



## **COUNCIL**

**MEETING** : Monday, 19th May 2008

**PRESENT** : Cllrs. Gill (Mayor), Lugg (Sheriff & Deputy Mayor), James, Gravells, Morgan, Noakes, White, Hilton, Smith, Durrant, Tracey, P. McLellan, Gillespie, Lawlor, Hobbs, Witts, Crawford, Hanman, Lewis, Ravenhill, Wilson, Heath, Bhaimia, Jones, Emerton, Whittaker, Field, Haigh, Llewellyn, Williams, Brown, Dee, J. McLellan, Pandor, Porter and Taylor

**APOLOGIES** : Cllrs. Durrant and Lawlor

### **1. ELECTION OF COUNCILLORS**

The Chief Executive reported the results of the election of Councillors for the City held on 1 May 2008 as set out in the Council Summons.

### **2. PRAYERS**

Prayers were offered by the Right Reverend Michael Perham, the Bishop of Gloucester.

### **3. ELECTION OF MAYOR**

Moved by Councillor Gravells (Deputy Leader of the Council), seconded by Councillor James (Leader of the Council).

### **RESOLVED**

That Councillor Ravenhill of 20 Corncroft Lane, St Leonards Park, Gloucester be, and is hereby elected, Mayor of the City of Gloucester until the Annual Council Meeting 2009.

**COUNCIL**  
**19.05.08**

**4. ELECTION OF SHERIFF AND DEPUTY MAYOR**

Moved by Councillor Morgan, seconded by Councillor Lewis.

**RESOLVED**

That Councillor Hanman of 171 Bodiam Avenue, Gloucester be, and is hereby appointed, Sheriff and Deputy Mayor of the City of Gloucester until the Annual Council Meeting 2009.

**5. OUTGOING MAYOR AND SHERIFF AND DEPUTY MAYOR**

Moved by Councillor Hobbs and seconded by Councillor Gillespie.

**RESOLVED**

That the best thanks of this Council be given to the outgoing Mayor, Councillor Gill, and the outgoing Sheriff and Deputy Mayor, Councillor Lugg, for the manner in which they discharged their duties of their respective civic offices from May 2007 to May 2008 in the 2007/2008 Council year.

**6. DECLARATIONS OF INTEREST**

Councillors Gravells, Hilton, Tracey, McLellan, Gillespie, Hanman and Williams declared a personal interest in matters relating to the County Council as Members of the County Council.

Councillors Lugg, Emerton and Field declared a personal and prejudicial interest in Agenda Item 17 as Board Members of Gloucester City Homes.

Councillor Smith declared a personal interest in Agenda Item 17 as her daughter worked for Gloucester City Homes.

**7. MINUTES**

Councillor Hilton said that his question on page 5 of the Minutes was addressed to the Cabinet Member for Performance and Resources and not the Leader of the Council as printed.

**RESOLVED**

That with the above correction, the minutes of the meeting held on 13 March 2008 be taken as read and signed by the Chair.

**8. ANNOUNCEMENTS**

To receive any announcements from:-

(a) Mayor

There were no announcements by the Mayor.

**COUNCIL**  
**19.05.08**

(b) Chief Executive

The Chief Executive announced that new Member Induction would take place at the conclusion of Annual Council.

**9. ELECTION OF LEADER OF THE COUNCIL**

Moved by Councillor Gravells, seconded by Councillor White.

**RESOLVED**

That for the 2008/2009 municipal year, Councillor James be elected Leader of the Council.

Following election, the Leader of the Council advised of appointments to the Cabinet and allocations of portfolios as follows:

Councillor James	-	Regeneration and Culture
Councillor Gravells	-	Housing and Health
Councillor Llewellyn	-	Performance and Resources
Councillor Morgan	-	Environment
Councillor White	-	Heritage and Leisure
Councillor Williams	-	Community and Neighbourhoods

The Leader also advised the Council that he had appointed Councillor Gravells as Deputy Leader of the Council to act in the absence of the Leader.

The Leader thanked the outgoing Cabinet Member for Performance and Resources, Councillor Noakes, for her work during the previous year.

**10. SUSPENSION OF COUNCIL PROCEDURE RULES**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That, in accordance with Council Procedure Rule (CPR)25.01, Council Procedure Rules be suspended to allow the Assistant Director, Legal, Democratic and Personnel Services, to address the Council in respect of Agenda Items 10, 12 and 14 on the agenda and to allow the Head of Legal Services to address the Council in respect of item 18.

**11. ANNUAL REVIEW OF THE CONSTITUTION**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

1. That the amendments to Article 7 – The Cabinet (Appendix 1) be approved.

**COUNCIL**  
**19.05.08**

2. That amendments to the Terms of Reference of the Organisation Development Committee in Article 8 – Regulatory and Other Committees (Appendix 2) be approved.
3. That amendments resulting from provisions enacted of the Local Government and Public Involvement in Health Act 2007 (Appendix 3) be approved.
4. That amendments to Part 5, Codes and Protocols – Probity in Planning (Appendix 4) be approved.
5. That amendments to the Terms of Reference of the Audit Committee (Appendix 5) be approved.
6. That the power delegated to the Assistant Director (Democratic, Legal and Personnel Services), and his nominated successor under the management restructuring process, to approve updated references to legislation, minor amendments and additions required by legislation and minor corrections and amendments for greater clarity which do not affect the meaning of any of the Articles and Rules of the Constitution and to amend the Schemes of Delegation and appointments as Proper Officers required by changes in management reorganisation be re-affirmed.
7. That further amendments resulting from enactment of the further provisions of the Local Government and Public Involvement in Health Act 2007 be referred back to Council for approval unless of a very minor nature and can be introduced by Officers under delegated authority.
8. That the Chief Executive be appointed the Registration Officer for the purposes of the Representation of the People Act 1983.
9. That the Chief Executive be appointed Returning Officer for the purposes of the Representation of the People Act 1983.

Councillor Hilton moved the following amendment:

“That recommendation 4 - amendments to Part 5, Codes and Protocols – Probity in Planning (Appendix 4) - be deferred to a future meeting for redrafting.”

The Leader of the Council accepted the amendment.

**RESOLVED**

1. That the amendments to Article 7 – The Cabinet (Appendix 1) be approved.
2. That amendments to the Terms of Reference of the Organisation Development Committee in Article 8 – Regulatory and Other Committees (Appendix 2) be approved.
3. That amendments resulting from provisions enacted of the Local Government and Public Involvement in Health Act 2007 (Appendix 3) be approved.

**COUNCIL**  
**19.05.08**

4. That amendments to the Terms of Reference of the Audit Committee (Appendix 5) be approved.
5. That the power delegated to the Assistant Director (Democratic, Legal and Personnel Services), and his nominated successor under the management restructuring process, to approve updated references to legislation, minor amendments and additions required by legislation and minor corrections and amendments for greater clarity which do not affect the meaning of any of the Articles and Rules of the Constitution and to amend the Schemes of Delegation and appointments as Proper Officers required by changes in management reorganisation be re-affirmed.
6. That further amendments resulting from enactment of the further provisions of the Local Government and Public Involvement in Health Act 2007 be referred back to Council for approval unless of a very minor nature and can be introduced by Officers under delegated authority.
7. That the Chief Executive be appointed the Registration Officer for the purposes of the Representation of the People Act 1983.
8. That the Chief Executive be appointed Returning Officer for the purposes of the Representation of the People Act 1983.

**12. BUILDING A BETTER GLOUCESTER - PROGRAMME AND TARGETS**

The Leader of the Council gave a verbal progress report. A written copy which he circulated after the meeting is published as an attachment to these minutes.

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That the progress report be noted.

**13. SCHEDULE OF APPOINTMENTS TO COMMITTEES FOR 2008/2009**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

1. That the appointment of Members of the Scrutiny Committees (Overview and Scrutiny Management Committee, Scrutiny Committee for the Built Environment, Scrutiny Committee 2), Standards Committee, Audit Committee, Organisational Development Committee, Licensing and Enforcement Committee, Planning Committee, and Consultative Forums and Working Parties etc., as shown on the Schedule attached to the Minutes, be approved, adopted and confirmed.

**COUNCIL**  
**19.05.08**

2. That in respect of the above, the Council in accordance with Rule 4 of the Council Procedure Rules, appoint all Members as named deputies for all those meetings (with the exception of the Cabinet, Standards Committee, Audit Committee, Licensing and Enforcement Committee and Planning Committee) of which the Member has not been appointed.

**14. SUSPENSION OF COUNCIL PROCEDURE RULE 1.1**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That, in accordance with Council Procedure Rule 25.01, Rule 1.1 be suspended to allow an adjournment and the convening of meetings of Scrutiny Committees, Audit Committee, Organisational Development Committee, Licensing and Enforcement Committee, and Planning Committee.

**15. SCHEDULE OF APPOINTMENT OF CHAIRS, VICE CHAIRS AND SPOKESPERSONS FOR 2008/2009**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That in accordance with Council Procedure Rule (CPR) 24.01, Rule 1.1 be suspended and that Council now adjourn to allow the convening of meetings of the Scrutiny Committees (Overview and Scrutiny Management Committee, Scrutiny Committee for the Built Environment, Scrutiny Committee 2), Audit Committee, Organisational Development Committee, Licensing and Enforcement Committee, and Planning Committee, to appoint their Chairs, Vice Chairs and Spokespersons with effect from 19 May 2008.

**16. MINUTES OF THE MEETINGS OF OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE, SCRUTINY COMMITTEE FOR THE BUILT ENVIRONMENT, SCRUTINY COMMITTEE 2, AUDIT COMMITTEE, ORGANISATIONAL DEVELOPMENT COMMITTEE, LICENSING AND ENFORCEMENT COMMITTEE AND PLANNING COMMITTEE**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That the minutes of the above meetings held on 19 May 2008 be approved, adopted and confirmed.

**COUNCIL**  
**19.05.08**

**17. PROGRAMME OF COUNCIL MEETINGS**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

**RESOLVED**

That the dates of the Council meetings for 2008/2009 (commencing at 1930 hours unless otherwise indicated) be 24 July, 18 September and 27 November 2008 and 15 January (setting of Council Tax base), 12 February (Budget) at 14.30 hours, 19 February (Approval of Council Tax - Extraordinary Meeting of the Council) at 18.00 hours and 12 March 2009.

**18. CABINET RECOMMENDATIONS**

Housing Investment Programme – 2008/2009

Moved by Councillor Gravells (Deputy Leader of the Council) (Cabinet Member for Housing and Health), seconded by Councillor James (Leader of the Council) (Cabinet Member for Regeneration and Culture).

**RESOLVED**

That the Council notes and agrees the report.

**19. CODE OF CONDUCT - LOCAL INVESTIGATION OF COMPLAINTS - TERMS OF REFERENCE - STANDARDS COMMITTEE AND SUB-COMMITTEES**

Moved by Councillor James (Leader of the Council), seconded by Councillor Gravells (Deputy Leader of the Council).

1. That subject to the decision and comments of the Standards Committee on 12 June 2008, the Terms of Reference for the Standards Committee, the Assessment Sub-Committee and the Review Sub-Committee be approved and adopted.
2. The protocols for the Assessment Sub-Committee, Review Sub-Committee and the Monitoring Officer be noted and approved.
3. That the Monitoring Officer, in consultation with the Leader and Deputy Leader, be given delegated powers to make minor alterations to the Terms of Reference and protocols to bring these into force as soon as possible.

Councillor Hilton moved the following amendment:

In recommendation 3, that “the Leader and Deputy Leader” be deleted and that “Group Leaders” be inserted.

The Leader of the Council accepted the amendment.

Councillor Hobbs moved the following amendment

**COUNCIL**  
**19.05.08**

To recommendation 3 be added “and the changes be reported to the Standards Committee.”

The Leader of the Council accepted the amendment.

**RESOLVED**

1. That subject to the decision and comments of the Standards Committee on 12 June 2008, the Terms of Reference for the Standards Committee, the Assessment Sub-Committee and the Review Sub-Committee be approved and adopted.
2. The protocols for the Assessment Sub-Committee, Review Sub-Committee and the Monitoring Officer be noted and approved.
3. That the Monitoring Officer, in consultation with Group Leaders, be given delegated powers to make minor alterations to the Terms of Reference and protocols to bring these into force as soon as possible and the changes reported to the Standards Committee.

**20. PLANNING COMMITTEE**

Moved by Councillor P. McLellan, seconded by Councillor Gillespie.

**RESOLVED**

That the minutes of the meetings held on 4 March, 25 March and 22 April 2008 be received.

**21. LICENSING AND ENFORCEMENT COMMITTEE**

Moved by Councillor Gillespie, seconded by Councillor Tracey.

**RESOLVED**

That the minutes of the meeting held on 18 March 2008 be received.

**22. AUDIT COMMITTEE**

Moved by Councillor Emerton, seconded by Councillor Wilson.

**RESOLVED**

That the minutes of the meeting held on 20 March 2008 be approved, adopted and confirmed.

**23. OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

Moved by Councillor Hobbs, seconded by Councillor Emerton.



**COUNCIL  
19.05.08**

**RESOLVED**

That the minutes of the meeting held on 3 March and 14 April 2008 be approved, adopted and confirmed.

**24. SCRUTINY COMMITTEE FOR THE BUILT ENVIRONMENT**

Moved by Councillor Smith, seconded by Councillor Heath.

**RESOLVED**

That the minutes of the meeting held on 12 March 2008 be approved, adopted and confirmed.

**25. SCRUTINY COMMITTEE NO. 2**

Moved by Councillor Jones, seconded by Councillor Haigh.

**RESOLVED**

That the minutes of the meeting held on 26 March 2008 be approved, adopted and confirmed.

**26. ANY OTHER BUSINESS**

The Leader of the Council announced that this meeting would be the last attended by Keith Birtles, Director (S151) and Alan Webb, the Assistant Director (Legal, Democratic and Personnel Services), and said he wished to place on record thanks for their many years of service to the Council and city.

Members concurred with acclamation.

**Time of commencement: 11:30 hours**

**Time of conclusion: 15.45 hours**

**Chair**

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Amended 19 May 2008

**CITY OF GLOUCESTER  
ANNUAL COUNCIL MEETING**

**MONDAY 19 MAY 2008**

**Schedule of appointments of Scrutiny Committees, Standards Committee, Organisational Development Committee, Licensing and Enforcement Committee, Planning Committee, Audit Committee, Consultative Forums and Working Parties, etc., for 2008/2009**

## 1. SCRUTINY COMMITTEES

One Overview and Scrutiny Management Committee to co-ordinate and manage the scrutiny function and the overall scrutiny work programme, to pre-scrutinise key decisions, to be responsible for corporate issues (Performance and Resources).

Two Scrutiny Committees (a) Scrutiny Committee For The Built Environment (Regeneration and Culture, Planning, Environment, Housing and Health) (b) Scrutiny Committee No.2 (Streetcare, Heritage and Leisure).

Each of the Scrutiny Committees shall be empowered to set up Task and Finish Groups of 3-6 Members comprising any non-Cabinet Member.

The Membership and Chairs of Committees based on the proportion of the political composition of the Council.

### (a) Overview and Scrutiny Management Committee

This includes the following portfolios:

Performance and Resources and responsibilities for co-ordination and management of the scrutiny work programme and the pre-scrutiny of Executive decisions

#### **Membership (9)**

Cllr. Wilson (Chair)  
 Cllr. Hobbs (Vice Chair)  
 Cllr. Emerton (Spokesperson)  
 Cllr. Noakes  
 Cllr. Crawford  
 Cllr. Jones  
 Cllr. Field  
 Cllr. Haigh  
 Cllr. Taylor

<b>Membership 9</b>	<b>Con (4)</b>	<b>Lib/Dem (3)</b>	<b>Lab (2)</b>
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**(b) Scrutiny Committee For The Built Environment**

This includes the following portfolios:  
 Regeneration, Planning and Community  
 Housing and Health

**Membership (9)**

- Cllr. Haigh (Chair)
- Cllr. Heath (Vice Chair)
- Cllr. Crawford (Spokesperson)
- Cllr. Hanman
- Cllr. Lawlor
- Cllr. Noakes
- Cllr. Whittaker
- Cllr. Dee
- Cllr. J. McLellan

<b>Membership 9</b>	<b>Con (4)</b>	<b>Lib Dem (3)</b>	<b>Lab (2)</b>
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**(c) Scrutiny Committee No. 2**

This includes the following portfolios:  
 Heritage and Leisure  
 Environment

**Membership (9)**

- Cllr. Jones (Chair)
- Cllr. Lugg (Vice Chair)
- Cllr. Lewis (Spokesperson)
- Cllr. Durrant
- Cllr. Tracey
- Cllr. Witts
- Cllr. Brown
- Cllr. Pandor
- Cllr. Porter

<b>Membership 9</b>	<b>Con (4)</b>	<b>Lib Dem (3)</b>	<b>Lab (2)</b>
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## 2. STANDARDS COMMITTEE

### Membership (3 Councillors)

Cllr. Gillespie

Cllr. P. McLellan

Cllr. Lewis

+ 4 Independent Members to be appointed

1 Member from Quedgeley Parish Council - to be nominated

<b>Membership 3</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Lab (1)</b>
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## 3. ORGANISATIONAL DEVELOPMENT COMMITTEE

### Membership (5)

Cllr. James (Chair)

Cllr. Gravells (Vice Chair)

Cllr. Hobbs (Spokesperson)

Cllr. Hilton (Spokesperson)

Cllr. Wilson

<b>Membership 5</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (1)</b>
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## 4. PLANNING COMMITTEE

### Membership (13)

Cllr. P. McLellan (Chair)

Cllr. Gillespie (Vice Chair)

Cllr. Lewis (Spokesperson)

Cllr. Ravenhill

Cllr. Hilton

Cllr. Durrant

Cllr. Smith

Cllr. Noakes

Cllr. Heath

Cllr. Bhaimia

Cllr. Dee

Cllr. Porter

Cllr. Taylor

Cllr. Substitute (C) Tracey

Cllr. Substitute (L) Hobbs

Cllr. Substitute (LD) Whittaker

<b>Membership 13</b>	<b>Con (6)</b>	<b>Lib Dem (4)</b>	<b>Lab (3)</b>
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**Note:**

(At its first meeting, Planning Committee will appoint the Members of the Planning Policy Sub Committee)

4a

**PLANNING POLICY SUB COMMITTEE (To be appointed by Planning Committee)**

**Membership (5)**

- Cllr. Gillespie (Chair)
- Cllr. McLellan (Vice Chair)
- Cllr. tba (Spokesperson)
- Cllr. Heath
- Cllr. tba

<b>Membership 5</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (1)</b>
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5.

**LICENSING AND ENFORCEMENT COMMITTEE**

**Membership (13)**

- Cllr. Durrant (Chair)
- Cllr. Witts (Vice-Chair)
- Cllr. Tracey (Spokesperson)
- Cllr. Gillespie
- Cllr. Lewis
- Cllr. Wilson
- Cllr. Gill
- Cllr. Emerton
- Cllr. Whittaker
- Cllr. Field
- Cllr. Dee
- Cllr. Pandor
- Cllr. Porter

<b>Membership 13</b>	<b>Con (6)</b>	<b>Lib Dem (4)</b>	<b>Lab (3)</b>
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**6. AUDIT COMMITTEE****Membership (5)**

Cllr. Lawlor (Chair)  
 Cllr. Emerton (Vice-Chair)  
 Cllr. Wilson (Spokesperson)  
 Cllr. P. McLellan  
 Cllr. Noakes

<b>Membership 5</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (1)</b>
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**7. ELECTORAL WORKING PARTY****Membership (7)**

Cllr. Hilton  
 Cllr. Tracey  
 Cllr. Lugg  
 Cllr. Noakes  
 Cllr. Wilson  
 Cllr. Haigh  
 Cllr. Taylor

<b>Membership 7</b>	<b>Con (3)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**8. HOUSING FORUM to include 3 Members of the Council (including a Cabinet Member) plus the Leader ex-officio****Membership (3 Councillors)**

Cllr. Gravells  
 Cllr. P. McLellan  
 Cllr. Smith

<b>Membership 3 plus Leader of the Council ex-officio</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Lab (1)</b>
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**9. DISABILITY EQUALITY FORUM**

**Membership (6 Councillors)**

Cllr. Tracey

Cllr. Lugg

Cllr. Lewis

Cllr. Gill

Cllr. Bhaimia

Cllr. Jones

<b>Membership 6 plus Leader of the Council ex-officio</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**10. GRANTS AND COMMUNITY SERVICES FORUM**

**Membership (6 Councillors)**

Cllr. Durrant

Cllr. Tracey

Cllr. P. McLellan

Cllr. Bhaimia

Cllr. Haigh

Cllr. Williams

<b>Membership 6 plus Leader of the Council ex-officio</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**11. RACE EQUALITY FORUM**

**Membership (6 Councillors)**

Cllr. Smith

Cllr. Crawford

Cllr. Wilson

Cllr. Haigh

Cllr. Brown

Cllr. Pandor

<b>Membership 6 plus Leader of the Council ex-officio</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**12. EMPLOYEE FORUM**

**Membership (3 Councillors)**

Cllr. Gravells

Cllr. Haigh

Cllr. Brown

<b>Membership 3 plus Leader of the Council ex-officio</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Lab (1)</b>
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**13. STREETCARE FORUM to include 3 Members of the Council (including a Cabinet Member)**

**Membership (3 Councillors)**

Cllr. Morgan

Cllr. Hobbs

Cllr. Witts

<b>Membership 3</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Lab (1)</b>
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**14. CRIME AND DISORDER REDUCTION PARTNERSHIP**

**Membership (6 Councillors)**

Cllr. Gravells

Cllr. Hobbs

Cllr. Durrant

Cllr. Witts

Cllr. Lewis

Cllr. Brown

<b>Membership 6</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**16. ENVIRONMENT AND ECOLOGY FORUM**

**Membership (6 Councillors)**

- Cllr. Morgan
- Cllr. Gillespie
- Cllr. Heath
- Cllr. Gill
- Cllr. Emerton
- Cllr. Field

<b>Membership 6 plus Leader of the Council ex-officio</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**17. EVICTIONS REVIEW PANEL**

**Membership (6)**

- Cllr. Tracey
- Cllr. Gillespie
- Cllr. Witts
- Cllr. Crawford
- Cllr. Heath
- Cllr. Haigh

<b>Membership 6</b>	<b>Con (2)</b>	<b>Lib Dem (2)</b>	<b>Lab (2)</b>
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**18. I.C.T. WORKING PARTY**

**Membership (3)**

- Cllr. Hobbs
- Cllr. Wilson
- Cllr. Taylor

<b>Membership 3</b>	<b>Con (1)</b>	<b>Lib Dem (1)</b>	<b>Lab (1)</b>
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