

Council**Thursday, 18 September 2014, 10.00 am, County Hall,
Worcester.****Minutes****Present:**

Mrs P E Davey (Chairman), Mr A A J Adams, Mr R C Adams, Ms P Agar, Mr A T Amos, Mr R W Banks, Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr PJ Bridle, Mr J P Campion, Mr S J M Clee, Mr S C Cross, Mr P Denham, Mr N Desmond, Ms L R Duffy, Mrs E A Eyre, Mr A Fry, Mr S E Geraghty, Mr W P Gretton, Mrs J L M A Griffiths, Mr P Grove, Mr A I Hardman, Mr M J Hart, Ms P A Hill, Mrs A T Hingley, Mrs L C Hodgson, Mr C G Holt, Mr I Hopwood, Mr M E Jenkins, Ms R E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mr P M McDonald, Mr A P Miller, Mrs F M Oborski, Mr J W Parish, Mr S R Peters, Dr K A Pollock, Mr D W Prodger MBE, Prof J W Raine, Ms M A Rayner, Mr A C Roberts, Mr J H Smith, Mr C B Taylor, Mr J W R Thomas, Mrs E B Tucker, Mr P A Tuthill, Mr R M Udall, Mr G J Vickery, Mr T A L Wells and Mr G C Yarranton

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. Nineteen questions submitted to the Head of Legal and Democratic Services (previously circulated); and
- C. The Minutes of the meeting of the Council held on 3 July 2014 (previously circulated).

**1591 Apologies and
declaration of
interests
(Agenda item 1)**

Apologies for absence were received from Mrs S Askin, Mr J Baker, Mr C J Bloore, Mr M H Broomfield and Mr R J Sutton.

Two declarations of interest were made:

Mr R C Adams - Agenda item 7, Notice of Motion 2 – Recipient of a Government TB grant as a livestock farmer in the county.

Mr M L Bayliss - Agenda item 7, Notice of Motion 1 - interest in a business with potential links to the County Council.

1592 Public Participation (Agenda item 2)

There were five public participants.

Mr Gretton presented a petition on behalf of residents of Feckenham requesting that the County Council should include Feckenham Parish in Openreach's roll-out of fibre optic superfast broadband.

Mr Douglas Marshall presented a petition on behalf of residents of Eastwick Park in Evesham regretting the removal of the Hopper service and requesting that the County Council look at providing a bus stop on the west side of Cheltenham Road as close to the estate as possible.

Mr Marshall said that there were many elderly people living on the estate who had no other means of transport. The nearest bus stop to access the town was up to 733 yards for some residents, which was felt to be unacceptable and breached guideline rules. The petitioners' proposed site for a new bus stop would enable residents to access the excellent half-hourly service 28 into town which, at present, emerged from Davies Road passing the estate without stopping. There was, however, an existing stop opposite this estate for southbound travellers (east side). He concluded by saying that a school bus already stopped to allow children to alight at the proposed bus stop site, perhaps this practice should cease pending the siting of an authorised bus stop, as requested.

Mr Rob Wilden asked a question about Delegated Powers of Authority. He referred to a specific invoice from Mercia Waste Management addressed to Worcestershire County Council for over £1.908 million. The Invoice related to the "Outstanding Contract Variation – Version 39 Timber Recycling". He said that he and other residents were given this when they used the 'public viewing' opportunity back in August, when seeking invoices to support other information. This invoice was personally signed off by the BEC Programme Director on 16 December 2013 and he had been informed that payment of an invoice of this amount is 'within the powers delegated to the post of Programme Director'. He was surprised to learn that someone at this level has authority to sign off invoices for such a high amount. He wished to know:

- all delegated powers of authority within the Council;
- what Variation 39 Timber Recycling represents as this is unclear; and

- why does it not appear in the 2013/14 accounts for the Waste PFI Contract – it appears to be ‘off book’.

Mr Sheridan Tranter asked questions in the following terms:

"I had the pleasure of meeting Finance Officer Patrick Birch and Councillor Adrian Hardman on the 7 December 2013 at a roadshow in Kidderminster.

Q1 At that meeting, I informed Patrick Birch that HWAG and WAIL had looked at the waste accounts for the past three years. We were told that we were the only individuals to do so and I made it clear that if the contract for the incinerator was signed we would make it our duty to look at the full accounts of Worcestershire County Council. Councillors will be aware that on 8 August, Worcester News published the article headlined ‘Shambles’ – it is imperative that the report detailing the major flaws in the way taxpayers’ money has been spent is made public, and expanded upon to look at all contracts which have exceeded the regulatory amount. I call for a proper and comprehensive audit of the accounts.

Q2 Worcester News has stated, and I quote ‘an action plan is being put in place, which has been sent to Finance Director, P Birch, to address all issues’. Mr Birch is a highly paid and an experienced member of Council, having joined in 1998. It is totally unsatisfactory that the Council now finds itself in this mess. I would like to ask who has written that action plan and, more importantly, why the Finance Director himself has failed to spot non-compliance to the SAP system used by the Council. Please also advise who requested the action plan to be drawn up, and what it contains – we will expect this to be answered as a Freedom of Information request. Also, does the Council admit that this highlights poor governance in all areas?

Q3 We request an explanation as to why Cllr Blagg continues to refer to the amendment to the Waste Contract as a ‘minor’ variation, even when DEFRA has confirmed in writing to us that this is to be regarded as a ‘major’ variation. This is one of the largest contracts entered into by the Council and I urge all Councillors to take their responsibilities seriously and request that the contract is reviewed in light of the changes made - this contract is now for only half an incinerator, i.e. single line, Officers have overseen the removal of certain parts of the

contract which would have been financially and environmentally beneficial such as Anaerobic Digester, Mixed Recycling Facility etc. Are Councillors prepared to accept this without any scrutiny?

Mrs Eve Jones asked the following questions:

- "Will the Cabinet Member with Responsibility for Waste and Sustainability and the Cabinet Member for Finance please explain why "Pothole Challenge Money" has been used to shore-up what would otherwise have been a deficit in the Waste Management Account for 2013/14. The amount of "Pothole money" used in this case comes to exactly £1million pounds.
- Will these Cabinet members confirm that; had it not been for this use of "Pothole" money and other one-off accruals, the Waste Management Account would have been overspent by more than £3 million pounds." I would add that is before the increased costs of the Incinerator start to 'kick in' over the next few years.
- Will the council concede that this means of 'subsidising' an account heading into deficit is unsustainable going forward.
- With regard to the 'new loan facility' described in the local press could you tell me if it would be on or off book?"

The Chairman thanked each public participant and stated they would receive a written response to their petitions or questions in due course.

**1593 Minutes
(Agenda item 3)**

RESOLVED that the Minutes of the meeting held on 3 July 2014 be confirmed as a correct record and signed by the Chairman.

**1594 Chairman's
Announcements
(Agenda item 4)**

The Chairman referred members to the printed announcements and drew particular attention to the absence of Mr Baker. The Chairman said she would write to Mr Baker with all good wishes for a speedy recovery.

**1595 Reports of
Cabinet -
Matters which
require a**

The report set out that under section 40 of the Crime and Disorder Act 1998 each local authority had a duty to produce a Youth Justice Plan setting out how Youth Justice Services in their area would be provided and funded and how the Youth Offending Service for the area

**decision by
Council - West
Mercia Youth
Offending
Service - Youth
Justice Plan
2014/15
(Agenda item
5a)**

was resourced and composed. The plan would then be submitted to the Youth Justice Board for England and Wales (YJB).

The Youth Justice Plan was prepared on an annual basis on behalf of Herefordshire Council, Shropshire Council, Telford and Wrekin Council and Worcestershire County Council. The basic plan preparation was undertaken by the WMYOS according to the deadlines and requirements of the YJB.

The Youth Justice Plan for 2014/15 had been prepared in April 2014. The Plan had been agreed by the WMYOS Management Board in May 2014, subject to approval of each Council. The Youth Justice Plan set out how youth justice services across West Mercia were structured and identified key actions to address identified risks to service delivery and service improvement.

The report set out that the Youth Offending Service was subject to three national indicators:

- First time entrants to the youth justice system
- Use of custody
- Re-offending.

Performance against the indicators had been outlined in the Plan. Since the Plan had been prepared there had been a further quarterly update on performance. Some performance information had also been updated since the Cabinet's consideration of the Plan to reflect the latest position. The performance for Worcestershire and West Mercia was outlined in the report but made reference to:

- First time entrants to the youth justice system

The first time entrant rate was expressed as first time entrants per 100,000 youth population, a lower figure indicated good performance. The Worcestershire performance was 463 for the year ending December 2013, compared to 535 for the year ending September 2013. Although the Worcestershire rate was higher than the West Mercia rate, 442 and the national rate, 441, the reduction in the rate between the two periods of -13.5% in Worcestershire was greater than the reduction between the two periods for West Mercia, -9.2% and for England, -4.1%.

- Use of Custody

The use of custody measure was expressed as the number of custodial sentences per 1,000 youth population, a lower rate indicates good performance. In the year ending June 2014, the custody rate for Worcestershire was 0.29, compared to the rate of 0.38 for the year ending June 2013. This performance was significantly better than for England, 0.48.

- Re-Offending

There were two re-offending measures both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency rate, was the average number of re-offences per young person in the cohort. The second, the binary measure, was the percentage of the young people in the cohort who had re-offended. In both measures a lower figure indicates good performance.

For the year ending September 2012 the frequency rate for Worcestershire was 0.93 and for the year ending June 2012 the rate was 0.89. Although the rate had slightly increased between the two periods, it was better than the West Mercia rate, 0.98 and the national rate, 1.03.

The binary rate for Worcestershire for the year ending September 2012 was 35.9% compared to 33.5% for the year ending June 2012. Although the binary rate had increased between the two periods the Worcestershire performance for the year ending September 2012 was broadly similar to West Mercia and England and Wales which had rates of 34.5% and 35.4% respectively.

Performance was overseen by the WMYOS Management Board and any issues for Worcestershire reported to the Children's Services Performance Board.

The report concluded by stating the principal aim of the Youth Justice System was the prevention of offending and re-offending by children and young people. The Youth Justice Plan set out an action plan to address the significant risks identified to future delivery and to improve service delivery against the agreed priorities for 2014/15. Any financial implications were covered by the

existing budgetary contribution.

RESOLVED that the West Mercia Youth Justice Plan 2014/15 be approved.

1596 Reports of Cabinet - Matters which require a decision by Council - Capital Programme, New Funds for Pothole repairs (Agenda item 5a)

The Council had before it a report which set out that a bid for funding from the Department for Transport's £200m National Pothole Fund had been successful. The Council was being awarded £3.3m to be spent by 31 March 2015 on permanently fixing potholes on the road or by preventing their formation. In the course of debate the Leader confirmed that the grant would be spent entirely on potholes, contrary to the suggestion of one of the public participants.

RESOLVED that the £3.3 million addition to the Capital Programme cash limit with regard to new funding for pothole repairs be approved.

1597 Reports of Cabinet - Matters which require a decision by Council - Revenue Budgets Cash Limits Change - Pensions Backfunding (Agenda item 5a)

The Council had before it a report on pensions backfunding. The report set out that part of the Council's employer's pension contribution budget related to the cost of making good a deficit on the pension fund due to past-service liabilities. This was known as 'backfunding' and represented a liability to the pension fund that would remain the Council's responsibility for a number of years.

For ease of administration, it was recommended that the Council's backfunding budgets should now be held centrally instead of being contained within Directorate budgets. The actual backfunding costs would be charged against the central budget to ensure there was no adverse variation for Directorates.

The report set out that the budget virement proposed would be:

	Current Budget £m	Change £m	New Budget £m
Adult Services and Health	145.564	-2.689	142.875
Children's Services	77.049	-2.169	74.880

Business, Environment and Community	74.026	-1.396	72.630
Resources / Ch Exec	35.405	6.254	41.659
Total	332.044	0.000	332.044

RESOLVED that the changes to the revenue budget cash limits identified in the report be approved.

1598 Report of the Leader - matters which require a decision by Council - Municipal Bonds Agency (Agenda item 5(a)ii)

The Council had before it a report from the Leader of the Council proposing an investment in a wholly local government owned municipal bonds agency.

The report set out that the Local Government Association (LGA) had been developing a proposal to establish a municipal bonds agency (the Agency) which would be known as the Local Capital Finance Company Limited. The structure of the company had not yet been finalised but it was expected to be a private sector company which would be wholly owned by Local Government.

The purpose of this Agency would be to raise finance in bulk from capital markets by issuing bonds and to lend it on to local authorities.

The LGA had made a request to interested local authorities to invest as shareholders in the company in order to provide funding the initial set up costs and then working capital for the launch phase and had previously asked interested parties to issue a letter of intent in order to gauge interest.

The Chief Financial Officer, in consultation with the Leader/Cabinet Member with Responsibility for Finance, considered it was in the Council's best interests to consider this investment and had submitted a non-legally binding letter of intent during July 2014.

In order for this investment to occur, the Council's Treasury Management Strategy had to be amended and approved by full Council to enable the purchase of shares in the Agency.

The report reminded Council that currently the Public Works Loans Board (PWLB), a part of the HM Treasury,

was the source of the majority of local authority borrowing. The development of the Agency was intended to provide an alternative source of borrowing which was cheaper and possibly more flexible.

If successful the Agency could provide loans to local authorities at rates below the PWLB. For Worcestershire, based on the LGA savings projections and the current predicted borrowing requirement for 2014/15 to 2017/18 an annual saving of £94,000 could arise.

Wider advantages included a diversification of borrowing sources available to local government making them less vulnerable to HM Treasury policy changes and increased self-determination and self-regulation.

Any profit that was subsequently generated by the Agency would be paid to shareholders as dividends allowing the recoupment of investments.

Conversely, if the Agency was not successful the Council might not recover its initial investment. The success of the Agency would depend on its ability to raise operating capital, attract the right personnel and price the bonds it issued at a level attractive to potential investors. There was also the risk that if the level of borrowing from local government assumed in the business case did not materialise then the reduced borrowing rates might not be available. This reduced level of borrowing may occur if the PWLB lowered its lending rates in order to remain competitive.

The Agency was planning to implement a joint and several guarantee from its borrowers. This would mean that the cost of any amount in default would be borne by those borrowers. This guarantee would enable the Agency to borrow from the capital markets at a lower rate than it could otherwise.

Risk capital would also be required which would help mitigate the need for any default to be borne by borrowers. This would be raised by holding back a percentage of any amounts borrowed. In reality this would mean that borrowers would have to borrow more than they required in order to provide the required risk capital.

On balance, it was considered that the benefits of enabling a significant credible alternative to borrowing from the PWLB outweigh the risks to the loss of investment. The capital invested could be subject to loss, which in terms of risk management was offset against a potential reduction

in borrowing rates available to the Council.

It was proposed that the Council invested up to £75,000. This would secure an equity shareholding in the new company with the investment being made in two stages, an initial investment of £50,000 and a subsequent investment of £25,000.

Minor but important amendments were required to the Council's Treasury Management Strategy to permit the investment in shares in the Municipal Bonds Agency. The technical name for this type of investment was 'Non-Specified'.

The report set out that it was important to note that the amendments would not enable the Council to make investments in shares where the sole purpose was to speculate on increasing share values

It was proposed that the following sentences would be **deleted** from the Treasury Management Strategy:

'Only investments where there is no contractual risk to the capital invested and where the rate of return justifies their use will be entered into.'

'The only category of Non-Specified Investment identified for use for the coming financial year is a routine term investment with counterparty as described above for Specified Investments, for a period of more than one year.'

The following sentences would be **added** to the Treasury Management Strategy:

'The Council will make an investment in the form of shares in the municipal bonds agency (Local Capital Finance Company Limited) where the primary purpose is to support the Council's priorities rather than to speculate on the capital sum invested.'

'With the exception of the municipal bonds agency investment, only investments where there is no contractual risk to the capital invested and where the rate of return justifies their use will be entered into.'

'The only categories of Non-Specified Investment identified for use for the coming financial year is a routine term investment with counterparty as described above for Specified Investments, for a period of more than one year and the purchase of shares in the municipal bonds agency (Local Capital Finance Company Limited).'

These would be amendments to the Council's Treasury Management Strategy 2014/15 which was approved by Council as part of the Budget in February 2014.

The proposal was presented to the Resources Overview and Scrutiny Panel on 3 September 2014. The Panel was supportive of the initiative, and considered that the risk of failing to raise enough operating capital was minimal, given that many local authorities had already expressed an interest. The Panel considered that the proposed joint and several guarantee would help the Agency achieve an AAA rating yet the risk from the guarantee was minimal given that no local authorities had defaulted on a loan. Scrutiny Panel Members suggested consideration be given to a limit to the amount which one authority could borrow, and that the Council be well represented on the Agency Board. The Overview and Scrutiny Performance Board (OSPB) was also supportive.

There was widespread support in Council for the proposals contained in the report.

RESOLVED that

(a) the changes to the Treasury Management Strategy as detailed in paragraphs 34 and 35 of the report, to facilitate an investment in a wholly local government owned municipal bonds agency, be approved; and

(b) the capital programme cash limits be updated to reflect the purchase of 50,000 ordinary shares in the bond agency at a cost of £50,000 and an indicative commitment to the second fund raising of £25,000.

1599 Reports of Cabinet - Summary of Decisions Made (Agenda item 5(b))

The Leader of the Council reported the following topics and answered questions in relation to a number of them:

- The Future of In-House Adult Social Care Provider Services
- Commissioning of a Well Living Service
- FutureFit - Libraries and Learning Remodelling Programme
- Positive Activities for Young People: Future Direction
- Worcestershire Strategy for Commissioning Placements for Looked After Children and Care Leavers

- Resources Report
 - Revenue Budget Monitoring 2014/15 Outturn Forecast as at 31 May 2014
 - FutureFit Programme Update
 - Commissioning of Support Services
 - Capital Programme Budget Monitoring: 2014/15 Actual Expenditure as at 31 May 2014
 - Annual Statutory Financial Statements 2013/14
 - Joint Commissioning Arrangements and the Establishment of an Integrated Commissioning Unit
 - Worcestershire Growth Deal
- Balanced Scorecard - FutureFit Performance Update

1600 Constitutional Matters - Vice-Chairman of the Health Overview and Scrutiny Committee (Agenda item 6(a))

The Council had before it a report setting out that the Council from time to time appointed Chairmen and Vice-Chairmen of member bodies to fill certain positions within its constitutional structures.

The Council was asked on an annual basis to agree the appointment of a Vice-Chairman of the Health Overview and Scrutiny Committee when the nomination of the District Councils had been made.

The Council's Constitution stated that the Vice-Chairman of the Health Overview and Scrutiny Committee be selected by and from the District representatives on that Committee. The nomination from the District representatives made at the Health Overview and Scrutiny Committee on 10 September 2014 was Mrs J Marriott.

The nomination of Mrs Marriott was moved by Mr A Roberts and seconded by Mrs F M Oborski.

RESOLVED that Mrs J Marriott be appointed to serve as Vice-Chairman of the Health Overview Scrutiny Committee.

1601 Constitutional Matters - Council meeting date in July 2015 (Agenda item 6(b))

The Council had before it a report which proposed changing the date of the July 2015 Council meeting.

Since the Council's decision in May 2014 on meeting dates for 2015 the Local Government Association had notified the Council that they had now changed the date of their conference which meant this would now clash with the date agreed for the July Council meeting. It was therefore proposed that the July Council meeting now

1602 Notices of Motion - Notice of Motion 1 - Audit Report on the use of consultants (Agenda item 7)

take place on 9 July 2015.

RESOLVED that the Council meeting in July 2015 be now held on Thursday 9 July 2015 and not 2 July 2015.

The Council had before it a Notice of Motion standing in the names of Mr P M McDonald, Mr R M Udall and Mr C J Bloore:

"The recent disclosure in the press relating to an internal audit report into the County Council's use of consultants, that many feel has brought this County Council into disrepute and questions its financial competence, but also highlights its failure to follow its own guidelines regarding procurement.

Council resolves that this now be a matter for the Audit and Governance Committee to investigate and report back to Council as soon as possible."

The motion was moved by Mr P M McDonald and Mr R C Lunn who both spoke in favour of it.

The Council agreed to consider and deal with the motion on the day.

It was moved by Prof J Raine and seconded by Mr T A L Wells as an amendment to the final paragraph of the motion:

"Council resolves that this now be a matter not only for the Audit and Governance Committee to investigate but also, in view of the matter's wider relevance to the Council's commissioning based Operating Model, that it should also be considered by the Overview and Scrutiny Performance Board. A joint response from the Audit and Governance Committee and the OSPB should be reported to Council as soon as possible."

With the agreement of the signatories of the Notice of Motion present at the meeting this was accepted.

A debate ensued during which the following principal points were made:

- councillors and the public had a right to feel concerned when against a backdrop of unprecedented cuts to public expenditure and severe service reductions the Council was apparently spending large sums on consultants

whilst failing to approve or audit payments to them properly.

- as custodians of the public purse ordinary councillors needed to assure themselves and the public that every penny spent was accounted for and ensured value for money for Council Tax payers.
- that the increased use of consultants by the Council at a time when full-time employees were losing their jobs seemed short-sighted and ill thought out. It was potentially more costly and seemingly more difficult to control.
- Council finances were being put at risk and the County Council could potentially face the risk of legal challenge.
- that the controlling group had wanted to suppress the report and its contents.

Members also spoke in support of the Council's use of consultants and its control of associated costs:

- the use of consultants allowed the Council to bring in advice and expertise not available in-house. This was seen as particularly important at the time the Council was moving to a commissioning model of operation.
- consultants and staff employed on short-term contracts increased flexibility and responsiveness. They were also time-limited and engaged for a specific purpose.
- the Council had in place robust procedures for monitoring all expenditure and the use of external staff was no exception.
- the areas highlighted in the audit report had since been addressed and much of the criticism being levelled at the meeting was no more than political opportunism.
- There had been some procedural failures but no indication of corruption.
- The matter had been considered by the Audit and Governance Committee which was satisfied that

the seven audit recommendations had been implemented.

On a named vote the motion was lost.

Those voting in favour were: Ms P Agar, Mr P J Bridle, Mr S C Cross, Mr P Denham, Mr A Fry, Ms P A Hill, Mr M E Jenkins, Ms R E Jenkins, Mr R C Lunn, Mr L C R Mallett, Mr P M McDonald, Mrs F M Oborski, Mr J Parish, Mr S R Peters, Prof J Raine, Mrs M A Rayner, Mr J W R Thomas, Mrs E B Tucker, Mr R M Udall, Mr G J Vickery and Mr T A L Wells (21)

Those voting against were: Mr A A J Adams, Mr R C Adams, Mr A T Amos, Mr R W Banks, Mr M L Bayliss, Mr A N Blagg, Mrs S L Blagg, Mr J P Champion, Mr S J M Clee, Mrs P E Davey, Mr N Desmond, Mrs L R Duffy, Mrs E A Eyre, Mr S E Geraghty, Mr W P Gretton, Mrs J M L A Griffiths, Mr P Grove, Mr A I Hardman, Mr M J Hart, Mrs A T Hingley, Mrs L C Hodgson, Mr C G Holt, Mr I Hopwood, Mr A P Miller, Dr K A Pollock, Mr D W Prodger, Mr A C Roberts, Mr J H Smith, Mr C B Taylor, Mr P A Tuthill and Mr G C Yarranton (31)

1603 Notices of Motion - Notice of Motion 2 - Badgers and Bovine TB (bTB) (Agenda item 7)

The Council had before it a Notice of Motion standing in the names of Mr P M McDonald, Mr R M Udall, Mr P Denham, Mr C J Bloore and Ms P A Hill:

"This Council notes the serious and damaging animal welfare and economic impact that bovine TB (bTB) has on the farming community. This Council also notes that the Government's 'solution' to bTB is shooting large numbers of free-running badgers at night; a proposal that has met with fierce criticism from the public, eminent scientists and animal welfare charities. This Council is concerned that the Government has ignored public, Parliamentary and scientific opinion by ploughing ahead with the badger cull this summer in a cruel and ineffective attempt to tackle bTB.

The Council believes that the Government would better serve the farming community by investing money in vaccinations for badgers and cattle and encouraging farmers to improve bio-security in order to achieve the long-term eradication of this disease in livestock.

This Council resolves to write to the Secretary of State at the Department of Environment, Farming and Rural Affairs to:

- *highlight the Council's concern about the*

practicalities as well as the welfare implications of the current proposed cull

- *object to any cull taking place on Worcestershire County Council-owned land, and*
- *call on the Government to seek alternative methods to tackle the problem of bTB."*

The Motion was moved by Mr R M Udall and seconded by Ms P A Hill who both spoke in favour of it.

The Council agreed to deal with the Motion on the day.

It was then moved by Mr A I Hardman and seconded by Mr J P Campion as an amendment in place of the original motion:

"Council notes the serious and damaging animal welfare and economic impact that bovine TB (bTB) has on the farming community. Council also notes that the Government's "solution" to bTB is shooting large numbers of free-running badgers at night, a proposal that has met with fierce criticism from some members of the public, some eminent scientists and some animal welfare action groups.

Council notes that it has already declined to participate in the current project and as such killing of badgers in the county is illegal.

Council believes that the Government should consider all options including investing money in vaccinations for badgers and cattle and encouraging farmers to improve bio-security in order to achieve the long-term eradication of this disease in livestock.

Council resolves to write to the Secretary of State at the Department of Environment, Farming and Rural Affairs to:

- *Highlight that some Worcestershire residents have concerns about the practicalities as well as the welfare implications of the current proposed cull*
- *Call on the Government to consider all options in their fight to eradicate bTB".*

With the agreement of the signatories of the original motion present at the meeting, this amendment became adopted as the substantive motion.

A wide-ranging discussion ensued during which the following principal points were made:

**1604 Reports of
Cabinet
Members with
Responsibility -**

- there was a general acknowledgement that bTB had a huge economic impact on the livestock agricultural sector within the county. It was also suggested that bTB affected other wildlife including deer and was a major drain on the rural economy as a whole.
- the cull was based on incomplete scientific evidence and was an expensive and inhumane way to tackle a very important agricultural and economic issue. It was also suggested that evidence from the NFU made a clear case that bTB was not under control and to protect other areas of the country from its spread firm and decisive action had to be taken both here and now.
- whilst vaccination might be viewed by some as an expensive option the long-term use of it might produce a better solution to the problem of bTB. Other members suggested that vaccination was not a straightforward process, could be difficult to administer and document and might not reach all affected animals. It would also be an ongoing burden for farmers. Bio-security was also not a straightforward strategy and carried with it its own animal welfare issues.
- displaced rural badgers, now moving into more urban areas, were causing much damage. Some members suggested that the protected status enjoyed by this species was a mixed blessing and perhaps a complete rethink on their management was overdue; more subtle forms of control might have to be introduced in a changed environment.
- The Council had previously declined to give consent to a cull, although it could not bind County Farm tenants
- that the money spent culling badgers could be more sensibly and appropriately spent in prevention of bTB.

On being put to the meeting the motion as amended was agreed.

The Cabinet Member with Responsibility for Environment presented his report which covered a number of overarching issues:

- Waste Disposal

Environment (Agenda item 8)

- LA collected waste
- Waste prevention
- Reuse
- Recycling/composting
- Energy recovery
- Safe disposal to landfill

- Flood risk management
- Strategic Planning and Environmental Policy
- Sustainability
 - Worcestershire Climate Change Strategy
 - Sustainability Policy and Action Plans
 - WCC Carbon Management Plan
 - Carbon Reduction Commitment Energy Efficiency Scheme
 - Warmer Worcestershire
 - Green Deal Communities Fund
 - Electric Vehicle Charge Points
 - Severe weather resilience
 - Eco Schools
 - Resource efficient Worcestershire
 - Sustainability West Midlands
 - Growing Worcestershire

The Cabinet Member with Responsibility answered questions about the report which included:

- recycling targets and whether the Council's targets in this area were appropriate and sufficiently challenging. The Cabinet Member with Responsibility said that where recycling was concerned there was always room for improvement but the Council had set realistic and appropriate targets.
- Hoobrook Household Recycling Centre - both reopening and long-term future. The Cabinet Member with Responsibility gave more information about the recent refurbishment and the public consultation being proposed on the future of the site.
- Energy and heat recovery from the Hartlebury Energy from Waste Plant. The Cabinet Member with Responsibility referred to a connection to the Grid and also stated that suggestions were being considered for use of heat generated by the plant.
- alternatives to burning for disposal of residual non-recyclables

- the possible extension of flood alleviation schemes for rural villages. The Cabinet Member with Responsibility stated that the County Council were pursuing with partners a range of options which would increase resilience against flooding.
- the potential for use of wind turbines in Worcestershire. The Cabinet Member with Responsibility said it had been assessed that wind power was not a reliable alternative for the county partially due to its less windy inland location. However, all alternative technologies were assessed.
- possible review of the low carbon strategy.

The Cabinet Member with Responsibility also promised written answers on:

- the transfer of management of the Kingsford Country Park from the County Council to the National Trust and some of the particular issues this raised.
- how the streets for the Green Deal Communities Fund had been identified and details of area pilots.

The Chairman thanked the Cabinet Member with Responsibility for his report.

**1605 Question Time
(Agenda item 9)**

Nineteen questions had been received by the Head of Legal and Democratic Services and had been circulated before the meeting. All the questions were asked (or taken as read). All answers are enclosed with these Minutes.

**1606 Reports of Committees -
Summary of decisions taken
by the Audit and
Governance
Committee
(Agenda item
10(a))**

The Council received the report of the Audit and Governance Committee containing a summary of decisions taken.

1607 Reports of Committees - Summary of decisions taken by the Planning and Regulatory Committee (Agenda item 10(b))

The Council received the report of the Planning and Regulatory Committee containing a summary of decisions taken.

1608 Reports of Committees - Summary of decisions taken by the Standards and Ethics Committee (Agenda item 10(c))

The Council received the report of the Standards and Ethics Committee containing a summary of decisions taken.

The Council adjourned from 12.45 to 1.30 pm for luncheon. The meeting ended at 3.10pm

Chairman