

DCE and Director of Corporate Services

Dean Taylor

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: CC/SAHC

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07 July 2011

Dear Councillor

YOU ARE HEREBY SUMMONED to attend the meeting of the Herefordshire Council to be held on **Friday 15 July 2011** at The Assembly Hall, Town Hall, St Owen Street, Hereford. at 10.30 am at which the business set out in the attached agenda is proposed to be transacted.

Please note that car parking will be available at the Shirehall for elected Members.

Yours sincerely



C CHAPMAN
ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

AGENDA

Council

Date: **Friday 15 July 2011**

Time: **10.30 am**

Place: **The Assembly Hall, Town Hall, St Owen Street,
Hereford.**

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

For any further information please contact:

Sally Cole, Committee Manager Executive

Tel: 01432 260249

Email: scole@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Sally Cole, Committee Manager Executive on 01432 260249 or e-mail scole@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairman

Councillor LO Barnett

Vice-Chairman

Councillor ACR Chappell

Councillor PA Andrews
Councillor CNH Attwood
Councillor CM Bartrum
Councillor AJM Blackshaw
Councillor H Bramer
Councillor MJK Cooper
Councillor BA Durkin
Councillor DW Greenow
Councillor RB Hamilton
Councillor EPJ Harvey
Councillor JW Hope MBE
Councillor RC Hunt
Councillor TM James
Councillor AW Johnson
Councillor JLV Kenyon
Councillor JG Lester
Councillor G Lucas
Councillor PJ McCaull
Councillor JW Millar
Councillor NP Nenadich
Councillor FM Norman
Councillor GA Powell
Councillor R Preece
Councillor SJ Robertson
Councillor A Seldon
Councillor J Stone
Councillor PJ Watts
Councillor JD Woodward

Councillor AM Atkinson
Councillor PL Bettington
Councillor WLS Bowen
Councillor AN Bridges
Councillor EMK Chave
Councillor PGH Cutter
Councillor PJ Edwards
Councillor KS Guthrie
Councillor J Hardwick
Councillor AJ Hempton-Smith
Councillor MAF Hubbard
Councillor JA Hyde
Councillor JG Jarvis
Councillor Brig P Jones CBE
Councillor JF Knipe
Councillor MD Lloyd-Hayes
Councillor RI Matthews
Councillor SM Michael
Councillor PM Morgan
Councillor C Nicholls
Councillor RJ Phillips
Councillor GJ Powell
Councillor PD Price
Councillor P Rone
Councillor P Sinclair-Knipe
Councillor GR Swinford
Councillor DC Taylor
Councillor DB Wilcox

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. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

AGENDA

		Pages
1.	PRAYERS	
2.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
3.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	MINUTES To approve and sign the Minutes of the meeting held on 27 May 2011.	1 - 8
5.	CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	
6.	QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	9 - 14
7.	FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS To receive any written questions from Councillors.	
8.	NOTICES OF MOTION UNDER STANDING ORDERS Two notices of motion have been submitted for consideration by Council. The first notice of motion was submitted by Councillors: MAF Hubbard, AN Bridges, SM Michael, JD Woodward C Nicholls, MD Lloyd-Hayes, GA Powell, J Hardwick, AJ Hempton-Smith, CNH Attwood, J Knipe, A Seldon, GR Swinford, WLS Bowen, SJ Robertson, EPJ Harvey, FM Norman, JLV Kenyon, RI Matthews, R Preece and PJ Edwards. The second notice of motion was submitted by Councillors: RI Matthews, MAF Hubbard, TM James, SJ Robertson, SJ Hempton-Smith, and A Seldon. FIRST NOTICE OF MOTION <i>This Council notes:</i> 1 <i>The introduction of the new single Overview and Scrutiny Committee agreed at Annual Council meeting in May 2011.</i> 2 <i>The potential for improved policy development enshrined in the new system.</i> 3 <i>The "leaner meaner" nature of the proposed system, the potential savings and efficiencies the new system could produce.</i> 4 <i>The recommendation that any changes to scrutiny should be phased contained in the Review of the Overview and Scrutiny Function in Herefordshire Council (Lamb & Davis Dec 2008) and the lack of such phasing in the introduction of the new system by decision of Council at its annual meeting.</i> 5 <i>The current public perception, evidenced in the local press, that good</i>	

practice is not being followed by having a member of the administration Chair the committee.

This Council resolves to offer the Chairmanship of Overview and Scrutiny Committee to an opposition member, restoring public confidence in the new scrutiny system.

SECOND NOTICE OF MOTION

This council notes that the economic situation is showing little sign of sustained recovery. Budgets in all areas are under great pressure, and with the knowledge that there will be a further £6,000,000 cut in Government funding from 2012-2013, further pressure is anticipated. This council therefore has no option but to make savings in order to protect frontline services, in particular where it affects the elderly and vulnerable generally.

This council therefore moves that an urgent meeting is arranged with the Chief Executive and Group Leaders to consider the possibility of a voluntary salary reduction of senior members of staff. This would be in line with a number of local authorities who have recently implemented similar arrangements and would also assure the public that we are looking at all options during these challenging financial times.

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| 9. LEADER'S REPORT | 15 - 18 |
| To receive the Leader's report, which provides an overview of the Executive's activity since the last Council meeting. | |
| 10. REVISED CHIEF EXECUTIVE'S SCHEME OF DELEGATION | 19 - 32 |
| To note the revised Chief Executive's Scheme of Delegation. | |
| 11. SPECIAL RESPONSIBILITY ALLOWANCES | 33 - 36 |
| To consider a report on the payment of special responsibility allowances to Vice-Chairmen of the Overview and Scrutiny Committee. | |
| 12. OVERVIEW AND SCRUTINY PROVISIONS IN THE CONSTITUTION | 37 - 64 |
| To consider revisions to the Constitution as a consequence of Council's adoption of a new scrutiny model. | |
| Please note that the Council may be asked under this item to approve alternative arrangements to strict political proportionality for appointments to Committees and other bodies in accordance with Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990. | |
| 13. STANDARDS COMMITTEE | 65 - 66 |
| To receive the report and to consider any recommendations to Council arising from the meeting held on 15 July 2011. | |
| 14. WEST MERCIA POLICE AUTHORITY | 67 - 76 |
| To receive the report of the meeting of the West Mercia Police Authority held on 14 and 28 June 2011. | |
| 15. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY | 77 - 78 |
| To receive the report of the meetings of the Hereford & Worcester Fire and Rescue Authority held on 22 June 2011. | |