to the secretary of state for examination in public. The cabinet member finance, corporate services and planning introduced the report and proposed the recommendations in the report. She proposed an alteration to the minerals and waste local plan that the wording relating to the impact of Leinthall Quarry on local heritage assets (page 2-17 of the Herefordshire Minerals and Waste Local Plan). The original wording to demonstrate the level of effect was to be retained to read as follows:

Need to demonstrate the level of effect on heritage assets and their settings, particularly Croft Ambrey Hill Fort and Croft Castle Park.

Council debated the report and expressed support for the submission of the minerals and waste local plan to the secretary of state for examination in public. Council was supportive of the proposed alteration to wording relating to the impact of Leinthall Quarry on local heritage assets.

The cabinet member environment and economy seconded the recommendations in the report and agreed the alteration outlined above to the minerals and waste local plan relating to the impact of Leinthall Quarry on local heritage assets.

The recommendations in the report, subject to the alteration outlined above, were put to the vote and were carried.

RESOLVED – that:

- a) the draft MWLP development plan document (see background papers) and the schedule of suggested main modifications and minor changes (Appendix A) be approved for submission to the Secretary of State for examination in public;**
- b) authority be delegated to the Assistant Director Regulatory, Environment and Waste, following consultation with the Cabinet Member Finance, Corporate Services and Planning, to make any additional minor textual, or graphical amendments to the MWLP or its associated documents and these then added to the schedule of suggested minor changes, prior to the MWLP being submitted to the Secretary of State;**

- c) it be agreed that the Planning Inspector be invited to recommend any main modifications necessary to the MWLP in order to find it legally compliant and sound; and
- d) it be agreed that delegated authority be given to the Assistant Director for Regulatory, Environment and Waste and to the Lead Development Manager to agree, with the Planning Inspector, any additional modifications to the MWLP, if it is appropriate and necessary to do so, in order to facilitate efficient progress of the Plan through the examination process. Subsequently, such modifications will be subject to public consultation.

17. UPDATE ON THE IMPROVEMENT PROGRAMME WITHIN CHILDREN AND FAMILIES DIRECTORATE FOLLOWING PUBLICATION OF OFSTED FOCUSED VISIT JULY 2021

Council considered a report by the cabinet member children and families concerning an update on the improvement programme within the children and families directorate following the Ofsted focused visit July 2021. The cabinet member children and families introduced the report and proposed recommendation in the report.

Council debated the report and the following actions were raised during the debate:

- A written response would be provided on progress made with the resolution agreed at the April 2021 extraordinary meeting concerning exit interviews.
- A written response would be provided and information in a further update to full Council including detail of the following:
 - An overview of the legal department resources in relation to children’s social care;
 - A breakdown of the numbers of social workers in preference to the use of %;
 - An overview of the structure of legal and children’s services with details of the resource at each level;
 - The caseloads for social workers;
 - Initiatives to develop in-house training to ‘grow-our-own’ social workers.
- A written response would be provided with an update on the care concerns helpline.
- A written response would be provided with details of any additional funding identified for early help services to assist the improvement programme.
- A written response would be provided with details of the vacancy rates in children’s services and whether the situation was improving.
- A clear timetable of dates for reports concerning the improvement programme would be completed and circulated to all members.
- There would be consideration of the hosting of children’s performance challenge sessions in the evening or a facility to record the sessions and make available to all members.
- A written response would be provided with an explanation as to how social workers would feel that they had a stake in or ownership of the improvement plan would be included in the next update report to Council.
- Clarification would be provided concerning the wording contained in paragraph 31 in the report.

Councillor Roger Phillips declared an other interest in agenda item no. 8, update on the improvement programme within the children and families directorate as Chair of Herefordshire Youth Justice Panel.

The Leader seconded the recommendations in the report which were put to the vote and were carried.

RESOLVED – that:

a) Council note the outcome of the Ofsted focussed visit on the 7 – 8 July; and

b) Council note the progress to date against the service priorities identified by Ofsted and other independent reviews undertaken.

18. REVISION OF CAPITAL PROGRAMME BUDGET FOR PRIORITY FLOOD WORKS

Council considered a report by the cabinet member transport and infrastructure concerning the revision of the capital programme budget for priority flood works. The cabinet member transport and infrastructure introduced the report and proposed the recommendations in the report.

Council debated the report and the following actions were raised during the debate:

- To provide an update on the flood risk strategy to all members.
- To consider a strategic overview of weight restrictions.
- The cabinet member transport and infrastructure would discuss Daycroft Lane with the member for Kerne Bridge.

The cabinet member finance, corporate services and planning seconded the report, the recommendations were put to the vote and were carried.

RESOLVED – that:

a) Council approves in year adjustments to the capital programme set out in paragraph 11 below to allow realignment of capital spend to flood repair projects that require the allocation of budget within the programme budget of £4.027m as follows: Fownhope Landslip Budget reduced from £1.565m to £0.510m Fownhope Retaining Wall Collapse budget increased from £1m to £1.15m Unallocated budget of £905k from combined Fownhope budgets remains as contingency for remaining flood works; and

b) The Cabinet member for infrastructure and transport is delegated authority (in consultation with the Section 151 officer) to realign the Whitney on Wye and/or the Various Damage site budgets as costs for these works are confirmed.

(There was an adjournment at 1:07 p.m.; the meeting reconvened at 1:41 p.m.)

19. 2020/21 TREASURY MANAGEMENT OUTTURN

Council considered a report by the cabinet member finance, corporate services and planning concerning the 2020/21 treasury management outturn. The cabinet member finance, corporate services and planning introduced the report and proposed the recommendations.

Council debated the report.

The Leader seconded the report.

The recommendations in the report were put to the vote and were carried.

RESOLVED – that:

a) The treasury management outturn for 2020/21, as detailed in appendix A, be approved

20. LEADER'S REPORT

Council received and noted the Leader's report which provided an update of the work of the cabinet since the previous ordinary meeting of Council in March 2021. The report also provided annual reports from outside bodies.

Council questioned the Leader and the following actions were raised:

- To provide a written response to a question concerning the take-up rates of business support offered through the covid recovery plan.
- To provide a written response to a question to clarify if the Council purchased the Maylords centre below market value.
- To provide a written response to a question concerning confidentiality agreements and financial implications of staff leaving children's services.
- To investigate the use of lists of businesses held by business rates department for use in publicity for the business summits to be held in the market towns.
- To provide a written response regarding the latest calculation of how council's decision-making is responding to the climate emergency.
- In relation to the children and families improvement programme, a schedule would be circulated to all members with detail of where information can be accessed, when briefings/performance challenges are scheduled, when scrutiny meetings were scheduled and where information could be located online.

21. NOTICES OF MOTION UNDER STANDING ORDERS

Motion – Cabinet posts – Children's Services and Adult Social Care

Councillor Jim Kenyon moved the motion.

Council debated the motion. In summary, the value of cross-party representation on the cabinet was recognised however the change that was proposed in the motion should be considered through the re-thinking governance process.

Councillor Terry James seconded the motion.

The motion was put to the vote and was lost by a simple majority.

(Councillor Christy Bolderson left the meeting room)

Motion – Belmont

Councillor Bowes moved the motion.

A recorded vote was requested which was supported by eight members of the Council.

Council debated the motion. In summary there was support for the appraisal of the Belmont area for designation as a conservation area however such appraisals should be considered for all sites of significant historic interest.

Councillor Jeremy Milln seconded the motion.

An alteration to the motion was proposed to include the following wording: *This council calls upon the executive to appraise all sites of significant historic interest that are not currently conservation areas with a view to reviewing whether more conservation areas should be approved.* The alteration was accepted by the proposer and seconder of the motion.

The motion, subject to the alteration outlined above, was put to the recorded vote and was carried by a simple majority.

For (39): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bowen, Bowes, Chowns, Davies, Durkin, Fagan, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, James, Jinman, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Milln, Norman, Price, Stark, Summers, Swinglehurst, Symonds, Tillet, Toynbee, Tyler, Watson and Wilding.

Against (1): Councillor Rone

Abstain (1): Councillor Probert

RESOLVED – that:

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; and

This council calls upon the executive to appraise all sites of significant historic interest that are not currently conservation areas with a view to reviewing whether more conservation areas should be approved.

(Councillor Christy Bolderson returned to the meeting room)

Motion – Wye and Lugg bathing water

Councillor Louis Stark moved the motion.

Councillor Jeremy Milln seconded the motion

Council debated the motion. In summary the improvement to water quality from the proposal was supported but there was concern that the proposal would encourage swimming in dangerous and environmentally sensitive rivers.

The motion was put to the vote and was carried by a simple majority.

RESOLVED – that:

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.**

The meeting ended at 4.10 pm

Chairperson