

DEPUTY CHIEF EXECUTIVE'S OFFICE
A Williams (Interim)

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: AMcL/SAHC

Please ask for: Mrs S Cole

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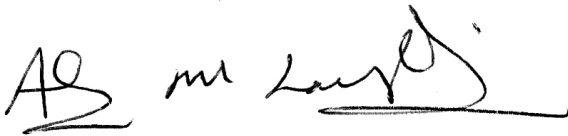
E-mail: scole@herefordshire.gov.uk

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the extraordinary meeting of the Herefordshire Council to be held on **Thursday, 4th September, 2008** at The Shire Hall, Hereford. at 10.30 a.m. at which the business set out in the attached agenda is proposed to be transacted.

Please note that 30 car parking spaces will be reserved at the Shirehall and 10 car parking spaces at the Town Hall for elected Members.

Yours sincerely



A. McLAUGHLIN
ASSISTANT CHIEF EXECUTIVE



A G E N D A

EXTRAORDINARY COUNCIL

Date: **Thursday, 4th September, 2008**

Time: **10.30 a.m.**

Place: **The Shire Hall, Hereford.**

Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

Sally Cole, Committee Manager

**Tel: 01432 260249, E-mail
sianclark@herefordshire.gov.uk**

Herefordshire Council

AGENDA

for the Meeting of the COUNCIL

To: All Members of the Council

Pages

1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.

3. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS ABOUT AGENDA ITEM 5

To receive any written questions from Councillors.

4. NOTICES OF MOTION UNDER STANDING ORDERS

To consider any Notices of Motion.

Councillors ACR Chappell and GW Dawe have submitted the following Notice of Motion as a matter of urgency:

NOTES the Judgement by Mr. Justice Collins in the case of the Dinedor Hill Action Association v Herefordshire County Council.

NOTES that the Rotherwas Access Road has been completed without any financial contribution from JS Bloor Ltd.

NOTES that JS Bloor Ltd have submitted a Planning Application to build 300 houses at Bullinghope without any socially affordable element.

RESOLVES that the Chief Executive, in consultation with the Political Group Leaders, should appoint suitable persons independent of the Council to conduct a full and public enquiry and to publish the outcome.

INSTRUCTS the Chief Executive to include in the Terms of Reference for this Enquiry:

The circumstances that on 28 July 2006 led the Leader of the Council to move the rejection of a decision by his own Cabinet, despite assurances given to the contrary less than 24 hours previously.

Whether Councillor Phillips and others were warned by Legal Officers as to the conduct now found unlawful by Mr Justice Collins.

A full and detailed chronology of discussions, proposals and responses between Council Members, Council Officers and representatives of JS Bloor Ltd, concerning the Rotherwas Access Road and housing allocations at Bullinghope.

An investigation of whether or not inappropriate pressure was placed on Planning Officers during this process, and if so by whom.

What professional advice was given to Councillor Phillips concerning the Planning Inspector's view on future housing numbers.

How have the Government's targets for housing in Herefordshire been determined and whether that process has been influenced directly or indirectly by JS Bloor Ltd.

What evaluation was made of proposals for alternative methods of funding the Rotherwas Access Road.

What understandings have been reached with JS Bloor Ltd about issues additional to the application for 300 houses at Bullinghope.

What pre-application discussions were held with JS Bloor Ltd in relation to Flood Risk, water supply, sewerage and traffic.

Why the Council submitted its evidence to the High Court late and withheld crucial evidence.

Why the Council's Scrutiny procedures failed to challenge the conduct that has led to the current circumstances.

Whether any Members failed to Register or declare Interests that should have been registered or declared in relation to JS Bloor Ltd.

Any other matters that they believe to be relevant to the matter and that the public would expect to know.

The Chairman will rule whether the motion is urgent.

5. HEREFORDSHIRE UNITARY DEVELOPMENT PLAN: OUTCOME OF LEGAL CHALLENGE

1 - 48

To inform Members of the outcome of the High Court challenge to the allocation of land for housing at Bullinghope.

Wards Affected: Countywide – but with focus on Hollington and St. Martins and Hinton