

MINUTES of the meeting of COUNCIL held at The Assembly Hall, Shirehall, Hereford. on Friday, 25th May, 2007 at 11.30 a.m.

Present:

Councillors: PA Andrews, LO Barnett, CM Bartrum, DJ Benjamin, AJM Blackshaw, WLS Bowen, H Bramer, RBA Burke, ACR Chappell, ME Cooper, PGH Cutter, SPA Daniels, H Davies, GFM Dawe, PJ Edwards, MJ Fishley, JP French, JHR Goodwin, AE Gray, DW Greenow, KG Grumbley, KS Guthrie, JW Hope MBE, MAF Hubbard, B Hunt, TW Hunt, JA Hyde, TM James, JG Jarvis, P Jones CBE, MD Lloyd-Hayes, G Lucas, RI Matthews, TMR McLean, R Mills, PM Morgan, AT Oliver, JE Pemberton, RJ Phillips, GA Powell, PD Price, SJ Robertson, A Seldon, RH Smith, RV Stockton, K Swinburne, AP Taylor, DC Taylor, WJ Walling, PJ Watts, DB Wilcox, JB Williams and JD Woodward

The outgoing Chairman, J.W. Edwards took the Chair for the first item.

1. CHAIRMAN

RESOLVED: That Councillor J Stone be elected Chairman of the Council until the annual meeting of Council in May 2008.

Councillor Stone made and signed a declaration of acceptance of office and took the chair for the remainder of the meeting.

2. PRAYERS

The Very Reverend Peter Haynes led the Council in prayer.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Atfield, RC Hunt, Toon and Vaughan.

4. DECLARATIONS OF INTEREST

Councillor GFM Dawe declared a personal interest in Item 14 of the agenda - Statement of Principles in accordance with Section 349 - Gambling Act 2005.

The Chairman announced that, following the election on 3rd May, 2007, all members of the Council had completed and signed notifications of financial and other interests. He reminded councillors of their obligation, under Standing Order 2.8A.3 to notify the Head of Legal and Democratic Services of any changes in the information within one month of any change occurring.

5. VICE-CHAIRMAN

RESOLVED: That Councillor JB Williams be appointed to the office of Vice-Chairman of the Council until the annual meeting of Council in May 2008.

Councillor Williams made and signed a declaration of acceptance of office.

6. MINUTES

RESOLVED: That the minutes of the meeting held on 27 April 2007 be approved as a correct record and signed by the Chairman.

7. PERSONS ELECTED AS COUNCILLORS

The Council received a report from the Chief Executive as Returning Officer as to the persons elected on 3 May 2007 to serve as councillors. He reported that all councillors so elected had made their declarations of acceptance of office.

RESOLVED: That the information be noted.

8. POLITICAL COMPOSITION OF THE COUNCIL AND FORMATION OF POLITICAL GROUPS

The Chief Executive presented a report setting out the notifications which he had received at the time of the despatch of the agenda under regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 giving the composition of the political groups. He confirmed the political composition of the Council as 32 Conservatives, 14 Independents, 10 Liberal Democrats and 2 Labour.

RESOLVED: That the information be noted.

9. APPOINTMENT OF THE LEADER OF THE COUNCIL

RESOLVED: That Councillor RJ Phillips be appointed the Leader of the Council for the ensuing council year.

Councillor Phillips advised that Councillor JP French would be Deputy Leader of the Council and confirmed the names of his other cabinet members, with portfolio titles, which had been circulated at the beginning of the meeting. He confirmed that any changes to the titles and remit of scrutiny committees would have to follow the formal procedure laid down in the constitution.

10. APPOINTMENT TO OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS AND APPOINTMENTS TO COMMITTEES AND OTHER BODIES (Pages 1 - 4)

The Chief Executive presented a report on appointments to offices reserved to Council.

A list of those offices to which the Council has powers to appoint, together with nominations was circulated at the beginning of the meeting. Also circulated was a list of outside bodies to which appointments needed to be made immediately. The lists are attached at appendices 1 and 2 of these minutes for ease of reference.

He advised that allocation of seats to political groups would be proportionate, and that, where one political group held the majority of seats on the Council, it was entitled to the majority of seats on each of its committees. In order to continue the

existing arrangement of allowing the Chairmen and Vice-Chairmen of the other Scrutiny Committees to sit on the Strategic Monitoring Committee it would be necessary to suspend proportionality. This would allow the membership of the Strategic Monitoring Committee to be made by Council on a basis which departed from political proportionality. He advised that any vote on suspension of proportionality would need to be "nem con", that is, no councillor should vote against it.

RESOLVED: (nem con)

THAT (a) the recommendation to partially suspend the rules of proportionality be approved;

(b) Councillors be appointed to the offices contained in Appendix 1 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;

and

(d) the arrangements for appointments to outside bodies be noted and appointments made to the Adoption Panel (1 Member), Herefordshire Housing (4 Members), Herefordshire Community Leisure Trust (2 Members), the Hereford and Worcester Fire and Rescue Authority (6 Members), the West Mercia Police Authority (2 Members) and the Joint Committee (1 Member) as listed in Appendix 2.

11. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillors and guests to the Annual Meeting of Council and looked forward to seeing them in the Town Hall after the meeting.

He announced that the restoration of Victoria Bridge, Hereford had won two awards. It was named the best civil engineering project in the West Midlands for 2007 and was also the Heritage Award winner. The project team also won a further award for the best presentation and display at the ceremony.

There were no petitions.

12. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

13. DELEGATION OF LICENSING AUTHORITY FUNCTIONS IN ACCORDANCE WITH SECTION 154 - GAMBLING ACT 2005

The Leader called for a suspension of Standing Order 4.31 to allow an amendment to the Constitution.

Council considered a delegation in accordance with Section 154 of the Gambling Act

2005 (setting of fees) to the Regulatory Committee.

RESOLVED:

- That (a) **Standing Order 4.31 be suspended; and**
- (b) **the function in respect of the setting of fees be delegated to the Regulatory Committee and the Constitution be amended accordingly.**

14. STATEMENT OF PRINCIPLES IN ACCORDANCE WITH SECTION 349 - GAMBLING ACT 2005

Council received a report seeking approval of a Statement of Principles in accordance with Section 349 of the Gambling Act 2005. The Statement of Principles had previously been approved by the Regulatory Committee on 28th November, 2006 but a subsequent change in legislation now required it to be approved by Council.

A proposal to amend the statement of principles was not seconded.

RESOLVED: That the Statement of Principles be approved.

15. DATES OF FUTURE MEETINGS

It was noted that the dates determined for Council meetings in the year 2007/08 are:

Friday 27 July 2007

Friday 9 November 2007

Friday 8 February 2008

Friday 7 March 2008 (To set the budget and council tax)(Shirehall)

Friday 16 May 2008 (Annual Council) (Shirehall)

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

The meeting ended at 12.20 p.m.

CHAIRMAN