

A G E N D A

Council

Date: **Friday, 23rd May, 2003**

Time: **11.30 a.m.**

Place: **The Assembly Hall, The Shirehall,
Hereford.**

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

For any further information please contact:

*Christine Dyer, Members' Services
Manager and Executive Officer*

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Council

To: All Members of the Council

	Pages
<p>Please note that under the provisions of the Local Government Act 1972, the Chairman, Councillor P.E. Harling and the outgoing Vice-Chairman, Mrs. J.H. Thomas, continue in office until the election of the Chairman and the appointment of Vice-Chairman at the Annual Meeting of the Council.</p>	
<p>1. CHAIRMAN</p> <p> To elect the Chairman of the Council.</p>	
<p>2. PRAYERS</p>	
<p>3. APOLOGIES FOR ABSENCE</p> <p> To receive apologies for absence</p>	
<p>4. DECLARATIONS OF INTEREST</p> <p> To receive any declarations of interest by Members in respect of items on this Agenda</p>	
<p>5. VICE-CHAIRMAN</p> <p> To appoint the Vice-Chairman of the Council.</p>	
<p>6. MINUTES</p> <p> To approve and sign the Minutes of the meeting held on 25th April, 2003</p>	1 - 10
<p>7. PERSONS ELECTED AS COUNCILLORS</p> <p> (a) To receive the report of the Returning Officer as to the persons elected on 1st May, 2003 to serve as Councillors; and</p> <p> (b) To note that all persons so elected have made their declarations of acceptance of office.</p>	11 - 14

8.	POLITICAL COMPOSITION OF THE COUNCIL AND FORMATION OF POLITICAL GROUPS	15 - 18
	To receive a report from the Chief Executive setting out the notifications received under Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 at the date of the despatch of the agenda. Notification can be given up to the time of the commencement of the meeting and the Chief Executive will make a further oral report as necessary.	
9.	APPOINTMENT OF THE LEADER OF THE COUNCIL	
	To appoint the Leader of the Council.	
10.	CHANGES TO THE CONSTITUTION	19 - 32
	To receive a report from the Chief Executive to enable the Council to address, as necessary, prospective changes to the Constitution.	
	To give effect to any changes at the Annual Meeting of the Council it is necessary to suspend Standing Order 4.31. Notice is hereby given under Standing Order 4.32 of a motion to suspend Standing Orders which will have to be moved and seconded at the Annual Meeting.	
11.	APPOINTMENT TO OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS AND APPOINTMENTS TO COMMITTEES, ETC	33 - 36
	(a) To make appointments to the positions of Deputy Leader, Cabinet Members, and Chairmen and vice-chairmanships of Committees and other offices;	
	(b) To establish the allocation of seats to political groups based on political proportionality and to agree arrangements for making the necessary adjustments to proportionality based on appointments to individual committees in order that proportionality can be applied across the Council as a whole;	
	(c) To make arrangements for such appointments to Committees and other bodies as may be necessary.	
	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.	
12.	CHAIRMAN'S ANNOUNCEMENTS	
	To receive the Chairman's announcements.	
13.	QUESTIONS FROM MEMBERS OF THE PUBLIC	37 - 38
	To receive questions from members of the public.	
	Standing Orders require this item to be listed on the agenda but exceptionally at this meeting the questions will stand referred to the appropriate office holders once appointed.	

14. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

To receive any written questions.

Standing Orders require this item to be listed on the agenda but exceptionally at this meeting the questions will stand referred to the appropriate office holder once appointed.

15. NOTICES OF MOTION UNDER STANDING ORDERS

To receive any Notices of Motion.

16. DATES OF FUTURE MEETINGS

Dates determined for Council meetings in the year 2003/04 are as follows:

Friday, 25th July, 2003

Friday, 7th November, 2003

Friday, 16th January, 2004

Friday, 5th March, 2004

Friday, 21st May, 2004 (Annual Council) (Shirehall)

All meetings will commence at 10.30 a.m. and will be held in the Council Chamber, Brockington, 35 Hafod Road, Hereford unless advised otherwise.

**MINUTES of the meeting of Council held at Brockington,
35 Hafod Road, Hereford on 25th April, 2003 at 10.30 a.m.**

Present: Councillor P.E. Harling (Chairman)
Councillor Mrs. J.H. Thomas (Vice-Chairman)

Councillors: A.J. Allen, L.M.H. Andrews, Mrs. P.A. Andrews, Mrs. S. Andrews, B.F. Ashton, Mrs. W.U. Attfield, B.C. Baldwin, Mrs. L.O. Barnett, Mrs. E.M. Bew, R.B.A. Burke, Mrs. J.A. Carter, A.C.R. Chappell, M.R. Cunningham, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, P.J. Edwards, P.D. Evans, D.J. Fleet, Mrs. J.P. French, J.H.R. Goodwin, C.J. Grover, J.G.S. Guthrie, J.P. Hankins, T.W. Hunt, R.E. James, T.M. James, Brig. P. Jones, CBE, M.J. Kimbery, Mrs. R.F. Lincoln, Mrs. M.D. Lloyd-Hayes, J.R. Makin, R. Mills, A.G. Morgan, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, R. Preece, Mrs. P. Robinson, C.G. Rumsey, Mrs. E.M. Saunders, D.C. Short, MBE, R.V. Stockton, J. Stone, D.C. Taylor, J.P. Thomas, W.J.S. Thomas, C.A. Tudge, J.B. Williams, G.H.M. Woodford.

89. PRAYERS

The Chaplain, Prebendary Colin Beevers, led the Council in prayer.

90. APOLOGIES FOR ABSENCE

Apologies were received from Councillors R.I. Matthews, Mrs. C.C. Powell, D.W. Rule, MBE and A.L. Williams

91. DECLARATIONS OF INTEREST

Councillors R.J. Phillips declared a personal interest in item 1.2 of the Cabinet Report to Council - The Youth Justice Plan - which was set out at pages 26 - 55 of the agenda.

92. MINUTES

RESOLVED: That the Minutes of the meeting held on 7th March, 2003 be approved as a correct record and signed by the Chairman.

93. CHAIRMAN'S ANNOUNCEMENTS**2003 Achieving the Balance Award**

The Chairman announced that the Municipal Journal and the Society of Personnel Officers had launched an annual award for local authorities to promote the value of achieving work life balance at work. Whilst the Council did not win on this occasion, it had received a 'commended' placing. He said that the commendation was a tribute to the hard work the Council had put in to make flexibility and work life balance part of its strategic and operational approach to managing people at work and the Council should be proud of its achievement. He presented the certificate to the Leader of the Council.

Petition

The Chairman announced that he had received a petition from Councillors Mrs. E.M. Bew and D.C. Short relating to the control of traffic in Westfaling Street. He passed the petition to the Cabinet Member (Environment) who undertook to pass it to the relevant officer for appropriate action.

Tributes

As this was the final Council meeting of the current administration, the Chairman took the opportunity of thanking the officers for their support, the Chaplain for guiding the Council meetings and Members for their hard work. He particularly thanked those Members who were not seeking re-election and wished the remainder success in their future endeavours.

94. QUESTIONS FROM MEMBERS OF THE PUBLIC

Under the Constitution a member of the public can ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties, or which affects the County, as long as a copy of that question has been deposited with the County Secretary and Solicitor more than five clear working days before the meeting. No such questions had been received.

95. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

Councillor J.P. Thomas asked the following of the Cabinet Member (Social Development)

With the distinct possibility of 'stalling' by Sport England in dealing with the Council's bid for funding for a much needed replacement swimming pool for North Herefordshire at Leominster, does the Cabinet Member agree that it will be an urgent task of the new Cabinet, in May, to identify other resources?

Councillor M.J. Kimbery explained that the purpose of this Council meeting was to conclude the business of the outgoing Council and that he would not make commitments on behalf of the new Council. He re-stated his own commitment to the replacement of the swimming pool for North Herefordshire in Leominster and said if he was re-elected, he would continue to work to achieve that.

He did not think it was helpful to ascribe motives to Sport England in their dealing with the Council's bid for funding. There has been good co-operation between officers of the Council and Sport England in that work. He recognised that there was local impatience about the time that work takes, and shared that impatience. He thought the Council would be ill-advised to consider alternative means of funding the pool in advance of the determination of the application to Sport England because to do so might well prejudice the bid.

In reply to a further question by Councillor Thomas, Councillor Kimbery stated that negotiations were continuing between officers of the Council and those of Sport England. Sport England would be giving a presentation in mid-May on progress achieved so far and on the best way to proceed. He said that that would be a more appropriate time to make decisions on future funding.

Councillor R.J. Phillips asked the following question of the Cabinet Member (Environment)

Could the Cabinet Member for the Environment give the meeting an update on the Council's current position regarding the Footpaths ED5 & ED6 and the proposed way ahead and timescale?

Councillor Grover reminded Council that the footpaths referred to were those in Eardisland that had been washed away by the River Arrow. He stated that the Council was seeking a way to divert the footpath back onto the bank through the Caravan Park and was undertaking a feasibility study with full costings. The report which would comprise a number of technical issues was expected to be completed by the end of the summer.

A land valuation had been completed and the Environment Agency had advised that land drainage consent may be required before any work was undertaken and that it would not be able to provide financial assistance for any works required along the river bank. The responsibility for this work rested with the riparian landowner. Due to the sensitive nature of the river bank, the Council was clarifying whether a license was required from English Nature

The Halcrow Consultancy group carried out a detailed inspection of the site on 27th February, 2003 which would form the basis of the feasibility study which would only be completed when all relevant information was received.

Councillor Grover also said that the Public Rights of Way Manager and he had attended a recent Parish Council Meeting at Eardisland and explained to a very well attended meeting the current situation and the way forward concerning the footpaths.

He spoke of the difficulties experienced over recruitment to current vacancies in the Public Rights of Way Service and the impact that was having.

In the interim the footpaths through the caravan park have had a new temporary closure order placed on them on public safety grounds. This closure will last for six months or until the point of danger can be removed.

Councillor R.J. Phillips asked the following question of the Cabinet Member (Social Development)

Does the Cabinet Member for Social Development share with me disappointment and disgust at the dramatic increase this Council has imposed on the Herefordshire Federation of Young Farmers' Clubs' Annual Rally Entertainment Licence from £135 to £1,080? Does he further recognise that such measures, without proper consultation, severely undermine any attempts this Council makes at partnership with the voluntary sector?

The Chairman ruled that Councillor Tudge as Chairman of Regulatory Committee would provide the answer.

Councillor Tudge advised that the rise in Public Entertainment Licence fees was introduced to cover the full costs of enforcement and inspection associated with entertainments that require licensing. The original fee merely covered the cost of processing the licence application but allowed for no discussions or inspections before the event or inspections during the event. Prior to the increase in the fees no inspection work was undertaken and this position clearly exposed the Council should

there have been problems at the event that resulted in death or injury. In addition nuisance from such events was not monitored prior to the fee increase.

He stated that the Public Entertainment Licence fee actually amounts to 50 pence per head and events such as those that occurred earlier this year in the USA at public entertainments seem to demonstrate the risks of unenforced licence conditions in the event of a fire.

He also stated that the whole Public Entertainment Licence system would be changed by the new liquor licensing legislation due to be introduced next year for which there is likely to be a fee set by central government. This fee has yet to be determined. He advised that fees set by other Councils were as high as £6,500.

Councillor Phillips said it was a pity that officers did not consult with the Young Farmers before increasing the fees.

96. NOTICES OF MOTION UNDER STANDING ORDERS

There were no notices of motion submitted.

97. CABINET

The Leader of the Council, Councillor T.M. James, presented the report of the meetings of Cabinet held on 13th and 27th March and 10th April, 2003.

In relation to item 1.1 Review of the Herefordshire Council Constitution, the Leader confirmed that Council was being asked to approve the first recommendations numbered (a) to (c) and that the others would be submitted to Council for consideration following the election.

In response to a query on 1.1 (c) - arrangements for co-options onto the Education Scrutiny Committee, the County Secretary and Solicitor advised that there would be no disturbance to the existing arrangements but that the rules would be relaxed to allow the possibility of headteachers being invited to serve in relation to statutory co-option.

In response to a query on 1.1(m) - Public Participation at Cabinet, the Leader said that although public participation at planning meetings had been a success there had only been limited public participation at meetings of the Council and no indication from members of the public that there was any desire to extend that facility to Cabinet meetings. In response to a further comment that members of the public were put off asking questions at Council because of the procedures involved the Leader reminded Council that these recommendations were from the Constitutional Review Working Group (CRWG) and would be considered by the new Council following the election. He reminded Council that members of the public could participate and ask questions at Local Area Forum meetings on any matter involving the Council. Following further discussion of the rights of the public and local members to speak at Cabinet, the Chief Executive again reminded Council that any changes to recommendations made by the CRWG would need to be re-considered by Cabinet. He stated that the report was brought before Council at this time to formally record the recommendations of the CRWG to the new Council.

In relation to Item 1.3 - Older People's Homes and Services, the Leader made the following statement:

"Following the High Court challenge, we have agreed that there will be a review at this Council meeting of the future options for Waverley House and the other four homes for older people owned and managed by the Council.

The Review has taken place in line with the overall strategic direction that was agreed by the Council in 2001 to develop better services for older people to enable them to enjoy as much independence as possible and where feasible in their own homes or supported accommodation.

As Council will see on page 17 of the Council Agenda, three options have been identified. In summary these are:

- To transfer both the ownership and running of the homes to another organisation.*
- To retain the homes and in partnership with local health services change their roles.*
- To seek an independent partner to work with the Council to continue running the homes and provide new services with the ownership of the homes remaining with the Council.*

Before deciding on these options, the Council needs to consider the results of the consultation which has been carried out with residents at the homes, their relatives and carers. Councillors will find a Report of the views and concerns expressed during this consultation on pages 61, 62 and 63 of the Council Agenda.

This consultation has been carried out carefully based on the Council's undertaking to the High Court. Residents and relatives were given full opportunity and time to give their views about not only the options but any other concerns. As agreed, there was an independent advocate at all meetings to ensure that all voices were heard.

All the consultations have revealed a concern that the Council should retain responsibility and influence in any future arrangements. The consultation has also highlighted the concern of residents about continuity of service and that staff employed by the Council at the homes are an extremely important part of the daily life and community of the homes and that any new arrangement will need to ensure that continuity of care by these staff is preserved as far as possible. There is also concern about the quality of future provision and detailed concerns about how any future partner would operate.

The consultation process has been fair to all concerned. Even though it took place in the context of the direction already set by Council for a partnering arrangement, I need to stress that we have not pre-judged the position the Council are considering afresh today.

Taking into consideration the views expressed in the consultation, and in order to make it absolutely clear that the Council recognises its responsibility for these services Cabinet are recommending, on page 18 of the Agenda papers, that the preferred option be to transfer the running of the homes to an independent partner and to work with that partner in developing new services. If Council will agree this recommendation as the preferred option, Cabinet also recommends that officers continue the negotiations with SHAW Homes as the preferred supplier reflecting the

issues raised in the consultation and that the outcome of those negotiations be the subject of further detailed consideration by Cabinet before any contract is entered into. It will be a decision for Cabinet later this year either to accept or reject the proposals which emerge from those negotiations. That decision will be a key decision and will be subject to scrutiny.

Separately, it is also recommended that the Council recognise the work that has been carried out with the Herefordshire Primary Care Trust to develop a resource centre for older people with mental health needs at Elmhurst and to provide an intermediate care and rehabilitation service at Hillside due to commence in November this year in accordance with the overall strategy."

Following considerable debate, the Leader agreed that a full cost analysis and other relevant information would be provided to Council before any final decision was taken on the partnership agreement. He also confirmed that any decision would be a key decision and subject to scrutiny. The decision and any recommendation following scrutiny would be subject to report and consideration by Council in the usual way.

In relation to item 4.2 (iii) - Single Status Negotiations, in response to a query the Leader confirmed that good progress was being made and that a further meeting was taking place with Trades' Unions on 29 April, 2003. He said that it would be inappropriate to comment further at this stage of the negotiations.

In relation to item 5.2 (i) - Pupil Admissions Policy, in response to a comment the Leader advised that the Local Admissions Forum would meet on 22nd May, 2003 and that a further round of consultations would be carried out with parents of pupils on Music Plus at Aylestone School. He said that changes to the Forum's constitution would be suggested to allow representatives to speak at meetings.

In relation to item 6.2 (i) - Decriminalised Parking in Herefordshire - it was suggested that the income derived from the Parking Enforcement Service could rise if the necessary Traffic Orders were in place so that enforcement could be carried out. Council was encouraged to use the money raised from parking enforcement to contribute to the community transport scheme. Council was also urged to introduce residents' parking schemes.

The Leader thanked Councillor Harling for being an excellent Chairman of Council who had earned the respect of all.

RESOLVED: That the report of the meetings of Cabinet held on 13th and 27th March and 10th April, 2003 be received and the recommendations set out below be adopted.

- (a) the Community Strategy be redesignated within the Policy Framework as the Herefordshire Plan;**
- (b) the Food Law Enforcement; Lifelong Learning and Quality Protects Action Plans be removed from the Policy Framework and become the responsibility of Cabinet;**
- (c) the arrangements for co-option onto the Education Scrutiny Committee be relaxed to allow the possibility of headteachers being invited to serve in relation to statutory co-option;**

- (d) and that the new incoming Council following the May election gives consideration to:
- (i) the Community Care Plan remaining part of the Policy Framework pending further direction from Government;
 - (ii) a revised area based scheme to complement the new ward arrangements;
 - (iii) merging the Strategic Housing Portfolio with the Social Care Portfolio to reflect current operational arrangements and the transfer of the Council's housing stock to Herefordshire Housing Limited;
 - (iv) merging the Social and Economic Development role to reflect current operational activities;
 - (v) the Deputy Leader being assigned to a portfolio responsibility within Cabinet;
 - (vi) up to two additional Cabinet portfolios being created to share the current programme area responsibility of the Leader with consideration being given in particular to the development of customer services and community information;
 - (vii) there being an early review of the role of Programme Panels in policy development and support to the Cabinet Member;
 - (viii) Cabinet-led seminars being promoted as a means of informing and canvassing all Member views in relation to policy development;
 - (ix) the benefits of moving to a single Development Control Planning Committee and disbanding the Area Sub-Committees being examined;
 - (x) the request by the Primary Care Trust that there should be a separate Scrutiny Committee dealing specifically with health be noted;
 - (xi) the terms of reference of the Scrutiny Committees be extended to make clear their powers of evidence gathering;
 - (xii) in the event that the Local Government Bill currently before Parliament provides for the Council to permit co-opted members to vote, that membership of the Council's Scrutiny Committees should allow for voting co-options to be invited to participate as issues under consideration warrant;
- and
- (xiii) not permitting public participation at Cabinet.

- (e) that the Youth Justice Plan be approved;
 - (f) the contents of the report on Older People's Homes and Services attached at Appendix 2 to the report and the views expressed by the Consultees be noted;
 - (g) in the light of that consultation the three options be noted:
 - *Transfer of the ownership and running of the homes to an existing independent sector provider (externalisation), which might include a housing organisation, charitable trust or a newly created organisation for the purpose.*
 - *Retaining the homes and, in partnership with the local health service, changing their roles to meet specialist needs, for example, reablement service or care of older people with mental infirmity.*
 - *Transfer the running of the homes to an independent sector provider, but not the ownership, and to develop a partnership with that provider for new services to be set up in the future.*
 - (h) the preferred option be to transfer the running of the Older People's Homes to an independent (not-for-profit) sector provider, but not the ownership, and the development of a partnership with that provider for new services to be set up in the future;
 - (i) the Director of Social Care and Strategic Housing be authorised, in consultation with the Cabinet Member (Social Care), to continue the negotiations with SHAW Homes on the basis of (f) above;
- and
- (j) the action taken by Cabinet in relation to Elmhurst and Hillside be approved.

98. PLANNING COMMITTEE

Councillor Mrs. P.A. Andrews presented the report of the meeting of the Planning Committee held on 14th March, 2003.

In responding to a comment on item 6 - Historic Building Grants and Associated Works - she agreed that it was important to continue to make such awards which had a significant impact in helping to preserve the County's heritage of ancient and listed buildings.

RESOLVED: That the report of the meeting of the Planning Committee held on 14th March, 2003 be received.

99. STANDARDS COMMITTEE

Mr. R. Rogers presented the report of the meeting of the Standards Committee held on 21st March, 2003 and corrected a small number of typographical errors in the protocols.

Councillor Mrs. French said that no consultation had taken place with Members on the protocols and moved that they be referred back to the new Council so that the issues could be fully debated and understood. The motion was duly seconded. Mr. Rogers said that no discourtesy was intended by the lack of consultation on the protocols. The Leader said that the old protocols were out of date and suggested that Council adopt these protocols as an interim measure but refer them back to the new Council for further consideration. The Leader proposed an amendment to the motion that the protocols be approved in draft form for the new Council to consider. The amendment was subsequently carried.

In response to a series of queries Mr. Rogers confirmed that modest personal use of the internet would be permitted, and that Members would be free to contact Key Officers for information and advice but that it was important to establish proper channels of communication.

Councillor Mrs. Thomas, on behalf of the Council, thanked Mr. Rogers for his work as Chairman of the Standards Committee. Mr. Rogers thanked the Members of the Committee, and the County Secretary and Solicitor and her staff for their assistance in supporting the work of the Committee during this Council.

RESOLVED:

That (a) the report of the meeting of the Standards Committee held on 21st March, 2003 be received;

and

(b) the draft protocols for Member/Officer Relations and Use of Members' Support Services, internal, external e-mail and other facilities be accepted in principle but be re-submitted to Council for adoption following consultation with Members.

100. STRATEGIC MONITORING COMMITTEE

Councillor R.J. Phillips presented the report of the meeting of the Strategic Monitoring Committee held on 1st April, 2003. He paid tribute to the Chairmen and Members of all the Scrutiny Committees for the work they had undertaken during the previous year.

RESOLVED: That the report of the meeting of the Strategic Monitoring Committee held on 1st April, 2003 be received.

101. REGULATORY COMMITTEE

Councillor C.A. Tudge presented the reports of the meetings of the Regulatory Committee held on 8th and 23rd April, 2003.

RESOLVED: That the reports of the meetings of the Regulatory Committee held on 8th and 23rd April, 2003 be received.

102. WEST MERCIA POLICE AUTHORITY

Councillor T.M. James presented the report of the meeting of the West Mercia Police Authority held on 18th February, 2003. He paid tribute to Councillor Mrs. J.H. Thomas who was resigning both as Chairman of the West Mercia Police Authority following a year in office, and as Councillor for Ross-on-Wye. Councillor Mrs. Thomas thanked the Leader, the Chairman of the Council, Members and officers for all the help and support she had had during her time in local government.

In response to a query on current police numbers, Councillor Mrs. Thomas undertook to provide the information once she had sought clarification from the Authority.

RESOLVED: That the report of the West Mercia Police Authority be received.

103. HEREFORD AND WORCESTER COMBINED FIRE AUTHORITY

Councillor G.W. Davis presented the report of the meetings of the Hereford and Worcester Combined Fire Authority held on 19th December, 2002 and 21st March, 2003.

He encouraged Members to attend the Fire Station Open Days.

RESOLVED: That the report of the Hereford and Worcester Combined Fire Authority be received.

104. ANNUAL COUNCIL

RESOLVED: That the Annual Meeting of Council be held on Friday, 23rd May, 2003.

Note: The meeting will be held at 10.30 a.m. in the Shirehall, Hereford and followed by lunch at the Town Hall.

105. PRESENTATION TO CHAPLAIN

The Chairman closed the meeting by presenting the Chaplain, Prebendary Colin Beevers with an engraved silver salver. Mrs. Beevers received a bouquet.

The meeting ended at 12.30 p.m.

CHAIRMAN

7. PERSONS ELECTED AS COUNCILLORS

Report By: Returning Officer

Wards Affected

County-wide

Purpose

1. To note the results of the election held on 1st May, 2003 as shown at Appendix 1.

Financial Implications

2. Any costs arising will be met from approved budgets.

RECOMMENDATION

THAT the information be noted

BACKGROUND PAPERS

None identified

WARD	COUNCILLOR
Aylestone	Alan Lloyd Williams
Aylestone	Denis Brian Wilcox
Backbury	Mrs. Josephine Elisabeth Pemberton
Belmont	Ms Glenda Ann Powell
Belmont	John Walter Newman
Belmont	Philip James Edwards
Bircher	William Luis Sebastian Bowen
Bringsty	Thomas William Hunt
Bromyard	Bernard Hunt
Bromyard	Peter John Dauncey
Burghill, Holmer and Lyde	Mrs. Sally Jane Robertson
Castle	John William Hope
Central	David John Fleet
Credenhill	Robert Ivor Matthews
Frome	Robert Michael Manning
Golden Cross with Weobley	John Hutcheson Ruell Goodwin
Golden Valley North	Nigel John Jones Davies
Golden Valley South	John Berisford Williams
Hagley	Robert Michael Wilson
Hampton Court	Keith Gordon Grumbley
Hollington	William John Stuart Thomas
Hope End	Rees Mills
Hope End	Roy Vincent Stockton
Kerne Bridge	Mrs. Ruth Francis Lincoln
Kington Town	Terence Morgan James
Ledbury	Barry Frank Ashton
Ledbury	Donald William Rule, MBE
Ledbury	Peter Edward Harling
Leominster North	Mrs. June Patricia French
Leominster North	Brig. Peter Jones, CBE
Leominster South	Richard Bernard Anthony Burke
Leominster South	John Parry Thomas
Llangarron	Mrs. Jennifer Ann Hyde
Mortimer	Mrs. Lillian Olwyn Barnett
Old Gore	John William Edwards
Pembridge and Lyonshall with Titley	Roger James Phillips
Penyard	Harry Bramer
Pontrilas	Godfrey William Davis
Ross-on-Wye East	Mrs. Cynthia Joyce Davis
Ross-on-Wye East	Mrs. Anne Elizabeth Gray
Ross-on-Wye West	Gordon Lucas
Ross-on-Wye West	Mark Robert Cunningham
St. Martins and Hinton	Arthur Christopher Richard Chappell
St. Martins and Hinton	Robert Preece
St. Martins and Hinton	Mrs. Winefride Ursula Attfield
St. Nicholas	Mrs. Eveline Mary Bew
St. Nicholas	Rev. David Cyril Short, MBE
Stoney Street	David Charles Taylor
Sutton Walls	John Gerrans Stuart Guthrie
Three Elms	Ms Anna Maria Toon
Three Elms	Mrs. Paulina Averil Andrews
Three Elms	Mrs. Sylvia Petula Ann Daniels
Tupsley	George Vincent Hyde
Tupsley	Mrs. Marcelle Denise Lloyd-Hayes
Tupsley	William James Walling
Upton	John Stone
Vallets	Philip Guy Turpin
Wormsley Ridge	John Charles Mayson

**8. POLITICAL COMPOSITION OF THE COUNCIL AND
FORMATION OF POLITICAL GROUPS****Report By: Chief Executive****Wards Affected**

County-wide

Purpose

1. To set out the notifications received under Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 giving the composition of political groups. The notifications received at the date of the despatch of the agenda are set out at Appendix 1.
2. Notifications can be given up to the time of the commencement of the meeting and the Chief Executive will make a further oral report as necessary.

RECOMMENDATION**THAT the information be noted.****BACKGROUND PAPERS**

- Notifications received under Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990

POLITICAL COMPOSITION OF THE COUNCIL AND FORMATION OF POLITICAL GROUPS

<p>CONSERVATIVES (21)</p> <p>Mrs. L.O. Barnett H. Bramer R.B.A. Burke N.J.J. Davies Mrs. J.P. French J.H.R. Goodwin K.G. Grumbley J.G.S. Guthrie P.E. Harling J.W. Hope T.W. Hunt Mrs. J.A. Hyde Brigadier P. Jones, CBE G. Lucas R.M. Manning R. Mills Mrs. J.E. Pemberton R.J. Phillips R. V. Stockton J. Stone D.B. Wilcox</p>	<p>LIBERAL DEMOCRATS (16)</p> <p>Mrs. P.A. Andrews B.F. Ashton Mrs. E.M. Bew M.R. Cunningham Mrs. S.P.A. Daniels P.J. Dauncey Mrs. C.J. Davis D.J. Fleet T.M. James Mrs. M.D. Lloyd-Hayes J.W. Newman Rev. D.C. Short, MBE W.J.S. Thomas Ms. A. M. Toon W.J. Walling A.L. Williams</p>
<p>INDEPENDENTS (17)</p> <p>W.L.S. Bowen G.W. Davis J.W. Edwards P.J. Edwards Mrs. A.E. Gray B. Hunt G.V. Hyde Mrs. R.F. Lincoln R.I. Matthews J.C. Mayson Ms G. A. Powell Mrs S. J. Robertson D.W. Rule, MBE D.C. Taylor P.G. Turpin J.B. Williams R.M. Wilson</p>	<p>LABOUR (4)</p> <p>Mrs. W.U. Attfield A.C.R. Chappell R. Preece J.P. Thomas</p>

10. CHANGES TO THE CONSTITUTION

Report By: Chief Executive

Wards Affected

County-Wide

Purpose

1. To enable the Council to address as necessary prospective changes to the Constitution at its meeting.
2. The changes to the Constitution will reflect in part changes which are required as a result of the 2002 Electoral Review (which reduced the Council from a membership of 60 to 58 with consequential changes to ward boundaries). It also reflects the preliminary indication given by the leadership of the Conservative and Independent Groups of the potential wish to amend some Cabinet and Scrutiny portfolios.
3. The leadership of the Conservative and Independent Groups have indicated their willingness to work together to form the administration of the Council.
4. Standing Order 4.31 prescribes certain formalities for introducing changes to the Constitution which would not allow such changes to be introduced at the annual meeting of Council without suspension of Standing Orders.
5. Standing Order 4.32 deals with the suspension of Standing Orders and precludes consideration of a motion to suspend Standing Orders and moved without notice unless at least two thirds of the Council are present. It is part of the purpose of this Report to give notice of the intention to suspend Standing Orders.
6. The matters under consideration were all identified in the Cabinet Report to the last meeting of Council held on 25 April 2003, prior to the election, when Cabinet in reporting on the work of the Constitution Review Working Group recommended that the new incoming Council following the May election give consideration to a series of issues.

Financial Implications

7. It is not possible to assess these without further detail of the proposed amendments to the Constitution but there is at least the potential for an increase in the scheme for Members' allowances if the number of Cabinet and Scrutiny portfolios was to be increased.

Proposed Amendments to the Constitution

Area Planning Sub-Committees

8. Since 1988 the Council's development control functions have been discharged principally through the three area sub-committees – North, Central and South. These

Further information on the subject of this report is available from
N.M. Pringle, Chief Executive, on (01432) 260044

were derived partially from the former administrative boundaries and partly on an assessment of the anticipated number of planning applications, with the aim of providing an equality in the level of work for each sub-committee. The new electoral ward boundaries which came into effect on 1 May 2003 require the Council to revisit the area planning sub-committee boundaries in order that the boundaries do not divide existing member wards.

9. Officers have prepared a revised schedule on the basis of minimal disruption to the existing arrangements consistent with avoiding the division of existing member wards. These proposals are detailed at Appendix 1.
10. If the Council are unable to agree on a revised geographical basis for the area planning sub-committees then planning control decisions will have to be made by the main Planning Committee until such time as agreement is reached. This will almost certainly increase the frequency of full Planning Committee meetings.

Local Area Forums

11. Similar considerations apply to the current composition of the Council's nine Local Area Forums. The previous Council had approved consultations on both the operation and boundaries of the Local Area Forums. In view of the relatively short cycle between the Annual Meeting of Council on 23 May and the next meeting of Council on 25 July Council may wish to suspend the meeting of Local Area Forums for the forthcoming cycle rather than establish new boundaries in advance of the completion of that consultation exercise.
12. Nevertheless there is set out at Appendix 2 a proposed revised set of proposals which reflect the new ward boundaries and make proposals for the minimum change to the current arrangements.

Cabinet and Programme Panels

13. The Cabinet currently consists of the Leader of the Council, six Cabinet Members with detailed programme area responsibilities and a Deputy Leader. Any changes to those arrangements will require the approval of Council. Council is able to appoint a Cabinet of up to 10 members including the Leader of the Council. It is understood that a proposal will be made to change both the number and the portfolios of Cabinet Members.
14. It is hoped it will be possible to circulate details of those portfolios with proposed terms of reference prior to the meeting of Council.
15. There is no necessity to appoint the programme panels referred to in the Constitution. However, if that is to be a permanent feature it would be prudent to amend the Constitution to delete the reference to programme panels.

Overview and Scrutiny Arrangements

16. The Council's Constitution currently provides for a Strategic Monitoring Committee and four Scrutiny Committees.
17. The Strategic Monitoring Committee currently comprises the Chairmen and Vice-Chairmen of the Scrutiny Committees and such other councillors as the Council may appoint to it. The operation of the Strategic Monitoring Committee on this basis has depended on Council agreeing to suspend the rules of proportionality in relation to

Strategic Monitoring Committee compensating for that suspension of proportionality when calculating proportionality across the Council as a whole.

18. The importance of the suspension of proportionality is that unless proportionality is so suspended then the right to nominate to seats on Strategic Monitoring Committee lies with the respective political Group Leaders and appointments cannot be made by Council.
19. Notice has been given by the leadership of the Conservative and Independent Groups that they would wish to consider, in accordance with the resolution of Council on 25 April, the recommendation from the Primary Care Trust that there should be separate Scrutiny Committee dealing specifically with health.

RECOMMENDATION

THAT Council agrees to the suspension of Standing Orders under Standing Order 4.32 to enable the following changes to the Constitution to be considered and if necessary agreed with immediate affect:

- (a) **the establishment of the three area planning sub-committees on the revised boundaries as shown at Appendix 1;**
- (b) **the issue of whether or not to establish local area forums prior to the meeting of Council on 25 July 2003 and if it is decided to establish local area forums prior to that date, the boundaries of those forums;**
- (c) **to consider the composition of Cabinet, to specify the individual Cabinet portfolios and to agree terms of reference for those portfolios;**
- (d) **to consider whether to establish a separate Scrutiny Committee for health and if so to agree the necessary amendments to the composition of the Strategic Monitoring Committee;**
- (e) **subject to decisions on the aforementioned recommendations, to authorise the County Secretary and Solicitor in consultation with the Chief Executive and Leader of the Council to revise the Council's Constitution to give immediate effect to the wishes of the Council; and**
- (f) **notwithstanding the delegation to the County Secretary and Solicitor at (e) above with immediate effect the revisions be considered by the Constitution Review Working Group, Cabinet and Strategic Monitoring Committee so that the final form of the revisions to the Constitution can be considered by Council at its meeting on 25 July 2003.**

Herefordshire Ward Boundaries



Scale 1: 175,000

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APPENDIX 1

PROPOSED MEMBERSHIP OF THE AREA PLANNING SUB-COMMITTEES

Northern Area Planning Sub-Committee			
21 Members			
Councillor	Ward	Councillor	Ward
W.L.S. Bowen	Bircher	B.F. Ashton	Ledbury
T.W. Hunt	Bringsty	D.W. Rule, MBE	Ledbury
B. Hunt	Bromyard	P.E. Harling	Ledbury
P.J. Dauncey	Bromyard	Brig. P. Jones CBE	Leominster North
J.W. Hope	Castle	Mrs. J.P. French	Leominster North
R.M. Manning	Frome	R.B.A. Burke	Leominster South
J.H.R. Goodwin	Golden Cross with Weobley	J.P. Thomas	Leominster South
K.G. Grumbley	Hampton Court	Mrs. L.O. Barnett	Mortimer
R. Mills	Hope End	R.J. Phillips	Pembridge and
R.V. Stockton	Hope End		Lyonshall with Titley
T.M. James	Kington	J. Stone	Upton
Central Area Planning Sub-Committee			
24 Members			
A.L. Williams	Aylestone	Mrs. E.M. Bew	St Nicholas
D.B. Wilcox	Aylestone	D.C. Short, MBE	St Nichols
Mrs. J.E. Pemberton	Backbury	J.G.S. Guthrie	Sutton Walls
P.J. Edwards	Belmont	Mrs. P. Andrews	Three Elms
J.W. Newman	Belmont	Mrs. S.P.A. Daniels	Three Elms
Ms G.A. Powell	Belmont	Ms A.M. Toon	Three Elms
Mrs. S.J. Robertson	Burghill, Holmer and Lyde	G.V. Hyde	Tupsley
D.J. Fleet	Central	Mrs. M.D. Lloyd-Hayes	Tupsley
R.I. Matthews	Credenhill	W.J. Walling	Tupsley
R.M. Wilson	Hagley	J.C. Mayson	Wormsley Ridge
W.J.S. Thomas	Hollington		
A.C.R. Chappell	St Martins and Hinton		
Mrs. W.U. Attfield	St Martins and Hinton		
R. Preece	St Martins and Hinton		
Southern Area Planning Sub-Committee			
13 Members			
N.J.J. Davis	Golden Valley North	Mrs. A.E. Gray	Ross on Wye East
J.B. Williams	Golden Valley South	Mrs. C.J. Davis	Ross on Wye East
Mrs. R.F. Lincoln	Kerne Bridge	G. Lucas	Ross on Wye West
Mrs. J.A. Hyde	Llangarron	M.R. Cunningham	Ross on Wye West
J.W. Edwards	Old Gore	D.C. Taylor	Stoney Street
H. Bramer	Penyard	P.G. Turpin	Valletts
G.W. Davis	Pontrilas		

PROPOSED MEMBERSHIP OF LOCAL AREA FORUMS

BROMYARD DISTRICT LIAISON GROUP

Bringsty	T.W. Hunt
Bromyard	B. Hunt
	P. J. Dauncey
Frome	R.M. Manning

DINMORE LOCAL AREA FORUM

Backbury	Mrs. J.E. Pemberton
Credenhill	R.I. Matthews
Hagley	R. M. Wilson
Hampton Court	K.G. Grumbley
Burghill, Holmer and Lyde	Mrs. S.J. Robertson
Sutton Walls	J.G.S. Guthrie
Wormsley Ridge	J.C. Mayson

GOLDEN VALLEY LIAISON GROUP

Pontrilas	G. W. Davis
Stoney Street	D.C. Taylor
Golden Valley North	N.J.J. Davies
Golden Valley South	J.B. Williams
Llangarron	Mrs J.A. Hyde
Valletts	P.G. Turpin

HEREFORD CITY (NORTH) AREA FORUM

Aylestone	A.L. Williams
	D.B. Wilcox
Central	D.J. Fleet
St. Nicholas	Mrs. E.M. Bew
	D.C. Short, MBE
Three Elms	Mrs. P. Andrews
	Ms A.M. Toon
	Mrs. S.P.A. Daniels
Tupsley	G.V. Hyde
	Mrs. M.D. Lloyd-Hayes
	W.J. Walling

LEDBURY DISTRICT LIAISON GROUP

Hope End	R.V. Stockton
	R. Mills
Ledbury	B.F. Ashton
	P.E. Harling
	D.W. Rule, MBE

PROPOSED MEMBERSHIP OF LOCAL AREA FORUMS
(Continued)

LEOMINSTER LOCAL AREA FORUM

Bircher	W.L.S. Bowen
Leominster South	R.B.A. Burke
	J.P. Thomas
Leominster North	Mrs. J.P. French
	Brig. P. Jones, CBE
Upton	J. Stone

NORTH WEST HEREFORDSHIRE FORUM

Castle	J.W. Hope
Golden Cross with Weobley	J.H.R. Goodwin
Kington Town	T.M. James
Pembridge and Lyonshall with Titley	R.J. Phillips
Mortimer	Mrs. L.O. Barnett

SOUTHERN HEREFORDSHIRE LOCAL AREA FORUM

Hollington	W.J.S. Thomas
Kerne Bridge	Mrs. R.F. Lincoln
Old Gore	J.W. Edwards
Penyard	H. Bramer
Ross-on-Wye East	Mrs. C.J. Davis
	Mrs A.E.Gray
Ross- on-Wye West	G. Lucas
	M.R. Cunningham

SOUTH WYE ASSEMBLY

Belmont	Ms G.A.Powell
	J.W. Newman
	P.J. Edwards
St. Martins and Hinton	A.C.R. Chappell
	Mrs. W.U. Attfield
	R. Preece

11. APPOINTMENT TO OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS, APPOINTMENT TO COMMITTEES, ETC.**Report By: Chief Executive****Wards Affected**

County-wide

Purpose

1. To exercise those powers reserved to Council at its annual meeting:
 - (a) To make appointments to the positions of Deputy Leader, Cabinet Members and chairmen and vice-chairmanships of committees and other offices.
 - (b) To establish the allocation of seats to political groups based on proportionality and to agree arrangements for making the necessary adjustments to proportionality based on appointments to individual committees in order that proportionality can be applied across the Council as a whole;.
 - (c) To make arrangements for such appointments to committees and other bodies as may be necessary.

Financial Implications

2. Additional provision will need to be made for the additional expenditure which will be incurred on special responsibility allowances if the Council decides to increase the number of Cabinet Member portfolios and the number of Overview and Scrutiny Committees. The Members Allowance Scheme provides for a special responsibility allowance of £10,350 per annum for Cabinet Members and £7,762 for Chairmen of Scrutiny Committees. No allowance is payable for Committee Vice-Chairmen.

Appointment of Cabinet Members, Chairmen of Committees, etc.

3. Appointment of the Leader of the Council will already have been dealt with under item 9. The first purpose of this item is therefore to make appointments to the other offices as approved by the Council in item 10 of this Agenda "Changes to the Constitution". Details of the proposed appointments will be circulated at the Council meeting. Standing Order 4.3.9 allows for those Committees which do not have a Chairman elected at the annual meeting of Council to elect their own Chairmen at the first meeting following the annual meeting. This will apply to the Social Care Appeals Panel, Appointments

Further information on the subject of this report is available from
N.M. Pringle, Chief Executive, on (01432) 260044

Panel and the Employee Appeals Panel whose memberships vary and are drawn from a wider list of Councillors, and to the Standards Committee which includes non-elected members. The Council has a number of standing Cabinet advisory panels. These are detailed in Part 9 of the Constitution as the Smallholdings Panel and Voluntary Sector Grants Panel which advise executive members.

4. The Standards Committee of the Council must comprise at least two Councillors together with an independent member and a representative of the Parish Councils. The independent member Robert Rogers was appointed in January 2002 and has agreed to continue to serve this Council. It has been the practice for the Chairman and Vice-Chairman of the Council to serve on this Committee.

Allocation of Seats to Political Groups and Appointments to Committees

5. The Local Government (Committees and Political Group) Regulations 1991 require the allocation of committee seats to political groups to be in proportion to the size of those groups on the Council and that the Council reviews that allocation each year at the Annual Meeting. The requirement is for representation to be proportional on each committee and across the relevant committees taken as a whole.
6. It is necessary to review the allocation of seats to reflect the changes to political party membership following the 2003 elections as notified to the Chief Executive prior to the meeting.
7. Group Leaders will be provided with a chart showing the allocation of seats calculated on a strictly proportionate basis and which assumes that the Conservative and Independent Groups will form the administration and hold between them all the seats on Cabinet.
8. In preparing the charts regard has been taken of the declared political groups.
 - The political balance is currently: Conservatives - 21, Independents – 17, Liberal Democrats - 16, Labour – 4.
 - The principle will be maintained that all Members (apart from Cabinet Members and the Chairman and Vice-Chairman of the Council) will have an opportunity to serve two committees as well as having a seat on the relevant area planning sub-committee.
9. Under executive arrangements the strict calculation of proportionality required by the Local Government and Housing Act 1989 is across all the traditional Committees and the Scrutiny Committees. The strict calculation does not include the seats on Cabinet or the Standards Committee. The chart has been drawn up to reflect paragraph 8 and to add seats to the Planning, Regulatory and Scrutiny Committees to provide for this.
10. If Council wishes to allocate seats on a different basis than political proportion, such alternative arrangements can only be made where they are approved by Council without any Member voting against. This is known as a nem con vote by the Council. Abstentions from voting do not invalidate the nem con vote. If such arrangements are to be made then it is necessary to

give notice of such a possibility under Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990. Notice is, therefore, formally given on the agenda so that Council is not denied that opportunity.

11. The Strategic Monitoring Committee currently comprises the Chairmen and Vice-Chairmen of the Scrutiny Committees and such other councillors as the Council may appoint to it. The operation of the Strategic Monitoring Committee on this basis has depended on Council agreeing to suspend the rules of proportionality in relation to Strategic Monitoring Committee compensating for that suspension of proportionality when calculating proportionality across the Council as a whole.
12. The importance of the suspension of proportionality is that unless proportionality is so suspended then the right to nominate to seats on Strategic Monitoring Committee lies with the respective political Group Leaders and appointments cannot be made by Council.
13. If alternative arrangements are not approved, the Chief Executive, in consultation with the Group Leaders, will have to exercise his delegated powers to make any adjustment to the number and allocation of seats to give effect to the rules on proportionality and to make appointments in accordance with the nominations of the political group leaders. To assist this process all members will be invited to express their preferences for the committees and panels they would be interested to serve.
14. It is helpful for the Chief Executive, in consultation with the group leaders, to have delegated authority to adjust the size of committees and/or bodies as this can be important in ironing out inequalities in the application of the rules on proportionality.

Appointment to Bodies by Reference to Area

15. Membership of the Planning Area Sub-Committees and Local Area Forums is determined in accordance with Ward membership. There is an exception in the Local Government (Committees and Political Groups) Regulations 1990 which enables appointments to be made to groups composed of all the Councillors for an area without the rules on proportionality being applied. Because of recent changes to ward boundaries it has been necessary to review the membership of these bodies, proposals for which are set out in the Report at item 10 of the Agenda. The recommendation on area based bodies reflects a position showing minimum changes to previously established bodies.

Appointment to Outside Bodies

16. Standing Order 12.7.3.4 gives authority to the County Secretary and Solicitor, in consultation with the Group Leaders, to make appointments to outside bodies. These comprise a wide range of national, regional and local organisations. It is recommended that the Council make appointments at this meeting to the Adoption Panel, Herefordshire Housing, Herefordshire Community Leisure Trust (HALO), the West Mercia Police Authority, the Joint Committee and the Combined Fire Authority.

Members' Allowances Scheme

17. A Members' Allowances Scheme was adopted on 8th March, 2002 and has been increased by 3.5% in line with the Independent Remuneration Panel's advice and the NJC for Local Government Services pay awards. Council is reminded that payment of special responsibility allowance to Vice-Chairmen of Committees was continued as a transitional arrangement until the elections and will now be abolished.

RECOMMENDATIONS

- THAT (a) the arrangements for appointments to committees and other bodies be agreed;**
- (b) Councillors be appointed to the offices described in this report for a term of office which will expire at the next Annual Meeting of Council;**
- (c) the Chief Executive be requested to exercise his delegated powers to make, following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality and to make appointments, as necessary, in accordance with the nominations of the political group leaders**
- (d) membership of the area planning sub-committees be agreed;**
- (e) membership of the Local Area Forums be agreed;**
- (f) the arrangements for appointments to outside bodies be noted and appointments made to the Adoption Panel (1 Member), Herefordshire Housing (5 Members), Herefordshire Community Leisure Trust (2 Members), the Combined Fire Authority (6 Members), the West Mercia Police Authority (1 Member) and the Joint Committee (2 Members).**

BACKGROUND PAPERS

None identified.

13. QUESTIONS FROM MEMBERS OF THE PUBLIC**Report By: County Secretary and Solicitor****Wards Affected****Purpose**

1. To report on questions from members of the public deposited with the County Secretary and Solicitor more than six clear working days before the meeting of Council.

Background

2. Standing Order 4.24 of the Constitution states that: A member of the public may ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the County Secretary and Solicitor more than six clear working days before the meeting i.e. by close of business on a Wednesday in the week preceding a Friday meeting. No supplementary questions may be asked.
3. A total of 25 minutes shall be set aside for the answering of questions from members of the public save that the Chairman, or Vice-Chairman, if presiding, shall have absolute discretion to vary the period of time by making it shorter or longer as he/she considers appropriate. Any questions unanswered at the expiry of the time limit shall be dealt with by way of written reply to the questioner.
4. The County Secretary and Solicitor may reject any question which contains defamatory material or the publication of which is likely to be detrimental to the Council's interests.
5. The Chief Executive will read the questions to the meeting in the order in which they are received and they will be answered in that order. No question shall take longer than three minutes to read and any questions that would take longer may be edited at the County Secretary and Solicitor's discretion.

Questions

6. Questions received by the deadline are attached at Appendix 1.

**QUESTIONS FROM MEMBERS OF THE PUBLIC TO BE ASKED AT THE
ANNUAL MEETING OF COUNCIL ON 23RD MAY, 2003.**

1. Question from Mrs. Morgan, Hereford.

I want to know if there is an imminent review as to why the Council withdrew a stretch of road that has always been available to residents in the zone 3 area (between 1 Ledbury Road and Templar's Lane).

Having discussed this with Councillor Fleet and being reassured consideration would be given to returning this facility to local residents, the reverse has happened without consultation with anyone affected.

Additionally, all that is available to residents in the area is parking Monday to Friday between 11.00 pm and 4.00 pm, as anybody can park there for two hours at any time. Why has the Council not considered 24 hour parking for residents in conjunction with the visitors' permits?