

**HEREFORD CITY COUNCIL**  
**GOVERNANCE AND PROCEDURES COMMITTEE 28<sup>th</sup> April 2021**

**MINUTES OF MEETING**

**Present:** The Right Worshipful the Mayor Councillor Kath Hey and Councillors Wilcox (Chair), Andrews, Boulter, Powell, Stevens, Toynbee and Williams.

**Attending:** Steve Kerry Town Clerk, Becci O'Reilly Committee, Events and Contracts Officer

At the start of the meeting the Chair confirmed it was taking place under the Covid regulations for online meetings using zoom technology.

**GP2020/21.54 CONFIRMATION OF MEMBERS' ABILITY TO TAKE PART**

It was confirmed that all members of the Committee could see and hear the business and be seen and heard.

**GP2020/21.55 CONFIRMATION OF PUBLIC ACCESS**

It was confirmed that the meeting was being live streamed and was being recorded.

**GP2020/21.56 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Dykes.

**GP2020/21.57 SUBSTITUTIONS**

Councillor Dykes had appointed Councillor Toynbee as substitute. The Chair thanked Councillor Toynbee for joining the meeting and confirmed she had received all the papers, including the password protected confidential items.

**GP2020/21.58 DECLARATIONS OF INTEREST**

None

**GP2020/21.59 MINUTES OF PREVIOUS MEETINGS**

The Chair asked if there were any challenges to the accuracy of the various minutes due to be approved or whether they could be taken as a single item. It was noted that there were no challenges, so it was proposed by Councillor Williams, seconded by Councillor Andrews and unanimously

**RESOLVED That the minutes of the meetings of 29<sup>th</sup> September 2020, 16<sup>th</sup> February 2021, confidential minutes of 16<sup>th</sup> February 2021, minutes of 23<sup>rd</sup> March 2021 and confidential minutes of 23<sup>rd</sup> March 2021 be accepted as a true record and signed accordingly by the Chair.**

**GP2020/21.60 SHROPSHIRE COUNCIL PAYROLL SERVICES AGREEMENT**

The Clerk introduced the report and explained that Shropshire Council had run the Council's payroll for several years, giving a very good service and liaising effectively with HMRC and the Council's pension provider Worcestershire Council. Their price remained competitive against the other local public sector provider Hoople and to avoid the disruption of changing payroll service he was recommending that the service level agreement proposed be accepted for three years. In answer to a question it was

confirmed that there are private sector payroll providers but these do not provide the knowledge of service conditions and pay agreements that a public sector provider is able to offer.

After a brief discussion it was proposed by Councillor Stevens, seconded by the Mayor and unanimously

**RESOLVED That the Council accepts the proposed service level agreement from Shropshire Council for the provision of payroll and related services for three years.**

#### **GP2020/21.61 POLICY ON LOCAL GOVERNMENT PENSIONS**

The Clerk introduced the report and explained that the technicalities of pensions were notoriously complicated, and even the explanatory notes accompanying this item were quite difficult to grasp in detail. However, it was clear that the majority of councils had adopted a policy of allowing themselves discretion in exceptional circumstances, as not to do so could leave the council's discretion unreasonably fettered. Deciding what was an exceptional circumstance would rest with the council looking at the merits of each case.

The Chair confirmed that discretion was for exceptional circumstances only, and the Committee, Events and Contracts Officer asked members to note that in some places a justification was suggested, that the use of discretion would enable operational decisions or savings to be made. It was to allow such consideration that the retention of discretion in exceptional circumstances was suggested.

It was then proposed by Councillor Wilcox, seconded by Councillor Andrews and with two abstentions

**RESOLVED That wherever such a discretion exists, the Council will retain discretion to be applied in exceptional circumstances.**

Noting that this would cover almost all the decisions required, the Chair asked for a separate vote on the matter of flexible retirement, where this would be granted only if there is a clear advantage to the council from doing so.

It was proposed by Councillor Wilcox, seconded by Councillor Andrews and with two abstentions

**RESOLVED That discretion to allow flexible retirement would only be allowed where there was a clear advantage to the Council from doing so.**

#### **GP2020/21.62 STANDING ORDERS**

The Clerk reminded members of the incident when after the draft budget had been considered at Committee a member had moved an amendment without any notice to reduce the proposed council tax increase for the year 2019/20. This had required an immediate recalculation of the proposals to advise members of the effect on the budget of the proposed change. The purpose of the change to standing orders was to introduce a requirement that a change of that nature should be the subject of sufficient notice to enable the Clerk as Responsible Financial Officer to work out the implications of the proposed change on the council tax level and the proposed budget and to give members sound advice. It did not prevent the budget being altered, and

only applied to changes which would affect the overall tax level – not to changes from one cost centre to another to reflect a change in priorities.

Several members spoke to support this proposal as it was felt that last minute proposals to change the budget placed the RFO in a very difficult position and it was not onerous to ask members to give reasonable notice of such an amendment. This was also supported by the Finance and Policy Committee.

It was then proposed by Councillor Williams, seconded by Councillor Toynbee and unanimously

**RESOLVED to recommend to Council to insert a new section “o” in Standing Order 1 “Rules of Debate at Meetings” and renumber accordingly. The new Standing Order to read “No amendment to the annual budget shall be moved at Council which has the effect of increasing or decreasing the annual budget or precept unless the Responsible Financial Officer has been given five working days’ notice, to enable them to report to Council on the effect of the change. (Amendments which alter the allocation of funds between budget headings, but do not affect the precept value, may be moved as in sections a to n above”.**

#### **GP2020/21.63 TERMS OF REFERENCE FOR COMMITTEES**

The Clerk introduced this item and explained that the proposal to merge Finance and Policy Committee with Governance and Procedures Committee had been agreed in principle by Council some months ago, for implementation with the new committee elections in May at full Council. This paper set out the detailed terms of reference for the new committee entitled Policy and Resources. It also set out proposed terms of reference for the Employment Panel which had been discussed at the time the new Committee was proposed as a standing committee of members to meet as and when necessary to deal with staffing disputes and hearings. Otherwise the proposed terms of reference were simply an amalgamation of the two committees’ roles, with some tidying up of wording to avoid repetition and prolix detail.

In addition, the Community Development Committee had responded to a proposal for more attention to be given to climate and biodiversity issues by setting up a sub - committee. That sub-committee had met formally twice and once for an informal briefing by a colleague from Stafford Borough Council, and had concluded that it could carry on its business more efficiently as a full committee. At their direction the Clerk had prepared terms for reference for a new Climate and Biodiversity Committee, based on the original ones for the sub-committee but with more authority to act.

In answer to a query it was confirmed that there is no particular science about the number proposed, and if more members are interested than the official number set out, it has been known for council to agree to increase a committee, for example Community Development had been set at ten, but at one time was thirteen and is now eleven.

It was suggested by members that some more thought could be given to the precise role of the Employment Panel and it was confirmed that this could wait until the first meeting of Policy and Resources Committee who could take it on their agenda to resolve. The Mayor expressed the view that the original purpose of the Employment

Panel had been resolving cases such as grievances, disciplinaries, sickness reviews and this should remain its focus; but that there was no problem with asking Policy and Resources to do the detailed work on those terms of reference. There was a suggestion from the Chair to change the wording of paragraph 29 of the terms of reference but this was not supported and the text was unamended.

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

**RESOLVED**

**That the proposed terms of reference for Policy and Resources Committee be recommended for acceptance to Council in May.**

**That the Policy and Resources Committee should resolve the terms of reference for the employment Panel.**

Councillor Toynbee then commented as Chair of the Climate and Biodiversity Sub-Committee that the suggestion of changing this to a committee was welcomed by members, but asked for the wording to be altered in two areas.

It was proposed by Councillor Toynbee, seconded by Councillor Powell and unanimously

**RESOLVED That the proposed terms of reference for the Climate and Biodiversity Committee be recommended for acceptance to Council in May with an amendment to the wording of paragraph 3 “To approve items of expenditure up to £10,000 per annum from the Parks and Open Spaces and Street Scene budgets to deliver improvements in either, responding to climate change or biodiversity” and paragraph 5 “To continually review literature and scientific evidence on matters relating to climate change and biodiversity and good practice from other council’s and organisations”.**

**GP2020/21.64 ITEMS FOR FUTURE MEETINGS**

Noted that this was the last meeting of this Committee. The next meeting would be of the Policy and Resources Committee which would consider the election of a Chair and Vice Chair, the recommendation of draft accounts and the Annual Governance and Accounting Report to Council and the terms of reference for the Employment Panel.

Members thanked Councillor Wilcox for his two years as Chair of the meeting, and he thanked members for their contributions and support over the years.

**GP2020/21.65 DATE OF NEXT MEETING**

Noting that the Annual Meeting of Council would now take place on 18<sup>th</sup> May 2021, it was agreed that the first meeting of the Policy and Resources Committee would be on Tuesday 15<sup>th</sup> June 2021 at 6 pm.

**GP2020/21.66 EXCLUSION OF THE PRESS AND PUBLIC**

The next item was the conclusion of discussion on the staff restructuring. This would inevitably involve the consideration of personal information about individual staff members and was therefore confidential business. It was moved by the Chair, seconded by Councillor Stevens and unanimously

**RESOLVED That in accordance with the Public Bodies (Admission to Meetings) Act 1960 S1(2) the press and public be excluded and the deliberations of the committee be regarded as confidential.**

At this point the live streaming was discontinued, the recording was stopped and Becci O'Reilly left the meeting.

**GP2020/21.67** At the conclusion of the confidential business the meeting was closed at 8.20 pm.

Signed .....

Date .....