

PART 1

INTRODUCTION AND SUMMARY

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Introduction and Summary

1.1 Our Constitution

1.1.1 The Council has adopted a Constitution which sets out how we operate and how we make decisions. There is a lot of information in our Constitution, so we have made a summary of it.

1.1.2 Our constitution is in eight parts:-

- a Part 1 is a summary of our Constitution together with an introduction to the Council.
- b Part 2 contains 13 articles which explain how key parts of the Council work;
- c Part 3 says who does what;
- d Part 4 contains detailed rules about how particular things operate;
- e Part 5 provides more details about how Councillors and Council staff work together;
- f Part 6 sets out the allowances that Councillors are paid;
- g Part 7 explains the Cabinet and Scrutiny Committee roles and the Council's management structure; and
- h Part 8 is a glossary explaining meanings of particular words and phrases used in the Constitution.

An Introduction to Herefordshire Council

1.2 Location

1.2.1 Herefordshire is located in the southwest corner of the West Midlands region bordering Wales.

1.2.2 Covering 840 square miles, and with some of the most beautiful scenery in the country, the County is home for approx 180,000 people and is popular with ramblers and tourists. It is a rural county with five market towns and the City of Hereford.

1.2.3 The Council services are delivered across the County; the City of Hereford, the towns and rural areas, with the biggest population centres being:

- a Hereford City 55,700
- b Leominster 11,100
- c Ross-on-Wye 10,100
- d Ledbury 9,900
- e Bromyard 4,700
- f Kington 3,200

(Source: mid-2008 small area population estimates, Office of National Statistics. Crown copyright)

1.3 About Herefordshire Council

- 1.3.1 Herefordshire Council is a Unitary Authority and is responsible for the following main services:

Children and Young People	Leisure and Recreation	Social Services
Community Safety	Libraries	Strategic Planning
Culture	Licensing	Sustainability
Economic Development	Museums	Tourism
Education	Planning Services	Transport Planning
Emergency Planning	Regeneration	Waste collection
Environmental Health	Regulatory Services	Waste Disposal
Highways	Revenue Collection	Youth
Housing (some functions)		

1.4 Who we are and how we work

- 1.4.1 The Council is governed by 58 Councillors elected by local people. Those Councillors work in party political and other groups. The leader of the group with the majority of Councillors is usually elected by the Council as the Leader of the Council.
- 1.4.2 Across our services more than 5,000 people in Herefordshire work in some way for the Council. Some of our staff deliver integrated services on behalf of NHS Herefordshire (the local primary care trust), and Herefordshire Council. The Chief Executive is responsible for all the staff and their day to day activities.
- 1.4.3 We have a Constitution which sets out how we work and what we can do.
- 1.4.4 We will do our utmost to work ethically, follow the principles of good governance set out in Article 1 of Part 2 of this Constitution and the ten principles of public life set out in the Councillor Code of Conduct in Part 5.

1.5 Our Vision

- 1.5.1 Our vision by 2020 is:-

Herefordshire will be a place where people, organisations and businesses, working together within an outstanding natural environment, will bring about sustainable prosperity and well-being for all.

1.6 Our Corporate Plan

- 1.6.1 Our plans to meet the major challenges for the County and achieve our strategic objectives are reflected in our Corporate Plan.

1.7 Our Partners

- 1.7.1 Herefordshire Council works very closely with other service providers in the County. In particular, Herefordshire Council has a formal partnership with NHS Herefordshire. The two organisations have the same Chief Executive and management team.
- 1.7.2 The Council and NHS Herefordshire are also members of the wider Herefordshire Partnership. This Partnership includes the major organisations working in the County. The Partnership collectively sets priorities so that resources can be best targeted at achieving the outcomes needed by people and businesses in Herefordshire. These priorities are set out in the Herefordshire Sustainable Community Strategy.
- 1.7.3 More details of these partnership arrangements are set out in Part 2 of the Constitution (Article 9).

1.8 A Summary of Our Constitution

- 1.8.1 This summary gives a short description of how the Council is run and the key bodies and people who take decisions.

1.9 Councillors

- 1.9.1 The Council is governed by 58 Councillors who are elected every four years. In the event of a vacancy during the four years a by-election is held. Each Councillor has a duty to the whole community and in particular to represent all the people living and working in the area of the County (known as a ward) where they were elected. Some wards have more than one Councillor. (See Part 2 Article 2 for more detail.)
- 1.9.2 Councillors have a Code of Conduct, set out in Part 5 of this Constitution to make sure they follow high standards in the way that they carry out their role.

1.10 The Council

- 1.10.1 All Councillors meet together about five times a year in the Council meeting. The Council meeting decides what is known as the Budget and Policy Framework and sets the Budget each year. The Council Meeting also appoints the Leader of the Council and the Chairman of the Council. (See Part 2 Article 4 for more detail.)

1.11 The Leader of the Council and the Cabinet

- 1.11.1 The Leader of the Council appoints the Cabinet and chairs its meetings. The Cabinet must consist of a minimum of the Leader and two other Councillors up to a maximum of 10 Councillors including the Leader. The Councillors in the Cabinet each have responsibility for areas of the Council's work allocated to them by the Leader. (See Part 2 Article 5 for more detail.)
- 1.11.2 The Councillors in the Cabinet can only make decisions within the scope of the overall Budget and Policy Framework set by the Council. If the Cabinet wants to make a decision outside the Budget and Policy Framework then it can only do so in limited circumstances set out in the Budget and Policy Framework Rules (Part 3 section 3) otherwise the Council must agree.

1.12 The Chairman of the Council

- 1.12.1 The Chairman of the Council is the non-political and ceremonial representative of the Council and is in charge of the Council Meeting. (See Part 2 Article 4 for more detail.)

1.13 The Chief Executive

- 1.13.1 The Chief Executive and Directors are the senior management team that runs the day to day work of the Council (and NHS Herefordshire), working with the Leader of the Council and the Cabinet, and supported by the Council's staff. (See Part 2 Article 10 for more detail.)

1.14 Monitoring Officer and Chief Finance Officer

- 1.14.1 Along with the Chief Executive, two other members of staff have special roles to help make sure the Council follows the law and manages its finances well. These are the Monitoring Officer and the Chief Finance Officer.

1.15 Overview and Scrutiny

- 1.15.1 The Overview and Scrutiny Committee and five Scrutiny Committees are the bodies in which Councillors who are not in the Cabinet work together to oversee the work of the Cabinet and also enquire into issues of local concern. In some cases, the committees can call in a decision which has been made but not yet carried out and can ask the Cabinet to reconsider that decision if the Committee thinks that is necessary. (See Part 2 Article 6 for more detail.)

1.16 Planning and Regulatory

- 1.16.1 The Council has established a Planning Committee that is responsible for the Council's statutory town and country planning and development control functions as set out elsewhere in the Constitution

- 1.16.2 The Council has established a Regulatory Committee that is responsible for the Council's statutory regulatory functions as set out elsewhere in the Constitution

1.17 Standards

- 1.17.1 The Standards Committee which comprises both Councillors and independent non Councillors promotes high standards of conduct by members of Herefordshire Council and Town and Parish Councillors within the County. It deals with complaints against Councillors where a person thinks that a Councillor has not complied with the Code of Conduct. (See Part 2 Article 7 for more detail.)

1.18 Audit and Governance

- 1.18.1 The Audit and Governance Committee considers the Council's governance arrangements and ensures that the financial affairs of the Council are properly conducted. (See Part 2 Article 7 for more detail.)

1.19 Partners and Communities Together (PACT)

- 1.19.1 The Council and partners hold PACT meetings across the County to which the public and local community representatives are invited. (See Part 2 Article 3 for more detail.)