

HEREFORD CITY COUNCIL

MINUTES OF COUNCIL MEETING 3rd March 2020

Present: The Right Worshipful the Mayor Councillor Kath Hey and Councillors Butler, Dykes, Foxton, Hornsey, Hunt, Kenyon, Milln, Oliver, Powell, Stevens, Tillett, Toynbee (from 6-05 pm) Tyler, Wilcox and Williams

Attending: Steve Kerry Town Clerk, Tracy Morriss Deputy Town Clerk, and representatives of Bloor Homes and DM Labs

C2019/20.81 APOLOGIES FOR ABSENCE

Apologies were noted from Councillors Andrews and Boulter

C2019/20.82 DECLARATIONS OF INTEREST

Councillor Tyler declared an interest in respect of Item Seven Large Grant to Hinton Community Centre as she knows one of the applicants. The Mayor advised that due to a decision by Governance and Procedures Committee, which would be reported to Council later on the agenda, this matter would not now be considered. Councillor Kenyon declared an interest in the Item Nine Donations to Sports Clubs in that he has played rugby at the ground. Councillor Powell declared an interest in the same item in that he is currently doing some voluntary coaching.

The Clerk advised that current non pecuniary interest such as those mentioned by Councillors Tyler and Kenyon should only be declared if they were sufficiently close that a member of the public might reasonably believe that the Member would be incapable of coming to an objective conclusion and would have pre-determined the matter. If an interest is declared the Member must not take part in the debate and leave the room. It was a matter for members to judge whether they needed to make such a declaration on the basis of slight acquaintance or a peripheral connection with a matter.

The Clerk also said he had been asked to say something in his correspondence about pre-determination but it would be appropriate to do so now. It was generally the case that whilst members will always discuss matters informally outside the chamber before meetings, it was not good practice to commit finally to any position until all the issues have been aired in a debate and members have had a chance to listen to everyone's views. The impression of having pre-determined any matters should be avoided.

C2019/20.83 PUBLIC PARTICIPATION

There was none.

C2019/20.84 MINUTES OF PREVIOUS MEETING

After Councillor Tillett asked for a typing error to be corrected it was proposed by the Mayor and unanimously

RESOLVED That the minutes of the Council Meeting of 21st January 2020 be accepted as a true record and signed accordingly by the Mayor.

C2019/20.85 PRESENTATION BY BLOOR HOMES

The Mayor invited the representatives of Bloor Homes to present their plans to Council for a large development in Lower Bullingham. This is a matter on which the City Council will be consulted as part of the planning process as an adjacent parish, the development being very close to the City boundary.

It was explained that the development is on land designated in the core strategy for Herefordshire for housing development and is therefore a compliant application. There is a cap on the development potential of the site which restricts development until a new bypass is in place, but even with that cap there is potential for around 420 homes. Extensive consultations have taken place with Lower Bullingham Parish Council and other stakeholders on the details of the application. The application was for 35% affordable, which was to be a mix of social renting and starter homes for first time buyers. The scheme included a primary school, a park and choose facility to encourage public transport use, cycling or walking, an extensive network of foot and cycle paths and areas of green space and small hubs within the development.

In response to the presentation members raised a number of concerns as listed below.

It may help with the dwelling cap and improve the viability of the development if Bloor support those lobbying for an eastern river crossing linking Rotherwas to Tupsley to alleviate through city traffic. Investment now in this development rather than waiting years for a western route to be completed, if it ever is, would be a wise move for the developer an enhance the potential of the site whilst delivering a sustainable benefit to the City.

42 objections have been received from residents by far the majority raising concerns about flooding. The representatives explained that their hydraulic modelling of the plans had assessed a flood level far beyond previous, a one in one hundred year event with a 30% safety margin. They were confident that they could manage flood alleviation on the site.

It was further suggested that conventional solutions of the kind used in such modelling were not working any more as the climate changes and very heavy rain becomes more common. By replacing fields with hard surfaces whatever attenuation measures were on site, there would be increased run off and increased problems in the wider area, and this would exacerbate local flooding.

There was a query as to whether the percentage of affordable home envisaged in the largest model of development would still apply to the reduced development if the cap remained in place. It was stated that this was Bloor's intention. However, if the cap remained the resolution would be discussed with the education authority about when the planned school would be brought forward.

It was noted that the last attendance at a meeting of Lower Bullingham Parish Council had been about a year ago, ie before the recent elections so some new members of that council would not have had the benefit.

Would the development be dependent on gas boilers, would there be a neighbourhood heating scheme and would the development be in line with planned future regulations and standards concerning provision for electric cars? Also, how

many single bedroom homes would there be? It was stated that there was an awareness of planned changes to building regulations and the development was being future proofed in that respect. However, there was no confirmation of a planned combined heat and power scheme for the development. In answer to the further question it was noted that the percentage of one bedroomed accommodation, ideal for younger first time buyers, was likely to be very small.

There was a concern about the school related traffic on Green Crize and Hoarwithy Road both of which are narrow and already serve two local schools.

The Clerk explained that he would collate the concerns into a draft response for approval by Planning Committee on Thursday 5th March. As a neighbouring parish we would not have speaking rights unless Lower Bullingham wanted to share their three minute allocation, which was highly unlikely. The City Council's response was therefore going to be written.

The Mayor thanked the representatives of Bloor for their time and they left the meeting.

C2019/20.86 PRESENTATION BY DM LABS

The Mayor clarified that DM Labs have been awarded the contract for developing the new website as agreed by Community Development Committee, the purpose of this presentation being to meet the requirement of that Committee that all members are shown how the new site could look.

Mr Chris Tipping from DM Labs presented three possible layouts for the new site. He stressed that accessibility standards and all legal requirements would be built in. He explained that as a local company there would be plenty of training for staff and it was envisaged that several would be able to input information onto the site. Editorial control would be built in to ensure quality of content. He also confirmed that he was looking at the whole social media presence, not just the website. All designs would be circulated for comments by members. It was noted that if a building is to be shown on the front page it should be the town hall rather than the cathedral. The focus would be on crisp clear text, good eye catching images and a very useable and flexible website to meet our developing needs.

In answer to a question on timescales, Mr Tipping confirmed this is largely dependent on the time the Council takes to respond to requests for comments but if these are brisk it could be at a good model stage for testing in three or four weeks.

There being no further questions the Mayor thanked Mr Tipping for attending and he left the meeting.

C2019/20.87 LARGE GRANT APPLICATIONS

Councillor Kenyon gave an account of the discussion at Community Development Committee regarding the application from Three Choirs for £24,000 to support the Community Outreach as part of the Festival in Hereford in 2021. The whole Committee had been impressed by the quality of the programme proposed and had examined it very carefully. There had been unanimous support for the application. He was happy to propose acceptance by Council.

There were no further questions or comments so it was proposed by Councillor Kenyon, seconded by Councillor Tyler and unanimously

RESOLVED That Council accepts the recommendation of Community Development Committee that a large grant of £24,000 be made to Three Choirs to support the Community Outreach programme in Hereford in 2021.

Regarding the second large grant referred to Council by the Community Development Committee, Councillor Kenyon asked that this item be now withdrawn from the agenda as the Governance and Procedures Committee had resolved the need for support in another way which made the grant application unnecessary.

It was agreed to withdraw this item from the agenda.

C2019/20.88 MOTION TO COUNCIL “20 IS PLENTY”

As proposer of the motion Councillor Milln explained that a similar motion is being presented to Herefordshire Council and several of the county’s market towns. It was part of a national campaign to reduce speed and where it had been applied there was good evidence that it reduced both the number and the seriousness of collisions and injuries. It was more about a progressive modification of driver behaviour than immediate enforcement and it was recognised that police forces were generally sceptical about their powers to enforce but nonetheless driver behaviour did change where the lower limits had been introduced. Passing the motion would send a message to other councils that we are supporting their efforts.

Councillor Tyler seconded the motion, adding that making Herefordshire’s roads safer was a core priority for the county administration and she felt it was entirely appropriate that the City Council supports this initiative within its area too.

In the ensuing debate a number of members indicated that they were supportive of the idea of reducing speed but had two concerns. One was whether a policy without visible police engagement and enforcement would actually be effective and the other was that while many people complain about speeding traffic they also complain about humps and clutter with too many repeater signs for speed controls. The debate focussed on whether it was better to have selected high priority areas targeted for speed reduction with local enforcement or apply a blanket limit, seek to set a new standard of driver behaviour and work for general acceptance of lower speeds.

At the conclusion of the debate it was proposed by Councillor Milln, seconded by Councillor Tyler and by 10 votes in favour to 4 against with 2 abstentions

RESOLVED

That the Council supports the “20 is Plenty” initiative and asks that Herefordshire Council draw up an action plan for the introduction of a default 20 mph limit across the residential streets of Hereford with a programme of implementation to commence before the end of 2020.

C2019/20.89 MOTION TO COUNCIL – DONATIONS TO SPORTS CLUBS

Councillor Dykes moved the motion and briefly set out the urgent issues faced by sports clubs with riverside, or in one case local brook side, locations. They had all

suffered catastrophic damage due to the highest flood levels in the city since records began in the eighteenth century. The situation required an immediate response.

In seconding the amendment Councillor Tillett reminded members of his reluctance to increase tax, or spend on unnecessary projects. He endorsed Cllr Dykes' comment that this was an unprecedented situation and required an immediate response. In his view the primary purpose of the Council was to serve and support the community and these clubs all make a huge contribution. They were well run, well managed and could make immediate use of the money, while they looked into other grant options that might be available to them in weeks and months to come. The Council had the capacity to act urgently and should do so.

Councillor Kenyon added that he agreed with the previous speakers that it was time to show we had faith in these clubs to use the money wisely and to get it to them as soon as possible.

In moving the amendment Councillor Wilcox said he had every sympathy with the clubs and with the intention behind the motion. His concern was to balance that with a proper care for public money. They may be able to get money from insurance or from Sport England, the Football Association in one case, or from other sources and there was a risk that they may be over-compensated. He favoured giving the Community Development Committee at the end of the month devolved authority to make large grants if and when evidence emerged to confirm that this was the correct decision. If that information was forthcoming he would gladly support releasing the money as soon as possible.

In seconding the amendment Cllr Hunt supported Cllr Wilcox's concern for care to be taken to ensure money is spent wisely. He felt that remitting the matter to Committee at the end of the month would allow for that more careful consideration. That said, if the amendment was not passed, he indicated he would support the main motion as he would not wish to do anything that would prevent support reaching the clubs.

Several members spoke in the ensuing debate and it was stated that the Rugby Club had never been able to get flood insurance despite taking precautions such as putting buildings on stilts, which had proved sufficient until now, that the losses and damage had been so severe there was no serious risk of over-compensation and while Herefordshire Council had made very laudable and brisk efforts to compensate businesses and householders there was no immediate source of help for these clubs on the scale required, and that their rapid recovery would be of great community value.

The Clerk was asked to clarify the legal position and said that under the General Power of Competence the Council may do anything a private individual may do unless explicitly prohibited by statute. An individual could make a donation to a local club, and there was no specific prohibition on the Council doing the same thing. S150 and following of the Local Government Act 1972 required members to take reasonable care of public money and that the crux of the matter was that if members felt they had sufficient information about the clubs to be able to identify both a need for an immediate payment and to have confidence that it would be wisely and appropriately spent, they were legally entitled to pass the main motion.

In answer to the debate, Cllr Wilcox confirmed that the amendment did not prevent money reaching the clubs, it was about the necessary control of that process to ensure good use of the money.

The Mayor then called for a vote on the amendment and it was proposed by Councillor Wilcox, seconded by Councillor Hunt that the wording of the original motion be amended to read

“Whilst Council notes the urgent need to support sports clubs affected by floods, it is also important that public money is spent in a way that is accountable and transparent. To this end, the sum of £40,000 will be released from reserves and added to the grants budget. This sum will be carried over to the following financial year. The Community Development Committee is authorised by Council to approve grants of up to £10,000 to any of the sports clubs mentioned in the resolution on the agenda at item nine without further approval from Council to enable money to be paid quickly where there is a clear need, and where other sources of funding such insurance, crowd funding or other grants, will not meet that need. The Community Development Committee is authorised to waive the normal grants procedures as it feels necessary provided it is satisfied it has sufficient information to make emergency grants.”

On being put to the vote there were in favour 3, against 11, abstentions 2 and the amendment was lost. (It was noted that Councillor Powell having declared an interest had left the room.)

It was then requested that if the motion is passed the clubs be requested to keep the Council informed of their progress and how the money is being used. The Clerk will include that request in the letter which accompanies any payments agreed.

There being no further discussion it was proposed by Councillor Dykes, seconded by Councillor Tillet and (with Councillor Powell remaining absent) unanimously

RESOLVED

That Council notes that four local sports clubs have been severely affected by recent flooding with extensive damage to facilities. This affects the ability of those clubs to continue to serve the local community and places a great strain on their resources.

The clubs affected are:

Hinton Football Club

Hereford Rugby Club

Sea Cadets

Westfields Football Club

Council resolves to release £40,000 from the reserves to make emergency donations to each of these clubs of £10,000.

Councillor Powell re-entered the room, Councillor Kenyon apologised that he now had to leave the meeting.

C2019/20.90 LEASE OF SHOP WINDOW IN HIGH TOWN

The Clerk introduced the item and in answer to questions confirmed that there were no onerous planning constraints on static advertising, that business rates had not been factored into the calculation as it was not known if the window had been separately rated and that the condition of payment in advance had been the negotiating point which had unlocked the 20% reduction in the asking price for six months' rental.

It was then proposed by Councillor Stevens, seconded by Councillor Wilcox and unanimously

RESOLVED

That the Clerk is authorised to sign the draft lease with Granville Brittan Limited for the shop window at 3 High Town at a rate of £200-00 per month, for a period of six months.

That, in accordance with the proposed lease, the rent is paid up front at the start of the lease, the total sum being £1,200.

C2019/20.91 MAYOR'S COMMUNICATIONS

The Mayor reminded members that this was her last business meeting as Mayor. She had thoroughly enjoyed her year in office and thanked members for their support. She had been especially pleased to see how the newly elected members this year had taken up their roles and were now making a full contribution to the Council.

The Tourist Information Centre is now up and running and the Mayor acknowledged the tremendous work Ben Corbet has done since his appointment. There would be a "soft launch" with a ribbon to cut in a couple of weeks.

Tickets are still available for the Mayor's Charity Ball.

The next Parish Summit with Herefordshire Council was announced.

C2019/20.92 DRAFT MINUTES OF COMMITTEES

Councillor Wilcox presented minutes of two meetings of Governance and Procedures Committee, those for 28th January 2020 had been circulated with the agenda, those for 25th February 2020, and the confidential minute of one item, had been laid on the table at the start of the meeting. On the matter of paying to employ someone at Hinton Community Centre Cllr Oliver queried how this was different from arrangements at Saxon Hall where the Association pays for its own staff. The background to the item and the change in position by Herefordshire Council was clarified and it was stressed that his was a one year solution to enable continuity of service at an important centre.

Councillor Stevens presented the minutes of the Finance and Policy Committee of 14th January 2020, there were no questions. It was announced that the next meeting had been cancelled as there was no urgent business, the next meeting of the Committee would therefore be 28th April 2020.

In the absence of the Chair and Vice Chair the Mayor presented the minutes of Community Development Committee on 4th February and the grants meeting of the same Committee on 10th February 2020. Further to the point raised earlier by Councillor Oliver it was pointed out that the grant application from Hinton had reflected that they had never needed to pay to secure the services of a centre manager before and had not been able to absorb this cost at short notice.

In the absence of the Chair, Councillor Tyler presented the minutes of the Planning and Highways Committee of 6th February 2020. There were no questions but she suggested that all members should receive a copy of the report noted in those minutes about the high street and town centre regeneration conference attended by the Clerk as she felt it would be of wide interest.

The minutes of the Youth Council of 28th January 2020 were also tabled and would be an agenda item in future.

C2019/20.93 REPRESENTATIVES TO OUTSIDE BODIES

It was noted that with her apologies for this meeting Councillor Boulter had submitted a brief report in writing on each of the bodies she serves on.

Municipal Charities Councillor Boulter reported a meeting on 2nd March where candidates for the waiting list were interviewed. There is currently a waiting list of 16. Herefordshire Council have given permission for continuing work on the wall in Whitecross Road. The next meeting is Friday 6th March.

Market Town Forum The first meeting for many months is on Friday 6th March, Cllrs Hunt and Andrews are the delegates.

Enterprise Stakeholder Group Councillor Hornsey reported that the key issue at the moment is graffiti and it is possible that a graffiti wall may be built for local "artists". The members are introducing a wellbeing programme for their staff.

Three Choirs Councillors Foxton and Hornsey reported no meeting yet, but the grant application had been agreed earlier for the festival next year.

Twinning Association Councillor Dykes reported he had met the Association's officers has established a good rapport and has written an article for their magazine.

City Tourism Group Councillor Hornsey had nothing to report.

Hereford in Bloom Councillor Boulter reported a recent meeting at the Town Hall and on a project to work on the beds at the station. A solution is still sought for the Edgar Street roundabout as lorries keep mounting the kerb. The working group to review the service level agreement includes Cllrs Boulter and Toynbee and is supported by the Deputy Clerk.

NMiTE Working Group Councillor Stevens reported that the planned intake of the first 50 students to embark on the full degree programme had been set back to September.

Close House Councillor Boulter reported a meeting on 17th January and that all is well and work is continuing. There are some difficulties with using St Peter's for some activities while the floor is repaired so they are looking for other venues. Revd Rob

North, Prebendary Kay Garlick and Mrs Dij Priday have been approached as possible board members. The boiler has been replaced. The next meeting (AGM) will be on 20th March 2020.

BID Group Councillor Stevens reported the old board had now resigned at the end of BID One and following the successful ballot a new Board would be appointed to manage BID Two. There was a very different feel to the organisation now and plans for Christmas may well be significantly different. In answer to a question it was confirmed that outdoor music paid for by the City Council had taken place on Wednesday evenings and on a Saturday but had been hit by atrocious weather and had not been very successful.

Area Plan Working Group Councillors Powell and Stevens had nothing to report. The Clerk said he had written to the responsible cabinet member to ask that issues not related to the bypass now be progressed. This has been acknowledged and comments from Herefordshire's officers sought, but there had not been a full reply.

Community Land Trust Councillor Milln reported that a study into potential uses for vacant buildings in the City had been completed but was commercially sensitive so could not be released yet in any detail. He is speaking with Connexus about improving pre-application advice for potential developers of small housing sites that would be suitable for community building projects.

C2019/20.94 TOWN CLERK'S COMMUNICATIONS

The Clerk reported he had no matters to communicate which was met with applause.

C2019/20.95 DATE OF NEXT MEETINGS

Tuesday 11th May 2020 at 6 pm – Annual Meeting of the Council and Mayor-making

Tuesday 19th May 2020, at 6 pm, General business and election of committees etc.

There being no further business the Mayor declared the meeting closed at 8-29 pm

Signed

Date