

## REVIEW OF THE CONSTITUTION

Report By: County Secretary and Solicitor

### Wards Affected

County-wide

### Purpose

1. To consider proposed amendments to the Constitution.

### Background

2. There are two aspects of the Constitution currently requiring revision: provisions relating to the Local Area Forums and provisions relating to the Regulatory Committee. These need to be considered by Cabinet and the Strategic Monitoring Committee before being recommended to Council.

### Local Area Forums

3. Following a review of Local Area Forums Cabinet agreed on 23rd October, 2003 a range of proposals as a framework for further development, subject to further consultation on the details of the proposals being undertaken with various interested parties. Subject to the outcome of the consultation, it authorised the County Secretary and Solicitor to draft the necessary amendments to the Constitution for recommendation to a future meeting of the Council for approval. These proposals will require revisions to Part 10 and Appendix 20 of the Constitution.
4. It also proposed that Chairmen of the Local Area Forums should be appointed by the political Group Leaders and that the Special Responsibility Allowance for those Chairmen should be discontinued. This will require revision to the Scheme of Allowances for Members set out in Appendix 15 of the Constitution. It has asked that budgetary provision for Local Area Forums be identified in the next round of budget discussions.
5. The proposals set out in the report to Cabinet are appended.

### Regulatory Committee

6. The Licensing Act 2003 provides that from April 2004 that local authorities will have responsibility for the licensing of all liquor licensing, gaming permits, public entertainment licenses and cinema licenses within the geographical area administered by the authority.
7. The Regulatory Committee has noted that it will be necessary for a Licensing Sub-Committee to be formed to carry out this role. The Constitution does not currently provide the Regulatory Committee with the authority to establish a Sub-Committee. It is therefore proposed that the Constitution be amended accordingly.

8. The Committee is also asked to note that as reported to Council on 7th November, 2003 the delegated powers of the Director of Environment have been made more specific in relation to registering motor salvage operators. There are a number of other refinements which need to be made in respect of delegations to officers for regulatory matters and it is proposed to devise a scheme modelled on the scheme of delegation to officers for planning matters. It is proposed that the Constitution be amended to provide for the County Secretary and Solicitor to devise a Scheme.

## RECOMMENDATION

- THAT (a) the proposals relating to the Local Area Forums as set out in appendix 1 and the Scheme of Allowances for Members be noted and the necessary consequential amendments to the Constitution be recommended to Cabinet and Council for approval;**
- (b) it be recommended to Cabinet and Council that the Constitution be amended to empower the Regulatory Committee to establish a Sub-Committee;**
- and**
- (c) it be recommended to Cabinet and Council that the Constitution be amended to provide for the County Secretary and Solicitor to be authorised to devise a scheme of delegation for officers for regulatory matters.**

## BACKGROUND PAPERS

- None

**EXTRACT FROM REPORT TO CABINET ON 23RD OCTOBER 2003.**

1. Due to the rural and urban nature of Herefordshire it is important to consider how the County is split up in order to accommodate Local Area Forums. Although a high number of Local Area Forums caters for the diverse nature of Herefordshire's geography, it can create resource issues and make coordination of timetables and agendas very difficult. The following proposal takes account of the different areas within Herefordshire whilst creating a manageable number of meetings:
  - The county to be split into 6 areas
  - The forums to be: North (Kington and Leominster regions), East (Bromyard and Ledbury), Central Herefordshire (Dinmore and area), Hereford (City and South-Wye), Golden Valley and Ross-on-Wye.
2. The issue of what is discussed at meetings is vital to their success. Central to the consultation was the fact that Local Areas Forums should be consultative rather than informative. The following proposal seeks to ensure this:
  - Agenda items should state clearly whether they are consultative and how information from LAFs will be used
  - A summary report should be fed to Cabinet at the end of each round of meetings
  - The quality of Officer presentations should be standardised
  - Development work to be done on expanding agenda to partner organisations
  - Additional ad hoc meetings for important issues to be held
  - A cabinet member should be present at each meeting
  - The style of meeting should be inclusive of all members of the community. Development work on different approaches to facilitation should be undertaken
3. When and where Local Area Forums are held can be central to whether people attend or not. The following proposal is designed to ensure that the system is flexible to the needs of the public:
  - Meetings to be held quarterly, with dates set well in advance
  - The initial choice of venue should be consulted on and consideration given to nearby public transport arrangements and Disability access
  - Refreshments should be provided for attendees
4. In order to ensure that the opportunity for the Community to attend is maximised, it is important that a strategic approach to advertising is undertaken
  - "The eyes" branding should be discontinued. For an interim period the apple logo can be used. The name "Local Area Forum" should be retained

- The whole cycle of meetings should be advertised in the Hereford Times and Journal
- Links with Parish Councils should be used for local advertising
- Summaries of all meetings should be placed on the Council's website
- Circulation of paper agendas prior to meetings should be abolished. Paperwork to comprise of an attendance register
- The notion of Local Area Forum membership should also be discontinued as it creates an atmosphere of two-tier meetings which does not help foster an inclusive approach