

HEREFORD CITY COUNCIL
COUNCIL MEETING 25 January 2022

MINUTES OF MEETING

Before the meeting, the Mayor asked a representative of the City's Jewish community to lead prayers both for the meeting and in commemoration of the upcoming Holocaust Memorial Day.

Present The Right Worshipful the Mayor Councillor Paul Stevens and Councillors Andrews, Boulter, Carwardine, Dykes, Foxton, Hey, Hornsey, Milln, Oliver, Owens, Powell, Tillett, Toynbee, Tyler and Williams

Attending Steve Kerry, Town Clerk and Responsible Financial Officer

C2021/22.67 APOLOGIES FOR ABSENCE

Apologies were noted from Councillors Kenyon and Wilcox.

C2021/22.68 DECLARATIONS OF INTEREST

The Clerk reminded members that, in view of the amount of pre-discussion around one item, if a member had come to a settled view that, regardless of what was said in debate, they had pre-determined their vote they should declare that and then withdraw from the meeting regarding that item, on the grounds of pre-determination. This did not mean members could not have an opinion now, only that they should be prepared to listen and consider changing that opinion when all arguments are presented, before making their final decisions.

There were no declarations of interest.

The Mayor stated that he would have declared an interest in the item for a large grant from Hereford Business Improvement District as he is the Chair of that group, but they had reported that they had sufficient funds to proceed with their project and had asked to withdraw their application for a large grant from the Council. This item would therefore be deleted from the agenda.

C2021/22.69 PUBLIC PARTICIPATION

None.

C2021/22.70 MINUTES

It was proposed by Councillor Dykes, seconded by Councillor Tillett and unanimously

RESOLVED That the minutes of the Council Meeting of 16 November 2021 be accepted as a true record and signed accordingly by the Mayor.

C2021/22.71 ANNUAL BUDGET, PRECEPT AND COUNCIL TAX

The Clerk introduced the item and reminded members that they had agreed in October 2021, both at Committee and Council, a three year budget strategy and it was important to deliver that. The main concern he had was that he was soon to write the full business case for the electric buses and the preliminary one had stated that the City Council was providing match funding of the revenue to sustain the project. The agreed strategy had been to use some of the Stronger Towns Fund money as a revenue contribution, which is allowed up to 7% of the

total, £60,000pa for three years from the reserves and £50,000pa from the council tax. If the Council decided to pass the amendment there would be no three year commitment and, more importantly, no developing sum within the budget to enable him to say the project was sustainable and funded beyond that. He anticipated that the government would be looking hard at rowing back on capital financial commitments and cited HS2 as an example of how they had already done that. A chink in the armour around this project would be a big risk and could mean the City missing out on £1.7m of inward investment. He also alluded to the low level of public reaction, that most people look at the global bill not the City precept, that every year he gets calls about the tax bills, but always focussing on the bigger cost of the County Council. He reminded members that although we show the Band D figure at £2.19pa, for people on lower incomes, who generally were not in Band D properties and might well be on Universal Credit which includes council tax benefit, this would shrink to nothing depending on their individual circumstances. He therefore recommended the budget as directed by the Policy and Resources Committee and endorsed by the informal meeting of members of that Committee, and others, on 11 January this year. Finally, he drew members' attention to the sheet of comparative data about tax in the market towns of the Council, and that our tax level was 35% of the average within that group.

As Councillor Kenyon had sent his apologies the Mayor invited the seconder of the amendment, Councillor Williams, to speak. He said that in his view we could afford to forgo the tax increase this year because of our historic prudence which had built up substantial reserves. He felt it would show we were listening to concerns about rising costs of living and that we were here to help people, and this would be helpful.

The Mayor asked if a member wished to second the amendment and Councillor Tillett did so. He reminded members of the phrase "a week is a long time in politics" and suggested things had changed somewhat since 11 January, especially the news of a sharp rise in inflation which was projected to get worse. Relentless headlines of bad economic news on many fronts were causing real worry and even a small increase in local council tax would add to that and should be avoided if possible. He also stressed that this is not a simple matter of right and wrong; it is a nuanced debate about the merits of having a long term plan and sticking to it, versus the need to be responsive to changing needs and circumstances. The Clerk was right to be cautious about funding for the capital project and members should balance that with the other relevant facts. Percentages do matter and do attract public attention. It is true that the worst off will be helped, but those just about managing now will face tax increases, national insurance hikes, fuel and energy costs escalating rapidly, 6% inflation and were under real pressure. The reserves are well in excess of £1m and we will get credit with the public for alleviating some small part of the pressure they face.

Councillor Hey said she had listened carefully to the case for the amendment but felt that as a parish council we 'punch above our weight' in terms of our beneficial impact on the City but could, and should, do more. The increase proposed was very small and translated into good value. She thanked the Clerk for his work in the hard slog of getting the buses bid through the Stronger Towns process and accepted his concern that undermining our financial strategy now could put that at risk. We should do what was necessary to keep that project alive and secure the sustainability of the plan.

Councillor Milln thanked the Clerk for the comparison with the market towns and suggested that residents might look at that and think we are not doing as much as we could be doing. This would be our first increase in two years and needs to be looked at in the longer term. If

people accept we are funding an ambitious scheme to bring free electric buses for example, this will not be responded to negatively.

Councillor Oliver reminded members that year on year we have increased our reserves with the underspent sums at the end of the financial year. The net effect of this year's projected underspend will cover the proposed additional drawing on the reserves therefore he will be supporting the amendment.

The Mayor added that we do not budget to underspend, but activities have been curtailed by COVID-19.

Councillor Toynebee referred to the problem of costs increasing generally throughout the economy. We are not immune from that and without a small increase this year we could be risking our most important key project. She understood that politicians always wanted to be able to say, "*I voted to keep your taxes down*", but better a small increase now than a much larger one later, when the reserves were depleted.

Councillor Tyler stated she was pleased we had time to consider the amendment rather than it appearing on the night for a rushed decision. She believed that residents want things done and we can do great things. She therefore supported the budget as proposed.

The Mayor said he would like to think that since being elected he had tried to bring a more business-like approach to the Council with a proper business plan and a financial plan for three years ahead. Staff have spent time creating a budget which expresses that strategy and had done so accurately, and this had been approved by members only two weeks ago. He found it astounding that at such a late stage we had an amendment and wondered what had really changed in that time. He reminded members of the low cost of the increase and the limited to zero impact on the lower income households.

It was then proposed by Councillor Williams, seconded by Councillor Tillett

- that the budget remains unaltered and is set at £1,017,516;
- that the tax level remains at £54.67 for a Band D;
- that the precept remains at £887,412; and
- that additional drawing is made on the reserves of up to £119,904 to fund the electric bus project.

On being put to the vote there were eight in favour and eight against. The Mayor exercised his casting vote against the amendment which was therefore lost.

It was then proposed by Councillor Hey, seconded by Councillor Dykes and by eight votes to seven with one abstention

RESOLVED

- 1. That the Council accepts the recommendation of the Policy and Resources Committee and agrees a total expenditure budget of £1,017,516 and a precept requirement of £923,000.**
- 2. That the Council agrees to increase the Band D tax level to £56.86, delivering the previous mandate for a 4.00% increase to council tax.**

C2021/22.72 BUSINESS PLAN REVIEW

The Clerk introduced the plan and drew members' attention to the fact that, as requested, the report had an appendix which sets out which officers contribute to which parts of the plan. He also pointed out that not all tasks are of equal size throughout the year, for example the work to prepare a cogent response to the Herefordshire Spatial Strategy Review would be very substantial.

Councillor Owens suggested a number of amendments, which were agreed by members:

- Paragraph 3.4.1 to identify British Land as the owners of the Old Market Shopping Centre to avoid an ambiguity.
- Paragraph 3.4.3 transfer this item to the Climate and Biodiversity section.
- Paragraph 4.1.4 add "Lobbying on a wider scale for improvements to the local environment that seek to mitigate and reverse the effects of climate change and which preserve and promote biodiversity".
- In Section 5 add – "To raise the need to facilitate different forms of transport that will reduce negative environmental impacts and improve the quality of life for local residents".

Councillor Hey asked that the use of equalities impact assessments be broadened beyond the grants policy, which the Clerk confirmed could be done but it would take some time. She also asked that regular contact be established to direct the work of the Community Enforcement Officer employed by Herefordshire but funded by the City. The Clerk confirmed this was in the package already agreed with Herefordshire, although there had been a false start in that the Officer appointed had unfortunately resigned after four weeks and the recruitment process would be restarted.

Councillor Milln reminded members of the resolution in March 2020 that we supported the introduction of a 20mph limit as the standard in residential areas should be included in our lobbying aims. This was agreed by members.

It was then proposed by Councillor Hey, seconded by Councillor Owens and unanimously

RESOLVED That the business plan as amended be accepted.

C2021/22.73 ANNUAL RISK ANALYSIS

The Clerk presented the proposed risk analysis report.

Councillor Oliver asked if there should be an additional risk added; namely that a serious accident involving a pedestrian might lead to the bus service being suspended. The Clerk replied that if that were a risk it would be for next year, not this year, and that in any case the operational risk would be carried by the operator, and the responsibility for making the public spaces of the City safe remained with Herefordshire Council.

Councillor Oliver clarified that he was referring to a cessation of the route through the pedestrianised area, the Clerk replied that the bus could be re-routed if necessary. The Mayor added that the bus would move through that area at walking pace with warning lights and a sounder, so the risk of a collision was very low.

The report was accepted without further comment.

C2021/22.74 CODE OF CONDUCT

The Clerk introduced the report which had been approved by the Policy and Resources Committee, with the suggestion on the back page of two amendments which were within the scope allowed for local codes. These were to allow a member who had declared a non-pecuniary interest to remain in a meeting and speak on a matter on which they had made such a declaration, the second was to delegate to him the decisions to allow a dispensation. It was clarified that this delegated power would be the Officer clerking a meeting, which was usually but not always the Town Clerk. This would only be exercised in order to avoid a meeting failing below the quorum level and being unable to decide its resolutions.

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

RESOLVED

That the City Council accepts the Herefordshire Code of Conduct with two amendments:

- 1. That the Code allows members who have declared a non-pecuniary interest to remain in the room and provide factual information to support members in making a decision.**
- 2. That the Code allows for the Clerk at a meeting to exercise discretion in declaring a dispensation to enable a quorum of members to be maintained to enable a decision to be lawfully made.**

C2021/22.75 BIRD NETTING THE TOWN HALL

The Clerk presented the report and explained that there was now a doubt about whether the solution of netting across the whole frontage would be acceptable on a Grade Two* Listed Building. This had arisen somewhat late in the preparation of the scheme. The Conservation Officer had expressed the view that good preventative maintenance removed the main building problem which was of the corrosive effect of accumulated dung and the blocking of gutters and down pipes. It was hard to refute that, but preventative maintenance had been noticeably poor at the Town Hall for many years, and we had an accumulated problem, he suggested amending the resolution to enable the permission to spend on pigeon proofing to be applied to any other feasible solution that did not challenge the Grade Two* Listed Building status.

Councillor Milln said he had been in detailed correspondence with the Conservation Officer on this matter and a local falconer and agreed he would be keen to see a less intrusive solution. He supported the idea of the City Council contributing to an effective solution.

It was then proposed by Councillor Hornsey, by Councillor Andrews and unanimously

RESOLVED

That the Clerk is authorised by Council to offer £10,000 from the Asset Transfer and Service Development budget to fund the more complete netting of the frontage and to fund a limited solution to the rear windowsill adjacent to the City Council offices, or any effective solution that can obtain listed building consent.

C2021/22.76 MAYOR'S CORRESPONDENCE

The Mayor reported that just as things were picking up his engagements had been hit by Omicron. The programme was now beginning to pick up again and he had been taking part in Jubilee tree plantings.

The Mayor asked members to take a copy of the poster circulated about a missing person last seen in the Aylestone Hill area.

C2021/22.77 MINUTES OF COMMITTEES

Councillor Toynbee presented the minutes of the Climate and Biodiversity Committee on 23 November 2021 and reminded members that the next meeting was 1 February 2022.

Councillor Boulter presented the minutes of the Community Development Committee of 22 November 2021, there were no questions.

Councillor Tyler presented the minutes of the Planning Committee on 4 November and 2 December 2021.

The Mayor presented the notes of an informal meeting of members of the Policy and Resources Committee of 11 January 2022, the contents of which had been largely covered by the debate on the budget.

Councillors Powell and Hornsey presented the minutes of the Youth Council of 23 September, 18 October and 15 November 2021. There were no questions. Councillor Powell also reported that there were now nine new Youth Councillors and a new Junior Mayor had been installed.

C2021/22.78 VACANCIES ON COMMITTEES

It was proposed by the Mayor, seconded by Councillor Andrews and unanimously

RESOLVED That Councillor Owens be elected to the Planning, Highways and Transport Committee.

C2021/22.79 REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES

a) **Municipal Charities** Councillor Boulter reported that these were progressing well and that she and Councillor Foxton had been asked if they would become trustees, which would mean the Council would need to elect two new representatives. She confirmed there are three or four meetings a year usually at the Green Dragon, and they are held during the day. Councillor Hornsey confirmed she would be willing to become a council representative.

The Mayor then proposed, and Councillor Andrews seconded, and it was unanimously

RESOLVED That Councillor Hornsey be appointed a council representative and Councillor Wilcox be supported in becoming the second representative if he is willing to take this on.

b) **Enterprise Zone Stakeholders Group** Councillor Andrews reported no contact, and the Clerk will make enquiries to see if this group is still functioning.

- c) **Three Choirs Festival** Councillor Foxtton confirmed that this is now getting busy as the festival approaches in Hereford. Lots of discussion about volunteers and venues. There is a history of the Council funding and hosting a thank you party for the volunteers and performers at the end of the festival and Councillor Foxtton asked if this was something that should be applied for as a grant. This is the case. Councillor Hornsey added that she had some concerns that the programme was different from the one the organisers had proposed when they secured their grant, and that the difference was around the event the City Council was funding. The Clerk confirmed that if it were a material change then the organisers would need to submit a variation request to ensure the grant could still be used. He would discuss this after the meeting with the members to see how best to proceed on both items.
- d) **Twinning Association** Councillor Dykes had nothing to report.
- e) **Hereford in Bloom** Councillor Boulter reported that there had been a meeting last Monday and the group looks in good shape this year. There is hope that Herefordshire Council will be taking on watering the city centre tubs. HiB ask all councillors to suggest local patches of ground that could be improved by volunteer planting schemes which they can support with advice on suitable plants, watering requirements, etc. A more significant project in Churchill Gardens was planned for next year as there just were not enough people to do anything about it in 2022. Councillor Tyler added that a local scheme for Southbank Road was going ahead using the street scene money the Clerk has delegated authority to allocate. Regarding the use of the beacon in Churchill Gardens for a Platinum Jubilee event, the Clerk would be contacting BBLP about getting it checked, as it has not been used for ten years, and to see if they would support the event with a charitable contribution of time, etc. The Mayor will raise the need for volunteers to move the Churchill Gardens plans forward with the local member when he returns.
- f) **Close House** Councillor Hey reported that she had been asked not to attend the next meeting as it was an inhouse discussion of staffing issues and budget and was therefore confidential. This is usual at this time of year.
- g) **Stronger Towns Fund** Councillor Hey reported that all projects are receiving support from Rose Regeneration in progressing their plans, and that some have claimed the 5% advance money for consultancy support. We were funding support from our own resources to avoid diminishing the amount available for the project. The completion date for the full business case for the electric buses was the end of March. The Clerk added that by agreeing to the budget as drafted, members had in effect continued to maintain an earmarked reserve amount of £50,000 to support the cycle track project, sponsored by HALO, as part of their Stronger Towns Fund bid.
- h) **Youth Council** Councillor Powell reported there are nine new youth councillors which is excellent and a new Junior Mayor, Kyrollos Hanna (known as Kyro). The Mayor added that he had met the Dean who is keen to do a service at the cathedral to thank Theo Ashton for his service over two difficult years and dedicate Kyro's year as Junior Mayor.

- i) **Community Land Trust** Councillor Milln reported not much was progressing at the moment. Three sites are still being planned for developments. One site which is owned by Herefordshire Council has had a planning application for housing refused and a new scheme for modular housing is being put forward by the CLT. He has been disappointed by the lack of support for this from the Planning Authority.
- j) **Hereford Allotments and Leisure Gardeners** No report as Councillor Kenyon was absent.

C2021/22.80 TOWN CLERK’S CORRESPONDENCE

The Clerk reported that there had been some publicity about the relaxation of restrictions on activity to control gulls. He had checked with Herefordshire’s Chief Environmental Health Officer, and this did not allow for a restoration of the previous contract to take nests and eggs of lesser black backed and herring gulls. There had been a suggestion of using a falconer, but this tends to displace rather than eradicate the problem and he cautioned against committing substantial public funds to a scheme which simply moved the gulls from one or two central wards to the more suburban ones.

The Clerk also confirmed he would be asking for an inspection of the Churchill Gardens beacon to make sure it was in a sound condition before embarking on any scheme to use it for the Platinum Jubilee.

Councillor Powell drew members’ attention to the written report of the members and officers working group on social media which was on the desks for information.

Councillor Williams thanked Councillor Tyler and Amy Pitt at Herefordshire Council for their support in developing a full list of defibrillators and for getting more in place. It was stated that if ward members have suitable sites in mind, they should contact Amy Pitt at Herefordshire Council with suggestions. There would also be an initiative soon on training in emergency first aid, including the use of the defibrillators.

C2021/22.81 DATE OF NEXT MEETING

Tuesday 15 March 2022 at 6 pm

There being no further business the Mayor closed the meeting at 8 pm.

Signed

Date