

CORPORATE AND CUSTOMER SERVICES

Director: Mrs. J.E. Jones

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: AMcL/CD

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18th December, 2006

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the meeting of the County of Herefordshire District Council to be held on **FRIDAY, 3RD NOVEMBER, 2006** at The Council Chamber, Brockington, 35 Hafod Road, Hereford. at **10.30 a.m.** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely,



A. McLAUGHLIN
HEAD OF LEGAL AND DEMOCRATIC SERVICES



A G E N D A

COUNCIL

Date: **Friday, 3rd November, 2006**

Time: **10.30 a.m.**

Place: **The Council Chamber,
Brockington, 35 Hafod Road,
Hereford.**

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

For any further information please contact:

*Christine Dyer, Democratic Services
Manager*

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cdyer@herefordshire.gov.uk**

AGENDA

for the Meeting of the COUNCIL

To: All Members of the Council

	Pages
1. PRAYERS	
2. APOLOGIES FOR ABSENCE To receive apologies for absence.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on this Agenda.	
4. MINUTES To approve and sign the Minutes of the meeting held on 28th July, 2006.	1 - 22
5. CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	
6. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	23 - 26
7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS To receive any written questions.	
8. NOTICES OF MOTION UNDER STANDING ORDERS To consider any Notices of Motion.	
9. CABINET To receive the report and to consider any recommendations to Council arising from the meetings held on (a) 7th and 28th September and 12th October, 2006 and (b) 26th October, 2006. <i>(To Follow)</i>	27 - 32
10. REGULATORY COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 9th August and 26th September, 2006.	33 - 34
11. PLANNING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 25th August and 29th September, 2006.	35 - 38
12. STRATEGIC MONITORING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 15th September and 16th October, 2006.	39 - 44
13. AUDIT AND CORPORATE GOVERNANCE COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 22nd September, 2006.	45 - 46
14. INDEPENDENT REMUNERATION PANEL To receive the report and to consider any recommendations to Council arising from the meeting held on 19th October, 2006.	47 - 52

15. STANDARDS COMMITTEE	53 - 56
To receive the report and to consider any recommendations to Council arising from the meeting held on 20th October, 2006.	
16. WEST MERCIA POLICE AUTHORITY	
To receive the report of the meeting of the West Mercia Police Authority held on 26th September, 2006 Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority. <i>(Report to follow)</i>	
17. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY	57 - 62
To receive the report of the meeting of the Hereford & Worcester Fire and Rescue Authority held on 28th September, 2006.	

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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MINUTES of the meeting of COUNCIL held at Whitecross High School, Three Elms Road, Hereford on Friday, 28th July, 2006 at 10.30 a.m.

Present: Councillor J.W. Edwards (Chairman)
Councillor J. Stone (Vice Chairman)

Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, Mrs. E.M. Bew, W.L.S. Bowen, H. Bramer, R.B.A. Burke, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Dauncey, N.J.J. Davies, Mrs. C.J. Davis, P.J. Edwards, D.J. Fleet, Mrs. J.P. French, J.H.R. Goodwin, Mrs. A.E. Gray, K.G. Grumbley, J.G.S. Guthrie, P.E. Harling, J.W. Hope MBE, B. Hunt, T.W. Hunt, Mrs. J.A. Hyde, T.M. James, J.G. Jarvis, Brig. P. Jones CBE, Mrs. M.D. Lloyd-Hayes, G. Lucas, R.I. Matthews, J.C. Mayson, R. Mills, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, Ms. G.A. Powell, R. Preece, Mrs. S.J. Robertson, D.W. Rule MBE, R.V. Stockton, D.C. Taylor, W.J.S. Thomas, Ms. A.M. Toon, P.G. Turpin, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams and R.M. Wilson

The Chairman and Council stood in silent tribute to the memory of Mrs. R.F. Lincoln, who had been Councillor for Kerne Bridge Ward until her resignation in April and who had died since the last meeting of Council.

22. PRAYERS

The Very Reverend Michael Tavinor, the Dean of Hereford, led the Council in prayer.

23. APOLOGIES FOR ABSENCE

Apologies were received from Councillors M.R. Cunningham, G.W. Davis, R.M. Manning, Miss F. Short, Mrs. E.A. Taylor and J.P. Thomas.

24. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillors R.J. Phillips and D.B. Wilcox both declared a personal interest in the Youth Justice Plan as set out at page 19 of the agenda.

The Chairman of Council, Councillor J.W. Edwards, declared a prejudicial interest in the Kings Caple Parish Plan, set out at Page 32 of the agenda and indicated he would vacate the Chair and Chamber if there was any discussion on the item.

25. MINUTES

Before calling on Council to agree the minutes, the Chairman advised that it had been necessary to change the date of the Council meeting previously scheduled to be held on 10th November, 2006. This meeting will now take place on 3rd November, 2006.

RESOLVED: That the minutes of the meeting held on 12th May, 2006 be approved as a correct record and signed by the Chairman.

26. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the Council to its first meeting in the new Whitecross High School. He wished the Head Teacher, staff and pupils well in their endeavours and thanked the management company for allowing the meeting to take place on the premises.

He welcomed Councillor John Jarvis to his first meeting of Council as Councillor for Kerne Bridge ward and wished him success in his new role.

He presented an award to Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) for the refurbishment of Eign Gate. The Award was made by the Local Government News as part of its Street Design 2006 national awards. The scheme was judged to be fourth out of more than 100 entries throughout the country.

The Chairman reminded Councillors of a reception for the Three Choirs Festival which was to be held on 7th August and asked those who had not responded to the invitation to do so as a matter of urgency.

PETITIONS

The Chairman presented a petition in support of provision of a relief road at Rotherwas to Councillor R.J. Phillips, the Leader of the Council.

He also presented a petition to Councillor P.J. Edwards, the Cabinet Member (Environment) asking for planning control on the siting and erection of large scale polytunnels.

27. 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 the question is deposited with the Head of Legal and Democratic Services more than six clear working days before the meeting. A number of questions had been received in time to be included in the agenda. The questions and responses are set out below:

Question from Mr M Hubbard, Hereford in a personal capacity:

"As a riparian owner on the Wye and keen to maintain the charter rights of the citizens of Hereford, enabling free use of the river for leisure & fishing purposes, can I be assured that those rights, that have been protected by the city for several hundred years and are now held in stewardship by the Herefordshire Council, are still being protected and how?"

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) replied that many matters concerning the River Wye, including those relating to ecology, wildlife, pollution and navigation are regulated by the Environment Agency. The Council has no power to interfere with the private riparian rights of persons who own land adjoining the rivers within the County. The Council is engaged in litigation regarding various claims to historic fishing rights within the City of Hereford. That litigation is still ongoing and in consequence no final resolution of the competing claims has yet been achieved.

Question from Mr M Hubbard, Hereford in his role as Chairperson of the Friends of Castle Green:

"Please would Herefordshire Council provide me with a breakdown of the total costs of maintaining & repairing the city parks known as Castle Green, Redcliffe Gardens and Cantilupe Gardens, including Castle Pool, over the past year. Please would Herefordshire Council also provide a breakdown of projected long-term spending on capital projects for the same areas."

Councillor R.V. Stockton, Cabinet Member (Community Services) stated that the costs of maintaining the areas known as Castle Green, Redcliffe Gardens and Cantilupe Gardens in respect of routine grounds maintenance activity for the financial year 2005/6 were in the region of £40,486. This figure did not include any emergency work which was unlikely to exceed £5,000. He advised that there was no specific allocation for the maintenance of the Castle Pool area.

He also advised that there was no ongoing capital allocation for these sites. However, in recent years there had been a one-off allocation of £110,000 for the cleansing and de-silting of the Castle Pool and in addition there had also been a one-off sum of £34,000 allocated for the renovation of the Mill Street steps leading to the Castle Green. He said that there were no future items of capital expenditure identified for these areas at this time.

Questions from Mr R Hattersley, Hereford**City Assets**

"There has been rumour and counter rumour locally about the selling off of key council property in the City of Hereford. For the benefit of the City residents and taxpayers who own these properties collectively, can the Council please confirm : -

Which properties, if any, have already been sold?

Which properties are already "on the market"?

Which properties are still being discussed?

Which properties can the Council guarantee will not be considered for sale?

What plans do the Council have for consulting the residents of the City of Hereford before any such sales of their property proceed?

Can the Council please confirm precisely what any monies raised through such sales will be spent on?

Can the Council please confirm whether it is their intention to begin proceeding with such sales before or after the next local elections in May 2007?"

Councillor R.M. Wilson, Cabinet Member (Resources) said that the question asked by Mr. Hattersley was based on a misunderstanding about the basis on which property is held by the Council. Herefordshire Council was formed in 1997 and became operational from 1st April, 1998. It inherited property from the four outgoing District Councils and from the outgoing Hereford and Worcester County Council. Statutory provision was made for the transfer of that property. As at 1st April, 1998, the whole of the Council's property portfolio would have consisted of property inherited from the former Councils. The Council holds that property for the benefit of the whole of its area.

In relation to the specific questions asked, he said that the questions were based on the incorrect premise that property was held for the specific benefit of residents of the City. As no such properties were held on that basis, it would only be possible to

respond by providing, a complete list of all the properties that have been sold by the Council since 1st April, 1998.

However, he did advise that the only recent sales within the City have been those of numbers 9 - 15 and 17 St. Owen Street.

Within the City Council's area, 47 Gaol Street and the Burcott Road Depot are currently "on the market".

He said it was not possible to respond accurately to the question about what properties are still being discussed, because the Council's Asset Management Plan requires it to keep the whole of its property portfolio under constant review.

With regard to the sale of properties in the future he advised that the Council was not legally able to give a guarantee of the kind that was sought. It is a well-established principle of administrative law that no Council can fetter the discretion of its successor. Any guarantee this administration sought to give could therefore only be effective until the next elections in May 2007. However, he added that it was very unlikely that this administration would sell iconic public buildings such as the Old House in High Town or the Shire Hall

He said that the Council did not consult on the disposal of individual properties and nor would it seem appropriate to do so. The Council will, however, consult on its Medium Term Financial Strategy, which sets out the principles within which the Council will finance its revenue and capital requirements. The Council also has procedures in place to ensure that strategic partners, service providers and service users or their representatives are consulted appropriately prior to a decision to dispose of an asset being undertaken.

The capital receipt income generated from the sale of assets is applied in accordance with the Council's corporate priorities. In the case of the Town Hall, should the City Council proceed with its request to purchase the building, the capital receipt would be used to part pay for the alternative accommodation that would be needed for Herefordshire Council staff currently located in that building.

Finally, he advised that a number of property related issues would be taken into account in determining when surplus assets were brought to the market. Clearly, the Council would need to have alternative accommodation available and consideration of the prevailing property market conditions would also be pertinent. Realistically, however, the Council would not be in a position to negotiate alternative accommodation and complete the sale of additional property prior to May, 2007. He felt it was highly likely that other properties across the County would be offered for sale before the elections in May 2007, in line with the Council's current accommodation strategy.

Question from Mr Hattersley

Rotherwas Access Road

"Given that the Rotherwas Access Road has been turned down repeatedly as "poor value for money", can the Council confirm that it is still their intention to pursue its construction?"

If so, can the Council give some indication as to what sources of funding they will be accessing for the road, given that government sources appear inaccessible?"

Recent research by the Campaign for the Protection of Rural England and the

Countryside Agency found that new roads in Newbury, Eastbourne and Blackburn generated unexpectedly high levels of traffic growth both on the new roads themselves **and in town centres**. Does the Council believe that a Rotherwas Access Road and indeed a bypass would have solved any of Hereford's traffic problems **within 10 years of their construction**, and, if so, will they bring forward the evidence on which they are making such claims."*

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) replied that the Council remained committed to delivering the Rotherwas Access Road. He said that the new road was essential to overcoming the transport problems of the area and ensuring the Rotherwas Industrial Estate maintained its status as the major home of Herefordshire's businesses. The recent announcement regarding funding from the Department for Transport related to their assessment of the scheme against the Department's scheme appraisal criteria, which did not fully recognise the wider benefits of the scheme to Herefordshire. The Council considered that the road does represent value for money and would make a major contribution to the local economy and economic development within Herefordshire. He said that the scheme had been supported by the Regional Development Agency, Advantage West Midlands. The West Midlands Regional Assembly had identified the scheme as making a major contribution to regional objectives and concluded that it should be a priority for investment.

As a matter of urgency, the Council was considering all potential sources of funding.

The Council is aware of the recent report produced by Campaign for the Protection of Rural England and the Countryside Agency, entitled "Beyond Transport Infrastructure" and other reports regarding research into the generation of traffic.

Government guidance makes clear that it is important for new road schemes to be considered as part of an integrated transport strategy. The Council identified the need for the Rotherwas Access Road following an integrated transport study that focused on solutions to the transport problems of the estate. This study recommended an integrated package of measures to address access to the estate by all modes of transport. Through the Local Transport Plan, the Council has already implemented improvements for pedestrians, cyclists and public transport and continues to support a successful Travel Plan for the Estate to encourage the use of alternative modes and help reduce congestion. The provision of a new Access Road to the estate would complete this package and address the problems of access to the estate by HGVs and allow further measures on Holme Lacy Road to reduce the environmental impact of traffic on the area.

The Council's second Local Transport Plan published in March 2006, highlights the need for an Outer Distributor Road in the longer term, as part of the integrated transport strategy for addressing the transport problems of the city. This strategy was developed following a comprehensive local multi-modal study. This was completed in 2003 and carried out in partnership with the Government Office for the West Midlands, Advantage West Midlands, the Highways Agency, the Chamber of Commerce and the West Midlands Sustainability Forum. Therefore, had such a road been built earlier then this would have been of great benefit to Hereford.

These comments were made without addressing the significant additional benefits that an Access Road would achieve in respect of economic regeneration and employment prospects for the area.

Question from Mr R Gill, Cradley

"The Planning Inspector in paragraph 9.56/1 of his report on the draft UDP chooses to back the views of a developer against the wishes of many objectors, many villagers and the Parish Council, in denying HBA9 (Open Space) status to the field opposite St Katherine's in Cradley. Whilst his expert knowledge of the requirements of HBA9 status is not being questioned, his understanding of the application to this particular field is limited compared to the knowledge of the locals. He does however admit that the road alongside is "at this point still like country lane" recognising a weakness in his case. His view that the field is "contributing little to the appreciation of the settlement or the neighbourhood" is strongly disputed by the villagers, who have a much better acquaintance with the locality and who could demonstrate his error in court.

It might be reasonably inferred that the recommendation of Council officials to accept his view and reverse the previous decision of the Council is influenced by fear of the legal costs of any future dispute with the developer. Would the Council please give some indication of the legal costs which they would incur in defending a decision to deny HBA9 status were this decision to be challenged in the courts by a group of concerned villagers in Cradley and would the Council please opine whether they consider that it is an appropriate use of council tax payers' money to attempt to defeat the wishes of the community?

A recitation of an answer prepared by council officials will be informative, but the views of councillors are also solicited."

Councillor P.J. Edwards, Cabinet Member (Environment) advised that the Inspector's recommendation on this land has been reached on the basis of access to all relevant material, including the community views expressed through the Village Design Statement and the Parish Plan, which were designated as Inquiry Core Documents. On this basis, and with the benefit of a site visit, the Inspector concluded that the land did not qualify for protection under the policy; and recommended accordingly.

This recommendation and the Inspector's reasoning has been carefully considered. The conclusion that has been reached by the UDP Working Group of members and by Cabinet, taking full account of the representations submitted by the local member on behalf of the local community, was that the Inspector's recommendation should be accepted.

This conclusion had been reached on the planning merits of the case. Legal costs are not relevant to the planning merits and no meaningful indication can be given as this would depend on the nature of any action.

Question from Mr David Creed-Newton, Chairman of Cradley Parish Council,

"Would the Council care to comment on an apparent denial of the democratic process?"

Community involvement in planning accords with people's right to participate in decisions that affect their lives. It is an important part of the trend towards democratisation of all aspects of society." – Community Planning Website, funded by the Department for Communities and Local Government

The villagers of Cradley have expressed their view that the plot opposite St Katherine's be protected as an open space. They voted five to one in favour of this in a systematic consultation process (Planning for Real ®). The village has, in partnership with Herefordshire Forward Planning, developed a Village Design

Statement and a Parish Plan promoting this. Cradley Parish Council, representing the villages of Cradley and Storrige, has laboured hard to keep this as an open space. Herefordshire Council had commendably recognised the importance of this matter in its last redraft of the Unitary Development Plan. Yet all this is to be ignored in the face of the opinion of one unelected official (however distinguished), visiting from outside the area if the Council reverses its position and accepts the Inspector's recommendation 9.56/1.

Is there any point in seeking the opinions of the electorate, of producing Parish Plans and Design Statements, of voting for councillors, of turning up to meetings of the Council, or would the Council advise voters and parishioners not to bother?"

Councillor P.J. Edwards, Cabinet Member (Environment) stated that the future use of the land referred to has been fully assessed and discussed through the process of preparing the Unitary Development Plan.

In doing so, regard had been had to community views that the land should be protected. Indeed the Council had sought to achieve such protection through designation under a policy of the Plan – HBA9. This designation had been objected to and therefore fell to be considered at the Public Inquiry.

The independent assessment by the Inspector was part of the normal process of scrutinising the Plan. In this case, the Inspector considered the specific matter of whether the site qualified for protection under the policy. As part of that process, all objectors had the opportunity to prepare and submit evidence to the Inquiry. The Inspector had access to all relevant material, including the community views expressed through the Village Design Statement and the Parish Plan, which were designated as Inquiry Core Documents. On this basis, and with the benefit of a site visit, he concluded that the land did not qualify for protection under the policy; and recommended accordingly.

The Council's Unitary Development Plan Working Group, after careful consideration, accepted the Inspector's recommendation. This was not, in itself, a denial of the democratic process. The recommendation was soundly based and should be accepted on planning merits.

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

Councillors may ask questions of Cabinet Members and Chairmen of Committees so long as a copy of the question is deposited with the Head of Legal and Democratic Services at least 24 hours prior to the meeting. A list of questions, set out in the order in which they had been received, was circulated at the beginning of the meeting.

The Chairman reminded those Councillors who had submitted questions that they were entitled to ask a supplementary question and asked that they did not use this as an opportunity for further debate.

Question from Councillor B. Hunt

"Given the unique function of the Members' Support Service, does the Cabinet Member agree with me:-

- a) *that it is inefficient to dismember the service into three locations i.e. the present offices for secretarial, the remote garden pavilion for the Members' Information and Support Officer and Rotherwas for Members'*

I.T. Support?; and

- b) that no notice or consultation was given to Members as to their requirements?; and*
- c) that it was only the minor financial saving that initiated this exercise and that it lowers the standard of service to Councillors, the grass roots interface with our public?; and*
- d) what action do you propose taking to remedy this unsatisfactory situation?"*

Councillor Mrs. J.P. French, Cabinet Member (Corporate and Customer Services and Human Resources) replied that the changes were designed to link officers to the professional base that most closely identified with the work they undertook and to make better use of the resources. A key piece of work for the Members Information and Support Officer, as part of the Communications Team, would be to work on those Communications activities for Members which Members would like to see improved.

She said that the Local Government Act 1972 provided for the delegation of managerial responsibility to officers reserving wider strategic responsibilities to Members. This distinction was reinforced in amendments to the Local Government Act which required the Head of Paid Services (Chief Executive) to account to Members on: the manner in which the discharge of the different function was co-ordinated; the number and grades of staff required for the discharge of its function; the organisation of the authority's staff and the appointment and proper management of those staff.

She said that the job description of individual Directors required them to support the Chief Executive in that role by requiring them to lead and manage the Directorate in a manner which created a highly motivated, developing and committed workforce. It was because these services were used and valued by Members that the proposals were discussed with Group Leaders on two separate occasions – at the beginning of the consultation period and when the proposals were confirmed following discussion with staff and consultation with the Trade Union.

She advised that the only financial saving to result from the restructure would be to pay for the services of IT support as required rather than maintaining a support resource, often with no use being made of it, which was not an efficient use of the resource.

She said that no further action was proposed but as with all intended improvements the new arrangements would be monitored carefully to ensure the maximum benefit to all Councillors. She asked any Councillors who felt they were receiving an unsatisfactory service to contact her or the Head of Legal and Democratic Services with details of their concerns.

In response to a call to revert to the original staffing structure Councillor Mrs. French expressed disappointment that Members were unwilling to accept the new structure. She encouraged Members to use the service and report any failings to her.

Question from Councillor B Hunt

"Following the near-disaster in Bromyard several years ago when a petrol tanker demolished a bridge parapet and stopped next to an overhead power line pylon Highways Officers met on site with myself, Councillor P. Dauncey and Councillor T.W. Hunt.

Officers who attended have failed to implement agreed measures to improve road marking, sign-posting and other road safety measures on this section of the A44; and despite correspondence from Bromyard and Winslow Town Council and telephone requests from myself, no response has been forthcoming.

What action do you propose taking to remedy this unsatisfactory situation?"

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) confirmed that officers had investigated the feasibility of making some further improvements to signing and lining at the site, but reported that the additional work could not be justified.

Some minor improvement works had been carried out in 2002 and since then there had been only one recorded personal injury accident. As a result, the site was no longer identified within the Council's county-wide ranking of accident sites.

He said that, given that there had been several local representations for additional works to be carried out at Petty Bridge, he would request a further site inspection .

He agreed to keep the local Members informed of the outcome of the inspection.

Questions from Councillor A.C.R. Chappell

"Will the Cabinet Member for Children's Services confirm that teaching staff at Whitecross School have been advised that they may enter the school for eight hours only during the school summer holiday, after which time the Private Finance Company who owns the school will charge them for entering the school?"

Will he confirm that teachers at the new Riverside Primary School, and Sutton County Primary School, will be able to enter their new premises for more than eight hours during holidays without the school being charged for the privilege?"

Will the Cabinet Member for Children's Services, confirm that the community aspect of the new Whitecross School is being fully utilised and that there are no restrictions of use by the community for out of school hours. Can he confirm that the contract with the PFI Partner is being fully implemented?"

Councillor D.W. Rule Cabinet Member (Children and Young People) advised that the legal contract signed by the Council and Whitecross School Governors defined the hours of use by the school as between 7.30am and 6.30pm on 190 days in a year and an additional 550 hours in any one year which includes access to the school in the week at the beginning of the summer holiday and 10 days at the end of the holiday. On top of this contractual provision the manager on site told school staff that they can have access throughout the holiday period on week-days as he would be on site on these days.

In relation to the new Riverside and Sutton Schools, he said that the management of the premises would be the responsibility of the respective Governing Bodies. He was not aware of any discussions about access during the holiday period. The contractual arrangement for caretaker and cleaners in charge do vary greatly and

their employment in the summer holidays, particularly in smaller schools, is often very limited.

He said that teachers worked in excess of their contracted hours because of their commitment but did not feel that this should be exploited. Holidays were essential for teachers to recharge their batteries.

Referring to community use, he advised that the legal agreement was constructed to encourage third party use and a programme of use was expected to be implemented from the autumn of 2006 onwards. The PFI company had appointed HALO as its subcontractor to manage the income from that, which was expected to yield at least £25,000 in the first three years.

Councillor Chappell said that teachers were not aware that they could access the school in the manner described and asked that the Acting Chair of Governors be informed.

Question from Councillor D.J. Fleet

"Is the Cabinet Member satisfied with the cleanliness of the Eign Gate paving following his instruction for the area to be thoroughly cleaned."

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) said that the paving in Eign Gate had been cleaned and the joints sealed earlier in the month. He advised that he had visited the area the previous evening and found that the cleanliness had not been particularly good, with various stains inadequately removed. He said that the light colouring of the paving contributed to the situation. He said he would discuss the problems with the consultants to see whether better cleaning results could be achieved.

Question from Councillor D.J. Fleet

"Is the Cabinet Member proposing to take any action to stop vehicles parking for long periods on the pavement area of High Street. These vehicles drip oil onto the new paving, obstructing shop windows and causing congestion for pedestrians trying to shop."

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) advised that the current activity was due to the refurbishment of the old Littlewoods store and any damage would have to be made good. High Street is a pedestrianised area daily between 10.30 a.m. and 4.30 p.m. which facilitates the flow of pedestrians.

In response to a further question Councillor Wilcox advised that the contractors had an order to use the compound in front of the store and that the situation was being closely monitored.

Question from Councillor Mrs. M.D. Lloyd-Hayes

"Would the Council reconsider its proposal to close the whole of the open space at the Rose Garden, Ledbury Road for a two year period while work is underway on the new extra-care village? The area is used by a great number of people on a daily basis and there is much concern locally that this facility is to be denied them. Would it be possible to divide the area affected so that only half of the space is closed at any one time, therefore allowing those residents and visitors who use the open space on a regular basis the use of at least part of the area?"

Councillor Mrs. L.O. Barnett, Cabinet Member (Social Care Adults and Health) advised that, following legal advice, it had been determined that the best way forward would be a temporary closure of the open space for a **maximum** period of two years. The temporary closure was necessary because of the flood alleviation works required. If it was possible to lessen this time, she would do everything in her power to do so.

Councillor Mrs. Lloyd-Hayes said she couldn't see why the works could not be carried out on one half of the site in the first year and on the other half in the second year. She asked if it would be possible to move benches from one side of the site to the other so that they could still be available for use.

Councillor Mrs. Barnett said she would be happy to investigate the moving of the benches but advised Councillor Mrs. Lloyd-Hayes that this was a matter that could have been raised with the officer responsible.

Questions from Councillor W.L.S. Bowen

"When is Herefordshire Council going to join the many other councils (nearly 50 in all) that require all developers to provide at least 10% of the energy needs of their developments to come from on-site renewable technologies?"

How much money does Herefordshire Council set aside each year to upgrade and improve the energy efficiency of all its properties?"

Is Herefordshire Council going to incorporate "planning policies for sustainable building" into its planning guidance for all developers?"

Councillor P.J. Edwards, Cabinet Member (Environment) advised that the current planning policies in the Unitary Development Plan encouraged and promoted sustainable energy generation particularly from renewable sources and that the requirement for such on-site renewable energy generation would be reviewed as part of the ongoing production of the Local Development Framework.

He said that Herefordshire Council was investing £200,000 to upgrade and improve the energy efficiency of all its properties and, in addition, had been successful at the first stage in the process of securing £200,000 match funded via a Government initiative. Energy efficiencies were being made to buildings which would compensate for energy price increases.

He advised that sustainable building principles had been incorporated in Policy S1 (Sustainable development) and Policy H13 (Sustainable residential design) of the Unitary Development Plan and consolidated in the Supplementary Planning Guidance Note *Design and Development Requirements* adopted in July 2004. Such principles were expected to be incorporated into the forthcoming Design and Access Statements which all developers would be required to submit with applications after 10 August 2006.

In response to further comments Councillor Edwards said that the Council would be participating in a national consultation exercise on these issues. He said that the Unitary Development Plan encouraged developers to incorporate the measures promoted by Councillor Bowen. He also thanked Councillor Bowen for his involvement in developing the Council's policies on renewable energy, energy efficiency and sustainable building.

Questions from Councillor Ms A. Toon

"Following a presentation to the Children's Services almost a year ago, we were advised that mechanisms were in place for parents to elect to attend parenting courses or that the council could compel parents to attend these courses where issues of children's behaviour were of concern. Can the Leader advise on how many courses have been held, where have they been held, and how do parents or teachers find out where they are being held?"

Could the Cabinet Member for Children's Services advise what action has been taken following a recommendation by the Local Admissions Forum to refer 12 schools to the adjudicator for failure to comply with government regulations in their admissions process. As he will be aware this matter has been raised repeatedly over the past 2 years giving rise to a clear recommendation last year that if the schools concerned did not comply that the committee would have the matter forwarded to the adjudicator.

Could the council advise on how many truancy officers are now employed and how long they have been in post?

Could the council advise on how many nursery, after school placements and school staff with direct children contact have been through the child concern model and reporting training during the past 6 months?"

Councillor D.W. Rule, Cabinet Member Children and Young People responded as follows:.

Parenting Courses - 16 programmes involving up to 236 parents have been held for the financial year 2005/2006 via Council services. Councillor Rule advised that this number should be treated with caution because places on these courses are counted quarterly so there may have been some double counting – information for year 2006/7 will be more reliable. A new stream of parenting courses will be available through the local Youth Offending Service in September.

Courses being offered by the Education Welfare Service, have been delayed due to a very serious illness of one of the officers but are now scheduled to start in the Autumn.

Courses are held in a variety of places depending on need, but mostly in Hereford and Leominster.

Advice has been sent out to schools (September 2005) with regard to Parenting Contracts and Parenting Orders. Most referrals for parenting courses, however come from the agencies that support children in need, e.g. the Children's Fund and the mechanism of Child Concern Model.

Councillor Rule advised that the Children and Young People Directorate had identified an additional £25,000 to expand the use of parenting courses as from April 2006.

Regarding Local Admissions Forum - At its last meeting the Local Admissions Forum recommended that the issue of compliance to the draft DfES guidance on oversubscription criteria in 12 aided schools in the County should be raised with the National Adjudicator. DfES had been asked when their draft guidance would be issued as formal guidance. Their timetable has now been received which states that 'consultation (is) due to take place around the beginning of the next school year in

September and the new Codes coming into force in time for admission authorities to take them into account in determining their admission arrangements for September 2008.' In light of the proposed further consultation and the suggested DfES stipulation that the new code is to come into force in September 2008, Councillor Rule said that he was not minded to refer the issue to the National Adjudicator until it was shown that aided schools were working outside the final guidance but he was open to further advice on that point and would keep in contact with the DfES on the matter.

Regarding Truancy Officers- Councillor Rule stated that the Council did not employ Truancy Officers. However, the Education Welfare Service, in partnership with the Police, regularly carried out truancy sweeps. Usually this would be one every half-term. The location for these changed (although it is usually Hereford City), as did the dates, but 'hot-spot' times like the May Fair week were always covered. Occasionally the full Education Welfare Service team plus police officers conducted an intensive truancy sweep in one area, for example High Town in Hereford. He stated that, although the levels of truancy in Herefordshire were low in comparison with other Authorities, he was not complacent.

Regarding Child Concern Model – Training - Councillor Rule thanked Councillor Ms Toon for her question but said that it had not been possible to obtain the necessary detail in the time available. He agreed to provide her with a response as soon as he had gathered the information.

Following a number of comments from Councillor Ms Toon, the Chief Executive reminded Council that the Constitution provided for written questions to be answered in a formal way and that there was provision for questioners to ask one supplementary question. He advised that this was not the time to open up further debate around the questions. He also advised that Members should submit comprehensive written questions rather than relying on gleaning additional information through the supplementary question.

Questions from Councillor Mrs. S. Robertson

"A recent request for a post office at Tillington Village Stores has proved unsuccessful despite the support of the community, myself, Bill Wiggin MP and also as identified in the Burghill Parish Plan.

This decision is contrary to both national and local policy and the government is encouraging rural regeneration including post offices. Many rural communities have limited or non-existent services and the village stores/post office is a vital link in sustaining these communities.

- (a) *What is the cabinet member doing to support initiatives such as rural post offices?*
- (b) *Has the Council an adopted policy for supporting rural post offices bearing in mind how important these are to rural communities, and if not, why not?"*

Councillor J.C. Mayson, Cabinet Member (Rural Regeneration and Strategy) said that he was disappointed to hear that the request for a post office at Tillington Village Stores had proved unsuccessful and would explore whether the Council could provide any assistance in support of the request.

He advised that the Post Office had to consider the sustainability of any new Post Office in terms of its commercial viability and felt that any decision to open a new

rural post office would be affected by the current uncertainty over future government funding for the rural post office network.

He said that the Council recognises the importance of rural post offices as one of the key rural services needed to sustain a high quality of life in the County. The Council administers a number of grant schemes which could provide some practical support for rural post offices including the shop front grant schemes and the Community Regeneration Grant, with an annual budget of around £20,000, helps support new activities, facilities and services across Herefordshire.

29. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

30. CABINET

The Leader of the Council, Councillor R.J. Phillips, presented the reports of the meetings of Cabinet held on 25th May, 15th and 29th June and 13th and 20th July, 2006.

In relation to Item 1.2 - Herefordshire Unitary Development Plan (UDP): Inspector's Report, Statement of Decisions and Reasons, and Proposed Modifications the Leader proposed an amendment to the recommendation. He proposed that the Council rejects the Inspector's recommendations 5.14/1 and 5.3/3 reference to land at Bullinghope and amends the relevant Modifications accordingly. This would have the effect of including the Bullinghope site and text as it was in the revised Deposit Draft. He stated that there were no proposals to reject the Inspector's recommendations in relation to housing land at Holmer, Hereford.

In moving the recommendation, he spoke of the need for additional housing within Hereford City by the end of 2011. He also said it would be an opportunity to raise additional funding which may be required to fund the access road at Rotherwas which was vital to the economic development of the City.

Councillor P.J. Edwards, Cabinet Member (Environment) seconded the proposal.

Councillors A.C.R. Chappell and Mrs. W.U. Atfield, expressed shock and concern at the proposal. While recognising the need for improved access to the Rotherwas Industrial Estate, they felt that Bullingham Lane would be unable to cope with the amount of traffic likely to be generated by 300+ new houses. In one direction the lane passed under a narrow railway bridge which would be impossible to widen and in the other direction it joined the Ross Road which was already renowned for its traffic problems. Although some improvements were expected once the new road layout at the Asda store was completed, additional traffic from over 300 homes would cause serious congestion south of the river. They reminded Council of the previous opposition to additional housing from local residents at Bullinghope and warned of further objections if the proposal was carried. They urged Council to reject the proposal, saying that investigations should be carried out into other means of funding the Rotherwas Access Road.

Councillor W.J.S. Thomas, whose ward includes the proposed route for the Rotherwas Access Road, said that the building of the road was one of the most important things that the Council had to achieve. He said that the businesses located at the Rotherwas Industrial Estate had suffered because of the inadequate access and this was having an effect on jobs. Unless more jobs, and better quality jobs, were provided more and more young people would be leaving the county to live and work elsewhere. He spoke of other improvements which were needed in and

around the City, for the benefit not only of businesses and residents but also for visitors - flood alleviations measures particularly at the Holme Lacy causeway, a road to join the A49 and the A465 with the new section of the Roman Road, and another bridge over the River Wye as well as the provision of a park and ride scheme for the City. He said the proposal had his total support.

Councillor T.M. James, the Leader of the Liberal Democrat group said he would support the amendment but would abstain from voting on the Unitary Development Plan itself because he was concerned that the proposed housing densities would lead to slum developments in the market towns.

A number of other Members also spoke in support of the proposal.

The Leader sympathised with the views expressed by the Councillors Mrs Attfield and Chappell, but stated that if Hereford was to develop into a modern, progressive and economically viable City it was vital that the road infrastructure in and around the City be improved.

In accordance with Standing Order 4.15.4 a named vote was held and is attached at Appendix 1 to these minutes. The voting in support of the proposal was as follows:

For - 43

Against - 4

Abstained - 5.

Further discussion took place on other aspects of the Unitary Development Plan. In answer to a number of comments and queries the Cabinet Member (Environment) stated that studies showed that there would be a continuing need for additional housing both at Bullinghope and at Holmer. He said that City Councillors were afforded every opportunity to make their views known to the Inspector. He thanked Councillor T.W. Hunt, Chairman of the Planning Committee for his support in the Regional Planning Partnership. He also welcomed the support of Councillor W.J.S. Thomas and Councillor James and endorsed the latter's comments on the need to look again at proposed housing densities.

He referred to the rejection of the Inspector's recommendations in respect of the Leominster Zone of Interest and the need to improve the road infrastructure around the town.

It was noted that measures may be needed to ensure an acceptable level of air quality on the Holme Lacy Road, Hereford.

The Leader agreed, in consultation with officers, to amend the policy on housing density to ensure a degree of flexibility in areas where high densities may be considered inappropriate, particularly in respect of minimum density requirements in town centre locations.

In relation to Item 4.1(iii) - Accommodation Strategy Update - in response to a query, the Leader said he was unaware of any plans for the Police to acquire buildings in Catherine Street, Hereford but would investigate this further.

In relation to the previous item and Item 4.1 (vi) - Draft Medium Term Financial Strategy - The Leader confirmed that the £27 million referred to in the draft strategy included the operational costs of running the Council including the Herefordshire Connects programme which would lead to savings for reinvestments in vital services such as Adult Social Care. He welcomed views from any Members who thought they could propose a viable alternative.

In relation to Item 4.1(v) - Proposed Police Restructure - The Leader welcomed the news that the proposed merger would not take place and said that good sense had prevailed.

In relation to Items 5.1(i) Herefordshire Council - Children's Services - Annual Performance Assessment (APA) by Ofsted and Commission for Social Care Inspection (CSCI) Self Assessment Report and Item 5.2(i) Progress on Improvement following the Joint Area Review (JAR) in Herefordshire - Councillor D.W. Rule, Cabinet Member (Children and Young People) said that he would be happy to talk to individual members if they had any concerns about the service. He said that the changing level of assessment had a knock-on effect on the number of referrals.

In relation to Item 7.2(i) - The Lyons Inquiry - The Leader agreed with Councillor T.M. James, the Leader of the Liberal Democrats that the Council should resist any changes to the way in which National Non-Domestic Rates were allocated, especially in the light of recent changes in the way central government allocates fund to local government.

In response to a query on availability of exempt or confidential papers to Members, Council noted that certain categories of exemption required members to demonstrate a "need to know". Other exempt or confidential papers were routinely included in agenda for cabinet/committee meetings as the need arose and were available to non Cabinet/Committee members on request. Exempt or confidential reports to Cabinet were highlighted in the Cabinet Bulletin in **bold text** and any papers containing exempt or confidential information continued to be printed on pale yellow paper, for easy identification. Any Members who felt they were inappropriately refused access to confidential or exempt papers should refer the matter to the Head of Legal and Democratic Services.

Before the vote on acceptance of the report was cast, the Chief Executive advised that the recommendations reserved to Council were highlighted in bold in the Cabinet Reports for ease of reference. He also explained that voting in favour of the Medium Term Financial Strategy would not commit the Council to individual budget decisions.. The Strategy would be used as the framework for debate on the budget strategy. The Annual Budget decisions continued to be reserved to full Council.

Voting was by a show of hands and there was a clear majority in favour of adopting the report and recommendations. No-one voted against.

RESOLVED: That the reports from the meetings of Cabinet held on 25th May, 15th and 29th June and 13th and 20th July, 2006 be received and the recommendations set out below be adopted:

- That**
- (a) the Youth Justice Plan be approved;**
 - (b) that the Statement of Decisions and Reasons and the Proposed Modifications, as amended, and including rejection of the Inspector's recommendations reference 5.3/3 and 5.14/1, be approved;**
 - (c) Council agrees to amend the Constitution to provide for a Cabinet to be established of between three and nine members. Those members to be appointed by the Leader of the Council. The membership of Cabinet and the individual portfolios then to be notified to the Head of Legal and Democratic Services for**

inclusion as an Appendix to the Constitution;

- (d) Council agrees to the extension to the powers of the Strategic Monitoring Committee to allow it to commission work from any of the four Scrutiny Committees;
- (e) Council agrees that the Council meeting in March be reserved to approve the budget and the setting of the council tax and associated business together with statutory plans that need to be approved by Council and that cannot be delayed and consequentially Standing Order 4.25.10 "Questions will not be accepted at the March meeting of the Council that sets the budget and council tax except in relation to those items listed on the agenda" be introduced;
- (f) Council approves the revised Financial Standing Orders, copies of which have been made available to the Constitutional Review Working Group and a further copy of which is available for inspection in the Members' Room;
- (g) Council agrees to make the following amendments to the Constitution in respect of the role of the Audit Committee;
 - (i) the name of the Committee be amended to the Audit and Corporate Governance Committee;
 - (ii) the Terms of Reference as recommended by CIPFA be approved;
 - (iii) the Audit Committee approve the Terms of Reference for Internal Audit, the Internal Audit Strategy and consider the resourcing of Internal Audit; and
 - (iv) the Constitution be amended to permit the appointment of an independent Chairman of the Audit Committee, the appointment and term of office of an independent Chairman to be approved by the Council as a whole;
- (h) provision be made in the Constitution for the establishment of a Compensation (Enhanced Payments) Panel whose Terms of Reference would be to address the award of compensation to senior employees in circumstances where their contracts are terminated and that that Panel consist of the Cabinet Member (Resources); the Cabinet Member (Corporate and Customer Services and Human Resources) and the Chairman of the Audit Committee;
- (i) Council approves the following detailed amendments to the Constitution to improve the arrangements for delegating powers in respect of Traffic Regulation Orders and Food Safety prosecutions:
 - (i) Appendix 23 of the Constitution be amended to provide for the Director of Environment to make a decision to advertise any proposals for a Traffic Regulation Order (including traffic calming measures) and to proceed to

make the same if no objections are forthcoming; and

(ii) Part 12, 12.7.4 of the Constitution be amended by adding a specific reference enabling the Director of Environment to commence prosecutions under the provisions of the Food Safety Act, 1990 (As Amended) and the European Communities Act 1972 including any Regulations made pursuant to those acts or any re-enactment thereof; and

(j) the Head of Legal and Democratic Services be given delegated power to undertake the necessary drafting amendments to give support to the recommendations contained above.

31. RE-CONFIRMATION OF APPOINTMENT TO OFFICES RESERVED TO COUNCIL

RESOLVED: That the appointments to office holders of the offices described in Appendix 1 to the Minutes of the Meeting held on 12th May, 2006 be extended to May 2007.

32. REGULATORY COMMITTEE

Councillor R.I. Mathews presented the report of the meetings of the Regulatory Committee held on 23rd May and 4th July, 2006.

RESOLVED: That the report of the meetings of the Regulatory Committee held on 23rd May and 4th July, 2006 be received.

33. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meetings of the Planning Committee held on 9th June and 14th July, 2006.

RESOLVED: That the report of the meetings of the Planning Committee held on 9th June and 14th July, 2006 be received.

34. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meeting of the Strategic Monitoring Committee held on 26th June, 2006.

RESOLVED: That the report of the meeting of the Strategic Monitoring Committee held on 26th June, 2006 be received.

35. STANDARDS COMMITTEE

In the absence of Mr Robert Rogers, Councillor J.W. Edwards presented the report of the meeting of the Standards Committee held on 30th June, 2006.

RESOLVED: That the report of the meeting of the Standards Committee held on 30th June, 2006 be received.

36. AUDIT COMMITTEE

Councillor A.C.R. Chappell presented the report of the meeting of the Audit Committee held on 30th June, 2006.

RESOLVED: That the report of the meeting of the Audit Committee held on 30th June, 2006 be received.

37. RESULT OF THE KERNE BRIDGE BY-ELECTION

Council received formal notification of the results of the Kerne Bridge By-Election held on 1st June, 2006.

The full result of the by-election was as follows:

John Gilchrist Jarvis	Conservative	482 Elected
Paul John Truman	Liberal Democrat	308
Simeon Wood Cole	Independent	249
George James Jones	Independent	119

38. WEST MERCIA POLICE AUTHORITY

Councillor B. Hunt presented the report of the West Mercia Police Authority held on 13th June, 2006.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 13th June, 2006 be received.

39. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY

In the absence of Councillor G.W. Davies, Councillor Brig. P. Jones, CBE presented the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 12th June, 2006.

In response to a query he agreed to suggest that the job title for the post involved with prevention of firesetting by juveniles be reconsidered.

RESOLVED: That the report of the meetings of the Hereford & Worcester Fire and Rescue Authority which were held on 12th June, 2006 be received.

The meeting ended at 12.55 p.m.

CHAIRMAN

NAMED VOTE LIST

Council 28th July 2006

RECOMMENDATION: That the Council rejects the Inspector's recommendations 5.14/1 and 5.3/3 reference to land at Bullinghope and amends the relevant Modifications.

Councillor	FOR	AGAINST	ABSTAIN	Councillor	FOR	AGAINST	ABSTAIN
Mrs. P.A. Andrews	X			Brigadier P Jones	X		
B.F. Ashton	X			Mrs. M.D. Lloyd-Hayes		X	
Mrs. W.U. Attfield		X		G. Lucas	X		
Mrs. L.O. Barnett	X			R.M. Manning			
Mrs. E.M. Bew	X			R.I. Matthews	X		
W.L.S. Bowen			X	J.C. Mayson	X		
H. Bramer	X			R. Mills	X		
R.B.A. Burke	X			J.W. Newman			X
A.C.R. Chappell		X		Mrs. J.E. Pemberton	X		
M.R. Cunningham				R.J. Phillips	X		
Mrs. S.P.A. Daniels	X			Ms. G.A. Powell	X		
P.J. Dauncey	X			R. Preece		X	
N.J.J. Davies	X			Mrs. S.J. Robertson	X		
Mrs. C.J. Davis	X			D.W. Rule	X		
G.W. Davis				F. Short			
P.J. Edwards	X			R.V. Stockton	X		
D.J. Fleet			X	J. Stone	X		
Mrs. J.P. French	X			D.C. Taylor	X		
J.H.R. Goodwin	X			Mrs. E.A. Taylor			
Mrs. A.E. Gray	X			J. P. Thomas			
K.G. Grumbley	X			W.J.S. Thomas	X		
J.G.S. Guthrie	X			Ms. A.M. Toon			X
P.E. Harling	X			P.G. Turpin	X		
J.W. Hope	X			W.J. Walling			X
B. Hunt	X			D.B. Wilcox	X		
T.W. Hunt	X			A.L. Williams	X		
Mrs. J.A. Hyde	X			J.B. Williams	X		
T.M. James	X			R.M. Wilson	X		
J.G. Jarvis	X			J.W. Edwards (Chairman)	X		
				TOTALS	43	4	5

QUESTIONS FROM MEMBERS OF THE PUBLIC**Report By: Head of Legal and Democratic Services****Wards Affected****Purpose**

1. To receive any questions from members of the public deposited 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 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. Any question which contains defamatory material or the publication of which is likely to be detrimental to the Council's interests, may be rejected.

Questions

5. One question was received by the deadline and is attached at Appendix 1.

Question from Mr C.J. Grover, Bromyard

Bromyard Household Waste Site

As the members of the Council are aware several million pounds of the long term Waste Disposal Contract were spent between, I believe, 1999 and 2002 upgrading sites throughout the county. The Bromyard one in particular provides an excellent service to the local community. It has however one major drawback which is the deteriorating condition of the approach road which is in an extremely bad state of repair and a disgrace for any self respecting organisation. Nobody has made any attempt to carry out maintenance in the last six years although one or two potholes on probably the best part were filled in with concrete a couple of weeks ago.

The official response from the Chairman of Planning and local Ward Councillor is that the road is owned by different people and it is therefore too difficult to do anything until the UDP is finally approved and the site will be improved. I would say from the date of this question it would be very optimistic to quote two years for this improvement even to start. This site road is pounded at least three times a week by the heavy skip trucks and will continue to deteriorate. It is amazing that none of the three owners of the road have ever been approached by the Council concerning maintenance since the site was built.

Clearly there is a difficulty over ownership and the degree of responsibility the Waste Disposal firm has but the question is how much longer are the Council prepared to ignore the situation since they chose the site and are, as we ratepayers see it, ultimately responsible?

REPORT OF THE MEETINGS OF CABINET

HELD ON 7TH AND 28TH SEPTEMBER AND 12TH OCTOBER, 2006

Cabinet Members: R.J. Phillips (Leader of the Council),
D.W. Rule, MBE (Deputy Leader),
Mrs. L.O. Barnett, P.J. Edwards, Mrs. J.P. French, J.C. Mayson,
R.V. Stockton, D.B. Wilcox, R.M. Wilson.

This report covers proceedings of the meetings listed above. A supplementary report covering the meeting of 26th October, 2006 will be circulated separately.

1. DECISIONS RESERVED TO COUNCIL UNDER PART 4 OF THE CONSTITUTION

- 1.1 No such decisions were considered by Cabinet since the previous meeting of Council.

2. NOTICES OF MOTION

- 2.1 No motions to Council were considered by Cabinet during the reporting period.

3. KEY DECISIONS BY INDIVIDUAL EXECUTIVE MEMBERS WHICH WERE NOT INCLUDED IN THE FORWARD PLAN

- 3.1 There were no such decisions made during the reporting period.

4. CORPORATE STRATEGY AND FINANCE (Chairman of Cabinet – Councillor R.J. Phillips)

4.1 Report on Decisions Taken

- (i) **Comprehensive Equality Policy** – Cabinet has received a report on the progress made in implementing the Comprehensive Equality Policy. This is the overriding document that sets out the Council's commitment to achieving excellence and meeting its responsibilities to promote equality. The policy provides the focus to ensure the Council meets the criteria to reach Level 2 of the equality standard by end of March 2007, with the aim of reaching levels 3 and 4 by 2007/08. Cabinet was reminded that this is a three year programme and that the action plan is on target. Cabinet has noted that Herefordshire had recently been recognised for its migrant workers' website and that the government office will be visiting the county, having asked for assistance with information regarding migrant workers and the changing population.
- (ii) **Early Termination Compensation Regulations** – Cabinet has received a report on the Early Termination Compensation Regulations and noted the forthcoming changes to the policy. The changes are necessary to ensure compliance with legislative requirements, but also seek to retain maximum flexibility for fair workforce management. From 1st October the new legislation makes it unlawful to discriminate on age. Government intends to revoke the discretionary provision local authorities presently have to enhance payments to employees whose employment has been terminated early either on the grounds of redundancy, for efficiency savings or upon the cessation of

a joint appointment. In the future calculations will be made on pay up to the actual week's paid and either to award a one-off lump sum payment of up to 66 weeks' pay based on a service and age-related formula or to award added years on top of the benefits payable under the Local Government Pension Scheme (LGPS) for eligible employees aged 50 or over but under 65. In comparison to many private sector and some other public pensions, the LGPS was completely transparent. Cabinet expects to receive another report on the scheme later in the year. The Director of Resources intimated that, contrary to much press coverage the average pension paid by the Council was a very low figure at £4,032.

- (iii) **Rotherwas Futures** – Cabinet has received a report on the contents of the Rotherwas Futures study. The report reiterates the Council's commitment to the Rotherwas Industrial Estate and to the County. Cabinet were reminded that in 2005 a feasibility study was jointly commissioned to investigate the further regeneration and development of the Industrial Estate and provide a package of measures to make the estate more viable. Cabinet has approved a funding agreement with Advantage West Midlands (AWM) in order to progress the project. Cabinet noted that AWM will be committed to a contribution of up to £9.5 million, which is to be secured through a co-operative agreement with the Council and to which the Council will contribute the £8 million balance through developer contributions, recycling of capital receipts and the use of the Capital Programme.

(Note: This decision was called in by the Strategic Monitoring Committee because of lack of information on any potential funding shortfall and how this would be met; lack of detail of what phase 1 and 2 of the Rotherwas Scheme involves; and lack of information on what precautions have been taken in respect of inflation. As set out in the Strategic Monitoring Committee Report at Agenda Item 12 of the Council agenda, the Committee has agreed that Cabinet should not be requested to reconsider its decision to proceed with the Rotherwas Futures Project, but should be advised that the Committee requires regular reports on the progress with regard to the financial negotiations associated with the project.)

- (iv) **Direction of Travel Statement 2006: Self-Assessment** – Cabinet has received the report on the Council's draft Direction of Travel Statement which was required by the Audit Commission by the end of September. It has noted that some evidence was not available at the time the draft was considered, such as the Director of Public Health's annual report. Cabinet was advised that with regards to the arrangements for the safeguarding and assessment of children, several new permanent staff appointments had been made.
- (v) **Budget Process** - Cabinet has agreed the approach for establishing the budget process for 2007/08 as set out in the draft Medium Term Financial Management Strategy. The draft strategy sets out the framework for ensuring cash resources are linked to corporate priorities and that corporate and service planning is undertaken within the resources available. The draft Medium Term Financial Strategy has been received by the Strategic Monitoring on 16 October and it will then be presented to Cabinet on 26 October. The Director of Resources and staff were complimented on the quality of the small booklet they had produced, which gives a clear overview of the service.

- (vi) **Disability Equality Scheme 2006/09** – Cabinet has noted the Disability Equality Scheme and approved the action plan. It is a requirement of the Disability Discrimination Act 2005 that organisations across the public sector be proactive in ensuring that disabled people are treated fairly, not just in relation to access to buildings, but in how written material is presented and in the very culture of an organisation to eliminate discrimination. It has noted that work was also being done with the Council's partner organisations. Cabinet was informed that the Council's progress on the Disability Equality Scheme was considered best practice by other organisations.

4.2 **Report on Items of Interest**

- (i) **Community Forums** – Cabinet has received the report on the June - July 2006 round of Forum meetings and noted the statistics presented. Members expressed their thanks and satisfaction to the Community Forum Co-ordinator over the style of the meetings, the way Parish Councils are notified and the advertising.
- (ii) **Treasury Management Activities 2005/06** - Cabinet has noted the Treasury Management activities for period 1st April, 2005 to 31st March, 2006 and the outturn of Prudential Indicators for the same year. The cost of borrowing was below budget, while the income from investment was above budget. Additionally, internally managed investments exceeded the index benchmark, while externally managed funds were marginally below.

5. **CHILDREN AND YOUNG PEOPLE** (Cabinet Member: Councillor D.W. Rule, MBE)

5.1 **Report on Decisions Taken**

- (i) **Building Schools for the Future** - Cabinet has received a report on Building Schools for the Future and has recommended that Minster College, Leominster be selected under this initiative as the College is in need of a major improvement to its facilities. The Principal for Minster College, Mr Richard North, spoke to Cabinet supporting the proposals for the College and for the relocation of Westfield Special School on to the campus.

Cabinet has also approved the application for Wyebridge Sports College to become a City Academy, with the principal sponsor being the Diocese of Hereford. The Government Office has expressed its support for the application for Wyebridge Sports College.

6. **COMMUNITY SERVICES** (Cabinet Member - Councillor R.V. Stockton)

6.1 **Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

7. CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES (Cabinet Member - Councillor Mrs. J.P. French)

7.1 Report on Decisions Taken

- (i) **Revised Communications Strategy** – Cabinet has approved the revised Communications Strategy. It has noted there were some challenging targets in the strategy, which reflected the pace of change and the need to keep employees informed and engaged with changes. Cabinet has noted the value that employees put on internal communications, and team briefings have been re-launched to enable staff to feed-back their views to the Corporate Management Board. The basis of the strategy is to build an effective communications network of champions who will drive communications improvements.

7.2 Report on Items of Interest

- (i) **Integrated Performance Report** - Cabinet has noted the performance report to the end of July 2006 against the Annual Operating Plan 2006-07, together with performance against revenue and capital budgets and corporate risks. It has acknowledged that a significant amount of work had taken place since the previous report to the end of May. There had been a marked reduction in the number of indicators that had not been achieved or had not reached the target, down from 45 in May to 19. Where not all indicators are met, this can be due to partner organisations not reaching the target. The outturn figures for 2005/06 place the authority above the median for 2004/05, which shows a significant improvement in performance. The majority of indicators for the Herefordshire Community Strategy have now been identified and work is being carried out to agree them with partner organisations.

JAR Action Plan – overall it is very positive and the number of referrals has already reached the target for March 2007. The workload has increased, but this is being managed with nine new permanent Social Workers appointed since April.

Adult Social Care – any potential overspend is being actively managed in anticipation with a further contingency fund.

Corporate Risk Monitoring - the Herefordshire Connects programme had been identified as an emerging risk for the Council. However, good progress is being made and the programme is currently on schedule.

- (ii) **Employee Opinion Survey 2006** – Cabinet has received the report on the Employee Opinion Survey and was pleased to note that nearly half the workforce had taken part in the survey with a 48% response rate. Cabinet has noted that 94% of Staff Review and Developments (SRD) were being carried out annually, compared to the local government average of 88%. Morale in the workforce is up from 41% to 55%. Recruitment links with schools and colleges along with the Council's newly formed central recruitment centre have improved the speed and efficiency of recruitment to Council posts.
- (iii) **Health and Safety Annual Report** – Cabinet has received a report summarising the key activities of the Health and Safety Service, including Occupational Health, over the last twelve months. It has noted that considerable work had been carried over the last 12 months. Changes have

been made to the structure of the service allowing more flexible working across Directorates and provision of specialist support and advice. As a result of a recent audit of the service systems were found to be sound and the recommendations of the audit have been considered by the Health and Safety Committee and the Senior Management Team. Action plans to address any short and long term issues are to be put in place.

- (iv) **Local Government Pension Scheme – Response to Initial Consultation on Four Options** - Cabinet has endorsed the proposed response to the initial consultation exercise being undertaken by the Department for Communities and Local Government (DCLG). Cabinet supports Option A of the DCLG report, which is very similar to the current pension scheme, that is a final salary scheme based on an accrual rate of final salary per year of membership, with a tax free lump sum payment.

8. ENVIRONMENT (Cabinet Member: Councillor P.J. Edwards)

8.1 Report on Decisions Taken

- (i) **Land at Belmont** – Cabinet has received a confidential report on the acquisition of land off Dorchester Way, Belmont, known as “The Pond Area” and has agreed a way forward to resolve the longstanding issues concerning the adoption of the former landfill site area at Belmont.

9. HIGHWAYS AND TRANSPORTATION Cabinet Member - Councillor D.B. Wilcox)

9.1 Report on Decisions Taken

- (i) **Rotherwas Futures** - A report on this item is to be found at paragraph 4.1 (iii) of this report.
- (ii) **Rotherwas Access Road** - Cabinet has given approval to proceed with the implementation programme for the Rotherwas Access Road. A package of measures outlined in the Rotherwas Futures report sets out an approach to funding, developing and regenerating the industrial estate, along with possible housing developer contributions. Cabinet has noted that the Compulsory Purchase Order for the road scheme had been confirmed.

10. RESOURCES (Cabinet Member - Councillor R.M. Wilson)

10.1 Report on Decisions Taken

- (i) **Revised Risk Management Policy** – Cabinet has approved the Revised Risk Management Policy. This has been considered and commented upon by the Audit and Corporate Governance Committee and the Corporate Management Board. The policy further develops the Council’s approach to risk management and has a Member and a senior officer to champion and take responsibility for embedding risk management throughout the Council in compliance with good practice. Cabinet will carry out an annual review of the Risk Management Policy ensuring appropriate action is taken on the Council’s highest risks. Risk management will become part of the Integrated Performance Report.

10.2 **Report on Items of Interest**

- (i) **Ombudsman and Complaints and Compliments Monitoring 2005/06** – Cabinet received the report on the Ombudsman's Annual Letter 2005/06. The figures for complaints and compliments recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March, 2006. Cabinet has noted that there were no reports of maladministration against the Council by the Ombudsman.

11. **RURAL REGENERATION AND STRATEGY** **(Cabinet Member - Councillor J.C. Mayson)**

11.1 **Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this portfolio during the reporting period.

12. **SOCIAL CARE ADULTS AND HEALTH** **(Cabinet Member Councillor Mrs. L.O. Barnett)**

12.1 **Report on Decisions Taken**

- (i) **Response to the Scrutiny Committee Review of Learning Disabilities Services** – Cabinet has agreed a response to the Scrutiny Committee's review of Learning Disabilities. The review was undertaken in order to gain a fuller understanding of the operation of the learning disabilities' services, its demands and the factors behind the recent budget pressures. The review provided the Cabinet Member (Social Care, Adults and Health) with guidance on the current and future service needs, service models and the allocation of resources. Cabinet has welcomed all the recommendations outlined whilst noting that some of the recommendations were already being undertaken.

12.2 **Report on Items of Interest**

- (i) **Adult Social Care Improvement Planning** – Cabinet has noted a report on the progress to date with the Adult Social Care Improvement Plan and was advised that the Commission of Social Care Inspection (CSCI) has agreed additional support from the Department of Health, by way of a significant financial contribution, to finance external expertise to drive forward improvements. A number of proactive steps have been taken to improve service delivery and capacity within Adult Services.

COUNCILLOR R.J. PHILLIPS
LEADER OF THE COUNCIL

REPORT OF THE MEETING OF CABINET

HELD ON 26TH OCTOBER, 2006

Cabinet Members: R.J. Phillips (Leader of the Council),
D.W. Rule, MBE (Deputy Leader),
Mrs. L.O. Barnett, P.J. Edwards, Mrs. J.P. French, J.C. Mayson,
R.V. Stockton, D.B. Wilcox, R.M. Wilson.

This is a supplementary report to Council and should be attached to Agenda Item 9(b) of the Agenda for the Council meeting to be held on 3rd November, 2006.

1. CORPORATE STRATEGY AND FINANCE (Chairman of Cabinet – Councillor R.J. Phillips)

1.1 Report on Decisions Taken

- (i) **Medium Term Financial Management Strategy** - Cabinet has approved the Council's Medium-Term Financial Management Strategy which provides the financial context for making sure the Council's service improvement aspirations for the future are both affordable and sustainable. It provides a framework for making sure cash resources follow corporate priorities as reflected in the medium-term financial plans.
- (ii) **Three-year Proposals and the Corporate Plan 2007/10** - Cabinet has previously approved the Council's Performance Improvement Cycle, including the production of a Corporate Plan setting out the Council's priorities and how they are to be achieved over the coming three years. The Corporate Plan cannot be finalised until the refreshed Local Area Agreement (LAA) has been negotiated. However, as the Corporate Plan is carried into effect through directorate and service plans, which also look forward three years, and through the Council's Annual Operating Plan, Cabinet has approved a draft Corporate Plan to provide the basis for the initial preparation of directorate and service plans and the Annual Operating Plan. It has agreed, in principle, to a number of areas that should be considered for additional budget provision over the coming three years. These include:
 - spend-to-save proposals for which non-recurrent budget provision is required. These are aimed at improving services for vulnerable children and for older people.
 - spend-to-mitigate proposals for which recurrent budget provision is required. Again these are aimed at improving services for vulnerable children and for older people.
 - other proposals that are not regarded by senior managers as deliverable within the baseline provision in the Finance Resource Mode. These are all in Legal and Democratic Services, and include proposals to underpin major corporate projects and to maintain current levels of support to committees.

The final version of the Corporate Plan will be approved by Council at its meeting on 9th March, 2007.

- (iii) **Public Service Trust - Herefordshire** - Cabinet has considered further proposals for the establishment in principle of a Public Service Trust for Herefordshire designed to give effect to the Council's response to the West Midlands South Strategic Health Authority (SHA) consultations early in 2006 on the reconfiguration of Primary Care Trusts (PCTs) in the region. That consultation arose from the Department of Health's publication "Commissioning a Patient Led NHS". Cabinet has endorsed the recommendation which arose from the report jointly commissioned by the Council and the PCT from Alan Curless of Alan Curless and Associates Limited.

Attached as Appendix 1 is a summary of the main issues covered by that report. A copy of the full report is available upon request. Cabinet has endorsed the principles set out in the report and much work remains to be done and further reports will be required prior to its implementation. There will also be a period of public consultation. Cabinet has approved the report as a basis for continuing negotiation and further report to the Council and PCT. If implemented, the proposals would see much closer integration of the work of the Council and the PCT with the potential for a single Chief Executive and Management Team being accountable to both the Primary Care Trust and the Council.

Cabinet noted that the originally envisaged timetable for implementation from 1st April, 2007 had been affected by:

- changes in leadership within the PCT;
- an evident and understandable indication on the part of the PCT as a result that they wish to proceed rather more cautiously than had originally been intended;
- the apparent lack of pressure from the Strategic Health Authority for implementation from 1st April, 2007;
- the lack of availability of additional funding to assist with the delivery of the initial phase of the programme; and
- the differing levels of flexibility available in relation to the split of commissioning and providing and the inhibition that may present to the realisation of the 1st April, 2008 phase.

Cabinet has placed on record its view that the model envisaged from 1st April, 2007, whilst providing an appropriate means of phasing and protection of service delivery, is not financially or managerially sustainable for more than a year and that the parties should make every effort to reduce that period.

In maintaining its commitment to the proposed recommendation, Cabinet has authorised the Leader of the Council and the Chief Executive to examine with the PCT the advantages and disadvantages of moving more immediately to the proposed fully integrated 1st April, 2008 model recognising, in particular:

- the immediate pressures faced by the Council and PCT;

- the need for clear and unambiguous leadership;
- the need for clarity, speed and purpose in the delivery of change;
- the clear risks to both parties of the inability to move beyond the 1st April, 2007 model; and
- the possibility of a start date which does not coincide with the financial year.

Cabinet has been keen to demonstrate its commitment to the recommendations and has, therefore, indicated it will commit itself to:

- making immediate provision to commit senior staff resources to provide capacity to develop the identified workstreams subject to identifying the resources to undertake that work;
- its share of the resourcing of an interim Project Director to ensure that these workstreams are project managed and, subject to the agreement of the PCT, to project manage these workstreams within the PRINCE 2 methodology and additionally to select and commit to an appropriate Change Management model;
- reaffirming its commitment to the involvement of the PCT in the appointment to the currently advertised statutory post of Director of Children's Services ensuring:
 - (i) that the respective implications of the approval of these outline proposals by the PCT and the Council are drawn to candidates' attention; and
 - (ii) the Chairman of the PCT be invited to join the Members' interviewing panel;
- arrangements being made for the recruitment consultants retained by the Council to see any suitably qualified applicants for the post of Director of Children's Services from within the PCT;
- the PCT being invited to indicate if and how they would wish to be involved in the recruitment of the post of Director of Environment currently advertised;
- protocols being established to ensure that future senior posts within both the PCT and the Council are only advertised when consideration has been given to how recruitment to those posts can further the model to which both parties have committed themselves;
- in recognising the statutory requirements on the PCT to undertake public consultation, committing the Council to joint public consultation on these proposals within the framework of the Community Involvement Strategy adopted by the Herefordshire Partnership

1.2 Report on Items of Interest

- (i) **Audit of the Local Area Agreement** - The Audit Commission is undertaking high-level audits of each local authority that hold a Local Area Agreement and has discussed its remit with the Government Office West Midlands to ensure

that the Audit complemented and did not duplicate the six-month review of the Local Area Agreement. It has concluded that good progress is being made by the Council and its partners in addressing all of the issues. The Auditor found no serious weaknesses or gaps in the arrangements being developed, and clear enthusiasm among partners to make the Agreement work. He made a number of recommendations where further work could be undertaken, and officers, supported by the Audit Commission, are now working with the Herefordshire Partnership Chief Executives' Group and Performance Management Group to incorporate these recommendations into the partnership action plans.

2. RESOURCES
(Cabinet Member - Councillor R.M. Wilson)

2.1 Report on Items of Interest

- (i) **Audit of the Local Area Agreement** - A report on this item is to be found at paragraph 1.2(i) of this report.

12. SOCIAL CARE ADULTS AND HEALTH
(Cabinet Member Councillor Mrs. L.O. Barnett)

12.1 Report on Decisions Taken

- (i) **Public Service Trust - Herefordshire** - A report on this item is to be found at paragraph 1.1(iii) of this report.

COUNCILLOR R.J. PHILLIPS
LEADER OF THE COUNCIL

REPORT OF THE REGULATORY COMMITTEE

Meetings held on 9th August and 26th September, 2006

Membership:

Councillors: R.I. Matthews (Chairman), Brig. P. Jones, CBE (Vice-Chairman), H Bramer, Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.W. Hope, T.W. Hunt, G Lucas, J.W. Newman, R. Preece, P.G. Turpin.

COMMITTEE MEMBERSHIP

1. The Committee has welcomed Councillors H Bramer and G Lucas as new members of the Committee and thanked Councillors JGS Guthrie and DC Taylor for their sterling service upon it.

HIGHWAYS ACT 1980 SECTION 119 PROPOSED PUBLIC PATH DIVERSION ORDER – FOOTPATH CG3 (PART) IN THE PARISH OF CODDINGTON

2. The Committee has granted approval for the following Public Path Diversion Orders which are acceptable under the provisions of the Act and for which there has been consultation with interested parties, the local parish councils and the local Ward Councillors:-
 - (a) Footpath ESG22 in the Parish of Stretton Grandison;
 - (b) Footpath VV 59 in the Parish of Llanveynoe;
 - (c) Footpath LW10 in the Parish of Llanwarne; and
 - (d) Footpath BD8 in the Parish of Bredwardine

PRIVATE HIRE VEHICLE CONDITIONS ATTACHED TO A SPECIALIST PRIVATE HIRE VEHICLE (FIRE ENGINE) LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

3. The Committee has approved an application for a Specialist Private Hire Vehicle Licence, with appropriate licensing conditions, in respect of a de-commissioned Fire Engine.

THE GAMBLING ACT 2005

4. A draft licensing statement of principles and the consultation process for the implementation of the Gambling Act 2005 have been considered. Section 349 of the Act requires all licensing authorities to prepare and publish a statement of the principles that they proposed to apply in exercising their functions under the Act during the three-year period to which the policy applied. The main aims of the Act 2005 are to:
 - prevent gambling being a source of crime or disorder;
 - ensure that gambling is conducted in a fair and open way; and
 - protect children and the vulnerable from being harmed or exploited by gambling.

The types of licences that will be covered by the Act, the premises involved and the impact of the work on the Licensing Section were noted. It was also noted that although the implementation date had been postponed until April, 2007, there was much preparatory work to be done in the meantime and that the Council's Policy needed to be in place by the beginning of January, 2007. A Seminar about the Act had been held in October for Members.

APPLICATIONS FOR DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

5. Seven applications for the renewal or grant of Hackney Carriage/Private Hire drivers licences were referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions and medical requirements. The applicants and their representatives gave details of the grounds for their applications and they provided the Committee with the circumstances giving rise to their offences or health situations. Having considered all the facts put forward by the Licensing Manager, the applicants and their representatives, the Committee decided that the Licensing Manager should be authorised to grant three applications because it considered that the applicants were fit and proper persons under the meaning of the Local Government (Miscellaneous Provisions) Act 1976. The Committee refused one application because they did not consider that the applicant fulfilled the requirements and the three remaining applications were deferred in the absence of the applicants.

**R.I. MATTHEWS
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 9th August and 26th September, 2006.

REPORT OF THE PLANNING COMMITTEE

Meetings Held on 25th August and 29th September, 2006

Membership:

Councillors: TW Hunt (Chairman), JB Williams (Vice-Chairman), Mrs PA Andrews, Mrs CJ Davis, PJ Dauncey, DJ Fleet, JGS Guthrie, PE Harling, JW Hope, B Hunt, Mrs JA Hyde, Brig P Jones CBE, RM Manning, PG Turpin, RI Matthews, Mrs JE Pemberton, R Preece, DC Taylor, WJ Walling.

REFERRED PLANNING APPLICATIONS

1. The following Planning Applications were determined by the Committee because (i) they related to the Council's own development or to the development of land owned by the Council; (ii) they were applications referred to the Committee by the Head of Planning Services because the Area Planning Sub-Committees are mindful to approve/refuse them contrary to officer recommendations and Council's Policies; or (iii) they were applications by Members or their relatives.
 - (a) DCNW2006/1523/RM - erection of six no. dwellings at Burnside, High Street, Leintwardine – approved as recommended;
 - (b) DCNC2006/1129/F - erection of shops and dwellings with associated demolition and site works at 40-42 West Street, Leominster – approved as recommended;
 - (c) DCCE2006/1744/F - proposed change of use to car park. The Car Centre, 15-17, Kyrle Street, Hereford – approved as recommended;
 - (d) DCSW2006/1298/F - new natural gas pressure reduction installation and associated works. (tie-in to existing Peterstow compressor station and no. 2 feeder outside the compressor station and extension to existing site access road), land adjacent to Peterstow compressor station, Treaddow off the A4137, Hentland – refused contrary to recommendation;
 - (e) DCSE2006/1358/O - ICT development, customer support and sales offices at Muddy Boots Software Ltd, Phocle Green, Ross-On-Wye - approved contrary to recommendation;
 - (f) DCSE2006/2479/F - installation of cellular grass reinforcement to form overspill parking area at Walford Primary School, Walford – approved as recommended;
 - (g) DCCE2006/2037/F construction of flood defence walls and embankments together with strengthening of existing walls between Greyfriars Bridge and Wyelands Close. provision of access over new flood defence at Queen Elizabeth Avenue Hereford - approved as recommended; and
 - (h) DCCE2006/2347/RM former SAS Camp, land off Bullingham Lane, Hereford - amendment to application CE2005/3706/RM - replacement of two storey 'Hereford' house type with three storey 'Middleham' house type (retrospective) – approved as recommended.

AREA PLANNING SUB-COMMITTEES

2. Information reports have been received from the three Area Planning Sub-Committees which have dealt with the following matters:

(a) Northern Area Planning Sub-Committee

- Applications approved as recommended – 22
- Applications minded to approve or refuse contrary to recommendation – 3 (1 referred to Planning Committee by the Head of Planning Services)
- Applications deferred - 1
- Site inspections – 4
- Number of public speakers – 13 (2 parish councils, 4 objectors, 7 supporters)
- Appeals – 9 have been received and 10 determined (4 upheld and 6 dismissed)

(b) Central Area Planning Sub-Committee

- Applications approved as recommended – 11
- Applications minded to refuse contrary to recommendation – 4 (not referred to the Head of Planning Services)
- Applications minded to approve contrary to recommendation – 2 (1 referred to the Head of Planning Services and the Planning Committee)
- Site inspections – 2
- Number of public speakers – 18 (3 parish councils, 6 supporters, 9 objectors)
- Appeals – 2 appeals have been received and 2 determined (1 dismissed and 1 withdrawn)

(c) Southern Area Planning Sub-Committee

- Applications approved as recommended – 7
- Applications refused as recommended – 1
- Applications deferred - 1
- Applications minded to refuse contrary to recommendation – 0 (0 referred to the Head of Planning Services and Planning Committee)
- Applications approved contrary to recommendation – 0 (0 referred to the Head of Planning Services and Planning Committee)
- Site visits – 2

- Number of public speakers – 12 (0 Parish Councils 6 supporters, 6 objectors)
- Appeals – 16 appeals have been received and 5 determined (0 upheld and 5 dismissed)

PLANNING OBLIGATIONS

3. A Planning Obligations Supplementary Planning Document (SPD) has been prepared as part of the Council's Local Development Scheme and the requirements of the Planning and Compulsory Purchase Act 2004. The main aims of the SPD are to:-
 - provide as much certainty as possible to landowners, prospective developers and other interested parties;
 - ensure a uniform application of policy;
 - ensure the process is fair and transparent;
 - enable developers to have a 'one stop shop' approach to establishing likely contributions expected; and
 - facilitate a speedier response from the authority to development proposals
4. Consideration has been given to where the agreements would apply and how the scale of contributions would work. Members agree that there is a need to introduce a different system to the current ad hoc one, but some are concerned that the proposals may be too restrictive on developers. It is noted however that the aim is to establish a code of practice that will be clear to all and that the Audit Commission has strongly advised that a consistent framework should be introduced throughout the Country which will maximise contributions for the benefit of the public. It has been recommended to the Cabinet Member (Environment) that the Planning Obligations SPD is prepared as proposed, in line with the Town & Country Planning (Local Development) (England) Regulations 2004.

DEVELOPMENT BRIEF FOR LAND AT SHOBDON

5. Amendments have been made to the Development Brief prepared for land adjacent to the Birches Shobdon for adoption as a Supplementary Planning Document. The Brief has been prepared following a process of extensive consultation with the parish council and the public, including a public meeting. As a result of the consultation process, changes have been made to the Brief in respect of amenity, access and the relationship of the site with the existing development, with the full support of the parish council. A developer is interested in the site and the Brief had been used to prepare a draft scheme. The Cabinet Member (Environment) has been requested to approve the Development Brief, as amended, for adoption as a Supplementary Planning Document.

**T.W. HUNT
CHAIRMAN
PLANNING COMMITTEE**

BACKGROUND PAPERS

- Agenda for the meeting of the Planning Committee held on 25th August and 29th September, 2006.

REPORT OF THE STRATEGIC MONITORING COMMITTEE

Meetings Held on 15th September and 16th October, 2006

Membership:

Councillors: T.M. James (Chairman), Councillor Mrs. P.A. Andrews (Vice-Chairman), B.F. Ashton, W.L.S. Bowen, H. Bramer, A.C.R. Chappell, J.H.R. Goodwin, Mrs M.D. Lloyd-Hayes, J.P. Thomas, and W.J.S. Thomas.

MEDIUM TERM FINANCIAL MANAGEMENT STRATEGY

1. The Committee has considered the Medium Term Financial Strategy both during the consultation process and following its conclusion. The Committee supported a robust, reasoned approach to making representations to secure fairer funding for the County based on clear statistical evidence and recommended that further consideration be given to the Council's communication strategy at a local level to ensure that the Council's financial position is effectively communicated to the public.
2. It is generally supportive of the Strategy whilst recognising that there will always be differences over points of detail.

THREE-YEAR STRATEGIC PROPOSALS: THE BASIS FOR THE CORPORATE PLAN

3. The Committee's views have been invited on three-year strategic budgets and associated service outputs and outcomes which will form the basis of the Council's Corporate Plan 2007-10. The Committee has noted the proposals and made no further observations at this stage.

CALL IN OF CABINET DECISION ON THE ROTHERWAS FUTURES PROJECT

4. The Committee called in the Cabinet Decision to enter into a co-operation agreement with Advantage West-Midlands in order to progress the Rotherwas Futures Project.
5. The project includes building the Rotherwas Access Road, the refurbishment of key buildings on Rotherwas Industrial Estate and two Phases of development. Advantage West Midlands have agreed to provide up to £9.5 million leaving a funding gap of £8 million towards which the report to Cabinet stated that the Council was seeking a developer contribution. That report also stated that, "the Council would need to underwrite any funding gap that emerged if this level of developer funding was not achieved or the cost model changed which could have consequences for the approved capital programme."
6. The reasons for the call-in were: lack of information on the funding shortfall and how this will be met; lack of detail of what phase 1 and 2 of the Rotherwas Scheme involves; and lack of information on what precautions have been taken in respect of inflation.
7. The Committee has examined these issues in detail and on the basis of the evidence presented to it has agreed that the Executive should not be requested to reconsider its decision to proceed with the Rotherwas Futures Project, but should be advised that the Committee requires regular reports on the progress with the financial negotiations associated with the project.

UPDATE ON ACTIONS IN RESPONSE TO REVIEW OF THE STRATEGIC SERVICE DELIVERY PARTNERSHIP

8. The Committee has considered an update on action taken in response to the Committee's review of the Strategic Service Delivery Partnership. It has noted that a number of actions have now been completed and that progress is being made on the others.
9. In responding to the review Cabinet decided that consideration be given to engaging an external consultant to undertake a brief piece of work to verify a number of aspects of the services supplied by the Partnership including value for money under the partnership agreement. The Committee has been informed that expressions of interest have been received and are being evaluated. It is expected that the work will be completed within three months of engaging the Consultant. The Committee will consider a further progress report once these findings have been produced.

INTEGRATED PERFORMANCE REPORT

10. The Committee has considered and noted performance up until the end of July, 2006 against the Annual Operating Plan 2006-07, together with performance against revenue and capital budgets and corporate risks, and remedial action to address areas of under-performance. In doing so it has discussed the importance of getting a clearer understanding of what the performance indicators are really saying and putting them in context. This will be an ongoing issue for all the Scrutiny Committees.

EMPLOYEE OPINION SURVEY 2006

11. The Committee has noted the findings of the Survey.

PROGRESS ON EQUALITY AND DIVERSITY

12. The Committee has been informed of progress in delivering the Council's statutory obligations on the equality agenda. It has been informed that the Council is on track to meet the criteria needed to reach level 2 of the Equality Standard by March, 2007. In 2007/08 it is intended to reach levels 3&4 of the Standard, bringing the Council in line with other authorities.

OMBUDSMAN AND COMPLAINTS AND COMPLIMENTS MONITORING

13. The Committee has noted that in 2005/06 there was a significant increase in the number of complaints about planning, up from 15 in 2004/05 to 35 in 2005/06. The Local Government Ombudsman has decided to issue Annual Letters for all Councils reflecting on complaints received by individual authorities and setting out any recommended action. In the 2005/06 letter to this Council he remarked that although complaints about planning had risen slightly across the Country in 2005/06 the Council may wish to consider whether special factors had caused the increase in Herefordshire. The Committee has requested a report analysing the complaints about planning.

WORK PROGRAMMES

14. The Committee has noted the Scrutiny Committees' current and future work programmes which are now reported to each Scrutiny Committee on a quarterly basis.

ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

15. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review), the first four of which are identified as key roles in the report on “The Development of Overview and Scrutiny in Local Government published by the Office of the Deputy Prime Minister”. Issues considered by the Strategic Monitoring Committee are listed for completeness.

Summary

16. The Adult Social Care and Strategic Housing Scrutiny Committee met on 2nd October 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Scrutiny of Homelessness Every Child Matters Transition to Adult Life – Scrutiny Review
External Scrutiny	
Improvement (Performance Management and Review)	Budget 2006/07 Performance Monitoring
Other	Work Programme

17. The Committee held a homelessness consultation event in October 2005, involving representatives from the Council and relevant agencies across the County. The event, which was held to facilitate the Committee’s review of homelessness, focused on exploring the main causes of homelessness in Herefordshire and considered opportunities for closer working arrangements in the future. A series of recommendations were agreed for submission to the Cabinet Member for Social Care Adults and Health, the Committee has received a report setting out progress in response to its recommendations. In pursuing its scrutiny of this important area of its remit a further event involving representatives from the Council and relevant agencies across the County is planned for November.
18. In conjunction with Members of the Children’s Services Scrutiny Committee a review is to be undertaken of transition from leaving care to adult life. This will look amongst other things at the exchange of information between schools and Social Workers, to consider whether plans have been put in place with the Council’s partners, how those would work in practice and to confirm that the Council is fulfilling its Corporate Parent role.
19. The Children’s Services Scrutiny Committee met on 6th October, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	The 14-19 Strategy Progress on the Joint Area Review Improvement Plan Every Child Matters Transition to Adult Life – Scrutiny Review (as part of report on work programme)

External Scrutiny	
Improvement (Performance Management and Review)	
Other	Work Programme (including discussion of involvement in Every Child Matters Transition to Adult Life – Scrutiny Review)

20. As referred to above the Committee is to participate in a review of transition from leaving care to adult life with the Adult Social Care and Strategic Housing Scrutiny Committee.
21. The Committee has also noted progress on the Joint Area Review Action Plan.
22. It has requested firmer detail on the strategy for the education of 14-19 year olds to enable it to monitor progress.
23. The Community Services Scrutiny Committee met on 18th October (reconvening on 20th October) and on 8th November 2006. It will consider the following issues:

Theme	Reports
Holding the Executive to Account	Call-in of Cabinet Members' Decision on relocation of Ledbury Tourist Information Centre Annual Report from Cabinet Member (Rural Regeneration and Strategy)
Best Value Reviews	
Policy Development and Review	CCTV in Herefordshire Churchill House Museum and the display of the Brian Hatton art collection
External Scrutiny	
Improvement (Performance Management and Review)	Update on Progress with High Town Refurbishment Community Services Division Budget Performance Monitoring
Other	Work Programme

24. The Committee held an evening meeting in Ledbury on 18th October to consider the decision of the Cabinet Member (Community Services) and the Cabinet Member (Resources) to relocate Ledbury Tourist Information Centre from its current site in the Homend, to the Master's House in Ledbury. The decision was called in, 'In view of public concern to seek confirmation that appropriate consultation has been carried out about the proposed relocation of the Tourist Information Centre and that the proposal is feasible, financially viable, value for money and the best solution.'
25. The meeting was attended by some 40 Members of the Public and the Committee heard evidence from a number of key parties including the Mayor of Ledbury, the Chairman of the Ledbury and District Tourist Association and the Chief Executive of the Ledbury and Area Development Trust who proposed that a Business Plan for the Master's House should be prepared. The Committee adjourned having heard all the evidence, reconvening on 20th October at Brockington. The Committee has agreed to recommend the relocation of Ledbury Tourist Information Centre to the Masters House be deferred for twelve months and the lease on the Centre's current premises in the Homend be extended until 28th February 2008; and that 50% of the cost towards the development of a business plan, up to a maximum of £15,000, be granted to the Ledbury and Area Development Trust.

26. The Environment Scrutiny Committee met on 25th September, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	
Policy Development and Review	Review of the Travellers Policy Review of Household Waste Recycling in Herefordshire Hydropower Briefing
External Scrutiny	Safety on the A49 and A465 Trunk Roads
Improvement (Performance Management and Review)	Capital Budget Revenue Budget Performance Indicators
Other	Work Programme

27. The Committee has approved a scoping statement for a review of household waste recycling in Herefordshire, one of the themes identified by the Strategic Monitoring Committee in its recent discussions on the content of work programmes.
28. It has also nominated a small team to review the draft travellers policy before it is passed to the Cabinet Member (Environment) for approval.
29. The Health Scrutiny Committee met on 5th September, 2006 and 12th October 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	
External Scrutiny	Hereford Hospitals NHS Trust – Foundation Trust Status Specialist Children’s Services Development “A Stronger Local Voice” A Framework for Creating a Stronger Local Voice in the Development of Health and Social Care Services. Scrutiny Review of Communication in the Local Health Service Scrutiny Review of GP out of hours Services Director of Public Health’s Annual Report
Improvement (Performance Management and Review)	
Other	Work Programme

30. The Committee is responding to the current public consultation exercise launched by the Hereford Hospitals NHS Trust inviting views on the Hospitals Trust seeking Foundation Trust Status.

31. The Committee will also be responding to a statutory consultation exercise on the possibility of developing a central building for specialist community services for children with developmental problems/disabilities.

32. The business conducted by the **Strategic Monitoring Committee** at its meetings on 15th September, 2006, and 16th October, 2006 is summarised below.

Theme	Reports
Holding the Executive to Account	Review of the Strategic Service Delivery Partnership – Cabinet Response Call-in of Cabinet Decision on the Rotherwas Futures Project
Best Value Reviews	
Policy Development and Review	Medium Term Financial Management Strategy Three Year Proposals: the basis for the Corporate Plan Review of the Provision of School Places
External Scrutiny	
Improvement (Performance Management and Review)	Integrated Performance Report – July Employee Opinion Survey 2006 Progress on Equality and Diversity Ombudsman and Complaints and Compliments Monitoring 2005/06
Other	Scrutiny Improvement Plan. Work Programmes. Scrutiny Activity.

**T.M. JAMES
CHAIRMAN
STRATEGIC MONITORING COMMITTEE**

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 15th September and 16th October, 2006.

REPORT OF THE AUDIT AND CORPORATE GOVERNANCE COMMITTEE

Meeting held on 22nd September, 2006

Membership:

Councillors: A.C.R. Chappell,(Chairman) Mrs. P.A. Andrews, H. Bramer, T.M. James, J.G. Jarvis, R.I. Matthews, Mrs. S.J. Robertson.

TERMS OF REFERENCE

1. This is the first report of the Committee meeting under its new name and with revised membership. The Committee has noted its extended terms of reference in line with the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA), which had been approved by Council at its meeting on 28th July, 2006.

AUDIT COMMISSION ANNUAL GOVERNANCE REPORT

2. The Audit Commission is required by its statutory Code of Audit Practice for Local Government Bodies to issue a report to the Council summarising the conclusions from our audit work. The Committee has received the Audit Commission's Annual Governance Report, in line with good practice. The Committee has noted that the Audit Commission anticipates being able to issue an unqualified opinion on the Council's Statement of Accounts and on the Council's arrangements for securing economy, efficiency and effectiveness in the use of resources. The Committee has approved an action plan in response to the Audit Commission's recommendations.

(Note: The unqualified opinions were issued by the Audit Commission by the statutory deadline of 30th September, 2006.)

CODE OF CORPORATE GOVERNANCE

3. The Committee has considered a draft Code of Corporate Governance for the Council. It has noted that the Code was closely linked to the Council's Statement of Internal Control and brings together, in one document the Council's overall strategy on governance.
4. The Committee has agreed that the Director of Resources be the officer responsible for financial probity, performance and risk, together with internal audit, and review independently the efficiency and effectiveness of the Code in that regard. It has also agreed that the Monitoring Officer (currently the Head of Legal and Democratic Services) be the responsible officer for legal probity and the ethical framework review and the efficiency and effectiveness of the Code in that regard. It has agreed that these reviews be carried out annually, and that a report be submitted to this Committee and the Standards Committee respectively, with any issues arising being reported to Cabinet. Subject to any comment of this Committee and the Standards Committee the Code of Corporate Governance will be approved by Cabinet and Council.
5. The Director of Resources will prepare a Foreword to the Code of Corporate Governance explaining the link between this Committee's role and the framework of the Code of Corporate Governance, emphasising the role of the public.

AUDIT CHARTER

6. The Committee has approved an updated Audit Charter in accordance with the CIPFA Code of Practice. The Charter establishes the authority and responsibility conferred by the Council on the Audit Services Team in respect of carrying out internal audit functions.

RISK MANAGEMENT POLICY

7. The Committee has endorsed a revised Risk Management Policy which has been submitted to Cabinet for consideration and approval. The revised policy further develops the Council's approach to this important issue and ensures compliance with good practice.

THE COUNCIL'S STATEMENT ON INTERNAL CONTROL

8. The Committee has received a report on the outcome of the Audit Commission's review of the Council's 2005/06 Statement of Internal Control. It was pleased to note the comment '*There has been a marked improvement within the SIC for this year (2005-06). An Audit Committee came into being on 30th September and has met regularly since with attendance from the Audit Manager of the client (TT).*'
9. The Committee has endorsed a number of actions based on the Audit Commission's recommendations identifying a small number of areas for improvement.

USE OF RESOURCES IMPROVEMENT PLAN

10. The Use of Resources assessment focuses on financial management with links to the strategic management of the Council. It looks at how the financial management is integrated with strategy and corporate management, supports council priorities and delivers value for money. The Council has scored 3 out of 4 for its use of resources (2005) which means that it is performing well but there are areas for improvement. The Committee has received a report which shows that good progress is being made with regard to financial matters, value for money and timescales being worked to.

**A.C.R. CHAPPELL
CHAIRMAN
AUDIT AND CORPORATE GOVERNANCE COMMITTEE**

BACKGROUND PAPERS

- Agenda papers of the meeting of the Audit Committee held on 22nd September, 2006.

REPORT OF THE INDEPENDENT REMUNERATION PANEL

Meeting held on 19th October, 2006

Membership:

Ms Liz Griffin (Hereford Times), Robert Hunt (Special Metals, Wiggins Ltd), Will Lindesay (Herefordshire Voluntary Action), Steve Marlor (Sun Valley Foods Ltd), Colin Osborne (Hereford/Ross/Leominster Journal)

Before making any decisions on the level of allowances paid to Members, Council must have regard to the recommendations of an independent remuneration panel.

REVIEW OF MEMBERS ALLOWANCES

1. The Panel met to review the Members' Allowances Scheme in respect of Basic and Special Responsibility Allowances (SRA) to take effect following the local authority elections in May 2007.
2. In reaching its conclusions the Panel took a number of factors into consideration, including:
 - the current level of Members' Allowances;
 - levels of Members' Allowances at a number of local authorities similar in size and make-up to this Council, as well as Worcestershire County Council;
 - changes to the political structure within the Council;
 - the number of meetings, responsibility and workload for individual committee chairmen;
 - ICT proficiency enhancements;
 - performance related elements.
3. The Panel has noted that the Council needs to attract the right calibre of person at the next elections and has formed the view that some uplift in the basic and SRA would go some way to achieving this aim.
4. The Panel is of the opinion that the Members' travel and subsistence rates were not in need of adjustment, but that the Childcare and Dependent Carers' allowance should reflect current market rates.
5. For ease of reference the current Members' Allowances Scheme is attached at Appendix 1 and the proposed scheme is attached at Appendix 2.

RECOMMENDATIONS TO COUNCIL

- THAT (a) the Basic Allowance be amended to £7,000 (current £6,165);**
- (b) Special Responsibility Allowances be amended as follows:**
- | | |
|---------------|----------------------------------|
| Band 1 | £27,000 (current £26,586) |
|---------------|----------------------------------|

Band 2 £11,000 (current £10,635)

Band 3 £8,500 (current £8,212)

Band 4 £1,500 (current £1,368)

- (c) Special Responsibility Allowances be attached to the following at the Band Indicated:**
- (i) Chairman of Audit and Corporate Governance Committee – Band 3 (pro rata 50 %);**
 - (ii) Chairman of Regulatory Committee – Band 3;**
 - (iii) Chairman of Standards Committee – Band 3 (pro rata 50%);**
- (d) the Childcare and Dependent Carers' Allowance be set at the current market hourly rates;**
- (e) no change be made to the Members' Travel and Subsistence allowances which is currently set within the scale of rates used by the Inland Revenue;**
- (f) Members' Allowances should not be subject to performance related measurement;**
- (g) new and existing Members be given every encouragement to adopt the use of ICT in their work as Councillors.**

TOWN AND PARISH COUNCIL ALLOWANCES

6. The Panel considered a report on payment of allowances to Town and Parish Councillors, but have decided that, due to lack of interest and information from any of the councils involved, no further action be taken at present with regard to introducing such a scheme.

COUNCILLORS' ALLOWANCES SCHEME

The Councillor's Allowances Scheme has been agreed following consideration of the recommendations of an Independent Remuneration Panel.

Note: The Independent Remuneration Panel was established in November 2001. It consists of six members who collectively have a wide range of experience, comprising two members from local businesses (Sun Valley Foods Ltd and Special Metals Wiggin Ltd); the Editors of the Hereford Times and the Hereford Journal and representatives from Herefordshire Unison and Herefordshire Voluntary Action. The Council has agreed that the membership of the Panel be continued until November 2008 and the relevant individuals or their nominees or successors be invited to serve at the appropriate time to ensure continuity and to reflect statutory requirements.

The main features of the Scheme are:

- A Basic Allowance for all 58 members of £6,165.
- A scheme of Special Responsibility Allowances with four bands with the post of Leader of the Council in Band 1 with a Special Responsibility Allowance of £26,586 per annum, and other offices assigned to Bands and remunerated at set proportions of the Leader's rate, as shown below:

Band 2	Cabinet Members Chairman of Strategic Monitoring Committee	£10,635
Band 3	Chairman of Council, Deputy Leader (<i>if not a Member of the Cabinet</i>) Chairmen of: Planning Committee, Regulatory Committee and Scrutiny Committees	£8,212
Band 4	V-Chairman of Council Chairmen of Planning Sub-Committees Independent Chairman of the Standards Committee Group Leaders	£1,368

- In addition to the flat rate Group Leaders' Allowance of £1,368, a payment of £120.45 per member of the Group to reflect the different level of responsibility dependent on the size of the Group.
- Special Responsibility Allowance to be in addition to Basic Allowance.
- Excluding Group Leaders' Allowance, only one Special Responsibility Allowance payable per Member.
- A Childcare and Dependant Carers Scheme: allowances payable for eligible duties where costs are incurred in the care of children aged 16 or under, and in respect of other dependants where there is medical or social work evidence that care is required, and where the work claimed for has been undertaken by persons other than family members resident in the household; all claims evidenced by receipts and maximum hourly rates of £5.48 for childcare and £10.95 for the care of other dependants.
- All allowances to be updated annually in line with the N.J.C. for Local Government Services pay award.

In addition attendance whether as an appointed member or at the invitation of a Director, Cabinet Member or Chairman of the relevant body at any of the following will entitle a Councillor to claim for travel and subsistence:

- Council meeting
- Council committee and sub-committee meeting

- Any of the other bodies described in these Standing Orders including Cabinet and Community Forums;
- A Working Group established by any one of the above bodies (including attendance as a member of a Best Value Review team at a team meeting or related activity);
- Official briefing session called by the Chairman of Council, Leader, Cabinet Member, Chairman of a Committee, Sub-Committee or Panel, Community Forum or Working Group, or by a Group Leader or his/her substitute - such attendance being limited to one Councillor from each group per session;
- Meeting of any other approved body.

The undertaking by any of those listed below of any duty associated with the Council or its committees and other bodies approved for such purposes by the Chief Executive or Head of Legal and Democratic Services in consultation with the Leader:

- The Chairman/Vice-Chairman of Council
- A Cabinet Member
- The Chairman/Vice-Chairman of any Committee, Sub-Committee or Working Group, or Chairman of a Community Forum.
- The leaders of the political groups

Attendance on site visits approved by the relevant Committee or body.

Attendance at Cabinet by the Chairman and Vice-Chairman of the Strategic Monitoring Committee;

Attendance at a meeting of any Scrutiny Committee by the Chairman of the Strategic Monitoring Committee or in the absence of the Chairman and with his/her permission the Vice-Chairman.

Attendance at Cabinet by the Chairman or in the absence of the Chairman and with his/her permission the Vice-Chairman of a Scrutiny Committee where Cabinet is addressing matters within that Committee's terms of reference.

Attendance at any conference by any Councillor authorised by the relevant Director.

Any other attendance for which prior approval has been given by the Chief Executive or Head of Legal and Democratic Services after consultation with the Leader.

In general allowances will not be payable for meetings of outside bodies. A list of appointments to outside bodies, which shall be approved by the Chief Executive or Head of Legal and Democratic Services following consultation with Group Leaders, will be maintained by the Head of Legal and Democratic Services. This list will also identify those appointments to outside bodies where allowances are payable.

Note: The single rate at which travel may be claimed shall be within the scale determined by the Council within the scale of rates used by the Inland Revenue

A subsistence allowance for Councillors is paid on the basis of actual reasonable expenditure and where overnight accommodation is necessary, this will be for three star accommodation or equivalent, evidenced by receipts.

Co-opted and other non-elected Members are entitled to claim Travel, Subsistence and Dependant Carer's Allowances on the same basis as Members of the Council.

COUNCILLORS' ALLOWANCES SCHEME - DRAFT

The Councillor's Allowances Scheme has been agreed following consideration of the recommendations of an Independent Remuneration Panel.

Note: The Independent Remuneration Panel was established in November 2001. It consists of six members who collectively have a wide range of experience, comprising two members from local businesses (Sun Valley Foods Ltd and Special Metals Wiggin Ltd); the Editors of the Hereford Times and the Hereford Journal and representatives from Herefordshire Unison and Herefordshire Voluntary Action. The Council has agreed that the membership of the Panel be continued until November 2008 and the relevant individuals or their nominees or successors be invited to serve at the appropriate time to ensure continuity and to reflect statutory requirements.

The main features of the Scheme are:

- A Basic Allowance for all 58 members of £7,000.
- A scheme of Special Responsibility Allowances with four bands with the post of Leader of the Council in Band 1 with a Special Responsibility Allowance of £27,000 per annum, and other offices assigned to Bands and remunerated at set proportions of the Leader's rate, as shown below:

Band 2	Cabinet Members Chairman of Strategic Monitoring Committee	£11,000
Band 3	Chairman of Council, Deputy Leader (<i>if not a Member of the Cabinet</i>) Chairmen of: Planning Committee, Regulatory Committee and Scrutiny Committees Independent Chairman of the Audit and Corporate Governance Committee (pro rata 50%) Independent Chairman of the Standards Committee (pro rata 50%)	£8,500
Band 4	Vice-Chairman of Council Chairmen of Planning Sub-Committees Group Leaders	£1,500

- In addition to the flat rate Group Leaders' Allowance of £1,500, a payment of £120.45 per member of the Group to reflect the different level of responsibility dependent on the size of the Group.
- Special Responsibility Allowance to be in addition to Basic Allowance. Excluding Group Leaders' Allowance, only one Special Responsibility Allowance is payable per **Elected** Member.
- A Childcare and Dependant Carers' Scheme: allowances payable for eligible duties where costs are incurred in the care of children aged 16 or under, and in respect of other dependants where there is medical or social work evidence that care is required, and where the work claimed for has been undertaken by persons other than family members resident in the household; all claims must be evidenced by receipts and will be paid at the current market hourly rates.
- All allowances to be updated annually in line with the N.J.C. for Local Government Services pay award.

In addition attendance whether as an appointed member or at the invitation of a Director, Cabinet Member or Chairman of the relevant body at any of the following will entitle a Councillor to claim for travel and subsistence:

- Council meeting
- Council committee and sub-committee meeting
- Any of the other bodies described in these Standing Orders including Cabinet and Community Forums;
- A Working Group established by any one of the above bodies (including attendance as a member of a Best Value Review team at a team meeting or related activity);
- Official briefing session called by the Chairman of Council, Leader, Cabinet Member, Chairman of a Committee, Sub-Committee or Panel, Community Forum or Working Group, or by a Group Leader or his/her substitute - such attendance being limited to one Councillor from each group per session;
- Meeting of any other approved body.

The undertaking by any of those listed below of any duty associated with the Council or its committees and other bodies approved for such purposes by the Chief Executive or Head of Legal and Democratic Services in consultation with the Leader:

- The Chairman/Vice-Chairman of Council
- A Cabinet Member
- The Chairman/Vice-Chairman of any Committee, Sub-Committee or Working Group, or Chairman of a Community Forum.
- The leaders of the political groups

Attendance on site visits approved by the relevant Committee or body.

Attendance at Cabinet by the Chairman and Vice-Chairman of the Strategic Monitoring Committee;

Attendance at a meeting of any Scrutiny Committee by the Chairman of the Strategic Monitoring Committee or in the absence of the Chairman and with his/her permission the Vice-Chairman.

Attendance at Cabinet by the Chairman or in the absence of the Chairman and with his/her permission the Vice-Chairman of a Scrutiny Committee where Cabinet is addressing matters within that Committee's terms of reference.

Attendance at any conference by any Councillor authorised by the relevant Director.

Any other attendance for which prior approval has been given by the Chief Executive or Head of Legal and Democratic Services after consultation with the Leader.

In general allowances will not be payable for meetings of outside bodies. A list of appointments to outside bodies, which shall be approved by the Chief Executive or Head of Legal and Democratic Services following consultation with Group Leaders, will be maintained by the Head of Legal and Democratic Services. This list will also identify those appointments to outside bodies where allowances are payable.

Note: The single rate at which travel may be claimed shall be within the scale determined by the Council within the scale of rates used by the Inland Revenue

A subsistence allowance for Councillors is paid on the basis of actual reasonable expenditure and where overnight accommodation is necessary, this will be for three star accommodation or equivalent, evidenced by receipts.

Co-opted and other non-elected Members are entitled to claim Travel, Subsistence and Dependant Carer's Allowances on the same basis as Members of the Council.

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 20 October 2006

Membership:

Robert Rogers (Independent Member) (Chairman); Councillor John Edwards, Councillor John Stone; Richard Gething (Town and Parish Council Representative); John Hardwick (Town and Parish Council Representative); David Stevens (Independent Member).

APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS

1. We have decided in principle to grant a dispensation to two members of Yarkhill Parish Council in relation to their roles as members of Yarkhill Village Hall Committee. We are seeking clarification from the Standards Board for England (SBE), in relation to Paragraph 3.1 (i) of the Relevant Authorities (Standards Committees) (Dispensations) Regulations 2002. We feel that the wording "where the number of councillors that are prohibited from participation in the business of the council exceeds 50% of those who are entitled or required to participate" is ambiguous, and in relation to our discussions on Yarkhill PC, we questioned the exact meanings of "entitled" and "required", and whether either word was a reference to quorum. This issue is particularly important to a smaller parish council, which might have less than 50% of its members exempted from a particular discussion (and so might not be in a position to have a dispensation granted), and might struggle to be quorate due to the absence of one of two additional members.

DISPENSATIONS: DRAFT GUIDANCE FOR TOWN AND PARISH COUNCILS

2. The Herefordshire Association of Local Councils (HALC) has now commented on the draft guidance, and we have suggested some further amendments. We will shortly be in a position to issue the finalised guidance, which is aimed at helping Town and Parish Councils through what can be a somewhat complex process.

HEARINGS: DRAFT GUIDANCE FOR PARTICIPANTS

3. We have been working on guidance with the aim of making participants aware of what to expect from the hearing process at an early stage, and to encourage a less daunting atmosphere. The guidance will cover frequently asked questions, and will address some of the common misconceptions. A good example of this is that we have identified a need to explain to witnesses the differences between giving evidence about the facts of a particular case, and giving evidence of mitigating factors (in circumstances when the Committee has found that there is a breach of the Code of Conduct). We hope that this approach will give all participants greater confidence to speak, and will also assist in making the process business-like but also as fair as possible.

ANNUAL REPORT 2006

4. We have considered a first draft of our Annual Report, and will finalise it on 12 January 2007. This year we are working on a new format, and will circulate it as a "stand-alone" document to other Authorities, Standards Committees and interested organisations. We also intend it to show the Standards Board for

England that Herefordshire is able to demonstrate best practice in Code of Conduct and Standards Committee matters.

HEREFORDSHIRE CODE OF CORPORATE GOVERNANCE

5. We have commented on the Council's Corporate Governance Code, which follows joint guidance produced by CIPFA and SOLACE. We have suggested amendments, and an expansion to Paragraph 42 to include more detail about the Council's ethical framework, and the roles of the Monitoring Officer and the Standards Committee; and to make specific reference to the various codes that the Standards Committee has developed and continues to monitor, such as the Code of Conduct, and protocols relating to the use of Council resources, and to Planning matters.

SBE BULLETIN 30

6. The SBE Bulletin gave us plenty of material for discussion, and we were extremely grateful to Robert Blower, Head of Communications, for his valuable input at the meeting. As a result, revisions to the Council's protocols on dealing with the media are under way, and the new protocol will include much of the SBE guidance, which is clear and easy to follow.
7. In addition, we considered the SBE's proposed new approach to monitoring local investigations. We do not agree with the SBE's suggestion that, in the event of a serious problem with the outcome of a Standards Committee hearing, the SBE will contact the Chief Executive in the first instance. We will write to Paul Hoey, Head of Policy and Guidance at the SBE, expressing our view that this proposal detracts from the Committee's autonomy, and that we would prefer to be the first line of contact in the event of a problem.

"A QUESTION OF STANDARDS"

8. The Committee noted a paper produced by the Cornerstone Group (of MPs), and the SBE's detailed response to it.

STANDARDS BOARD FOR ENGLAND ANNUAL REVIEW: "DEVOLUTION"

9. The SBE Annual Review is centred on the continued move to a system of local assessment of complaints, and the SBE's adoption of the role of strategic regulator within this framework. As part of this devolution, the SBE will issue a simpler, clearer, and locally-owned Code of Conduct. It is proposed to issue this Code in time for May 2007, and consultation will begin shortly. We will keep the Council, and other interested parties, informed of progress.

FIFTH ANNUAL ASSEMBLY OF STANDARDS COMMITTEES

10. The Annual Assembly took place at the International Conference Centre in Birmingham on 16 and 17 October 2006. Richard Gething and Councillor John Stone attended this event for one day, and David Stevens, John Hardwick and Councillor John Edwards attended for both days. Over 700 delegates participated in specialist discussion groups and listened to addresses from key speakers on standards and ethics issues. Once again, the conference proved to be an invaluable resource for training and information, and is an essential forum for exchanging ideas highlighting important issues. The recurrent theme was devolution, and the implications that this will have for resources. It was clear to all of our members, from discussions with members from other areas, that the Herefordshire Standards Committee is extremely well supported by the Council, has gained significant experience in conducting hearings, and is at the cutting edge of ethics and standards.

JOINT TRAINING EVENT WITH THE STANDARDS COMMITTEE AND HALC

11. We will be holding a joint training session with HALC on 29 November 2006, on the Code of Conduct. We are also liaising with Simon Mallinson, Head of Legal and Democratic Services at Worcester County Council, to provide joint training for Standards Committee Members in Herefordshire and Worcestershire, and on the Combined Fire and Rescue Authority and the West Mercia Police Authority.

DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND

12. We have considered progress reports on current investigations by the Standards Board for England.

STANDARDS COMMITTEE ON THE COUNCIL'S WEBSITE

13. The Committee is in the process of updating its website content, and making ethics and standards information more accessible.

**ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS:

- Agenda papers of the meeting held on 20 October 2006.

REPORT OF THE HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY TO THE CONSTITUENT AUTHORITIES MEETING HELD ON 28 SEPTEMBER 2006

OPERATIONAL ACTIVITY

1. During the period 1 April 2006 to 30 September 2006 the Service attended a total of 55,922 incidents (this includes all types of Fire, All False Alarms and Special Service Incidents). More statistics and details of notable incidents have been reported to the Authority and can be found on the Service's website (www.hwfire.org.uk).

INTEGRATED RISK MANAGEMENT PLAN

2. The Constituent Authorities have previously been advised of the requirement under the Fire and Rescue National Framework that all Fire and Rescue Services must produce an Integrated Risk Management Plan (IRMP) and associated annual action plans. The purpose of the Plan is to provide a strategic overview of all aspects of service delivery and determine current and future policy. It is intended to make the Service more responsive to locally identified needs and better able to deliver community safety. Plans must undergo a full public consultation process for twelve weeks before being adopted by the Authority.
3. Consultation on IRMP 4, an amended action plan defining objectives for the period 2007/08, has been completed and the Authority will consider a report on the outcome in December.

RELOCATION OF FIRE STATIONS

4. One of the main themes of the Authority's Integrated Risk Management Plan (IRMP) is to ensure that Fire Stations are appropriately located and have the necessary facilities to provide an efficient, effective and economic service in compliance with statutory duties. The IRMP states that areas where the Authority plans to build new Fire Stations are Bromsgrove, Droitwich, Hereford, Malvern, Pebworth, Redditch, and Worcester (2 sites). These proposals will take a number of years to implement and will be subject to consultation when detailed plans are available.
5. The Authority has appointed the services of a consultant to assist in delivering business cases for these schemes. Redditch Fire Station has been highlighted for the production of the initial business case as this is the premises in most need of updating. This project will involve working closely with Redditch Borough Council and Worcestershire County Council whose land adjoins the current Fire Station site. A further report will be made to the Authority's meeting in December.
6. The Authority has already approved the relocation of Pebworth Fire Station, subject to the successful conclusion of contractual negotiations.

REGIONAL FIRE CONTROL

7. The Constituent Authorities have previously been advised of the replacement of the existing 46 local Fire Service control rooms across the Country with 9 regional control centres by the end of 2009. The Regional Fire Control for the West Midlands is to be located in Wolverhampton.
8. The project continues to raise a number of issues for the Authority. These are being

monitored and action taken to mitigate their effects. The formation of a Company to manage the Control Centre for the West Midlands is still scheduled to be completed by January 2007. The Authority will receive further reports on this project as necessary.

URBAN SEARCH AND RESCUE

9. The Constituent Authorities were informed last year that the Authority had accepted the Office of the Deputy Prime Minister's (ODPM) request to take receipt of an Urban Search and Rescue Unit. This was under the New Dimension Programme designed to provide the Fire and Rescue Service with a national capability to respond to major emergencies. One part of the programme includes the development of a national Urban Search and Rescue (USAR) capability with specialist staff vehicles and equipment. Funding has been negotiated with the Department of Communities and Local Government. It is planned to develop the site at Droitwich to incorporate this capability. The Authority is expected to declare the availability of its team to fulfil this new role in early 2007.

BUSINESS CONTINUITY AND RISK MANAGEMENT

10. The Authority has reviewed its Strategic Risk Register designed to ensure that strategic risks are identified, that effective controls of those risks are in place and that there are appropriate monitoring and reporting arrangements also in place. It has also approved a Business Continuity Policy and Strategy which is a key part of risk management.

AUDIT OF 2005/06 ACCOUNTS

11. The Authority's external auditors have issued an unqualified audit opinion on the 2004/05 accounts.

COMMUNITY SAFETY

Community Fire Safety

12. The Community Safety Department has now established a "Disability Working Group" with the intention of providing a full range of safety advice. The Group includes Worcestershire Association for the Blind, Herefordshire Association for the Blind, and Deaf Direct.
13. With the assistance and guidance of these organisations a successful "Disability Awareness Day" was held at Service Headquarters in May, to highlight the communication barriers that need to be understood and addressed by the Service. Further training will be provided by these organisations.

Water Safety Strategy

14. As part of the first Integrated Risk Management Plan the Authority approved the provision of a water rescue service as part of an overarching Water Safety Strategy (WSS). Over £150,000 has to date been invested in training, equipment and prevention activities and set in train a number of partnership arrangements to reduce risks to the local community and the considerable numbers who visit the area to enjoy the waterways for leisure purposes.
15. In the past 12 months alone 34 people have been rescued from the water by the specialist teams. These statistics continue to rise, partly as a result of the marked increase in the recreational use of the waterways, a trend replicated in many other parts of the UK.

16. Flooding incidents also feature extensively in the Service area with actual frequencies far outstripping established statistical models. Over the past 15 years, one-in-ten year floods have occurred every two years on the River Severn and there has been a one-in-fifteen event on the River Teme each year for the past five years. In addition the Service has experienced two x one-in-fifty year wide area flood events since 1998. The social and economic impact of these events obviously has a very real and direct impact on the community.
17. The Service has worked in partnership with the Royal Life Saving Society and a voluntary river rescue agency to develop and deliver a water safety education pack for schools, as well as producing water related community safety leaflets based upon guidance from the Royal Society for the Prevention of Accidents.
18. In the absence of legislative clarity around rescue from inland water related incidents, the Fire and Rescue Authority has entered into a ground breaking partnership with all local blue light and voluntary agencies, taking the lead on all water related incidents. This includes the co-ordination of attendances at incidents and adoption of common responder training standards. These changes have resulted in an improved multi-agency rescue service to the community, improved Firefighter and other responder safety on and near the water, reduced organisational risk to the Authority and a positive contribution to partnership working. This expansion of services and partnership working is fully in line with the Service's modernised role, is cost effective, and continues to receive strong support from the community and partners.
19. As part of the ongoing development of the WWS and a key element of the provision of an effective and safe response to water related emergencies, the Service recently sent 12 special rescue personnel to the United States for high level training. This venture was part of the ongoing partnership with the Charlotte Fire Department and is linked to the Chief Fire Officer's Association Management of Major Flood Emergencies initiative.
20. This proved to be a tremendous and unique learning opportunity. The intensive training has greatly strengthened the water rescue response, improved safety for rescuers and provided much valuable information. The visit was filmed as part of a major documentary film looking at the development of a framework for dealing with major flood emergencies. Producers hope that the final documentary film will be shown on the BBC in Spring 2007.

Regulatory Reform (Fire Safety) Order 2005

21. Commercial awareness and publicity sessions in partnership with Chamber of Commerce and Redditch Learning Zone have been continuing throughout the quarter. It is anticipated these will be revisited closer to the law coming into force.
22. In conjunction with the other Fire and Rescue Services of the West Midlands region a package called "Keep Your Business in Business" has been developed. The information that includes fire risk assessment, arson prevention and business continuity advice is available in a folder form, on compact disc or via a dedicated website with links to the Service's internet site.

Education Activity

Dying to Drive

23. Dying to Drive is a hard hitting road safety initiative aimed at reducing the number of Road Traffic Collisions involving young people.
24. In June 2006 the initiative ran for a week at Peterchurch Fire Station. Designed and co-ordinated by Hereford & Worcester Fire and Rescue Service, the project worked

in partnership with the Youth Offending Team, the Road Safety team, Police and Ambulance Service.

25. The drama is as true to life as possible and shows the horrific reality of a crash scene, played by actors and the emergency services. A series of workshops follow to further raise the awareness of the consequences of poor driving and target the age group that are starting to think about driving or are tempted to get into vehicles driven by older friends or siblings.
26. The programme was offered to every Year 10 pupil attending schools in Herefordshire, reaching over 1,000 pupils throughout the week. Highlighting the consequences of reckless driving aims to promote positive attitudes for our potential new drivers.
27. Evaluation returns from Herefordshire Schools show the project as a crucial element of Year 10 Personal, Social and Health Education. In six months time a further evaluation with a random selection of pupils at all the involved schools will highlight the retention of this knowledge over time.

Summer Initiative

28. Throughout the summer term a most successful pilot of a water safety programme reached 90% of Year 5 pupils in Worcestershire. The school initiative involved working in partnership with the Royal Life Saving Society (RLSS).
29. Feedback was positive and the intention is to provide water safety education annually during a six week intense period of teaching throughout the Summer term.
30. With the immense success of the programme in Worcestershire we are now intending to expand the programme into Herefordshire in Summer 2007.

Fire Safety Education

31. The Key Stage 2 education packs on Fire Safety are currently being updated to include exciting new resources and an interactive programme to engage children and heighten their learning experience.
32. Fire Safety education at Key Stage 1, 2 and 3 is reaching numerous children throughout the two counties.
33. A new programme of study at Key Stage 4 'Facing up to Fire' will arrive in all High Schools in both Counties during the new academic Autumn term 2006, to reinforce previous learning with regard to accidental house fires, arson, hoax calls and road traffic collisions. The delivery will involve Year 11 teachers engaging their own classes using the pack, following sufficient training from the Service.

Arson Combated Together toolkit (ACT)

34. The ACT Toolkit is a drama based education programme to combat arson in the community. The programme looks at issues around arson and fire related crime, but also looks at influences and issues faced by young people.
35. A workshop has since been delivered to Drama students from Stourport High School, with the intention of forming a partnership to deliver the ACT Toolkit. This is still in the developmental stages and will hopefully expand in the coming academic year.

Youth Work Partnerships

36. Partnership working with Alternative Learning Pathways (ALPS) is looking at future work which could involve the service delivering accredited courses through ALPS for young people. ALPS also has connections with Taste for Adventure (Outdoor activity centre) and it is hoped that links here can also be made in the near future.
37. Working with a Prince's Trust Team is also being explored to provide an intense two day work experience taster on a Fire Station. This will provide teamwork and communication activities for young people to gain an insight into the Fire Service.

LASER Project (Learning About Safety through Experiencing Risk)

38. Two Young Citizen Challenges (YCC) have taken place at Bromsgrove and Trimley. YCC is a multi agency delivery of safety messages. Year 5 school children rotate around each activity in small groups receiving short, interactive and thought provoking workshops around safety.

Phoenix Project

39. A recent visit to Tyne and Wear Metropolitan Fire Service explored an exciting initiative named Phoenix Project. The project offers an excellent opportunity to reach socially excluded young people, a key target group for the Service at present.
40. The Project is aimed at young people who are known to be offending, or those who are at risk of offending. The young people who fall into this target group are often those who have little or no life skills, low self-esteem/confidence, and a poor attitude to society.
41. Hereford & Worcester Fire and Rescue Service Phoenix Project will look at reducing fire related crime and anti-social behaviour. It is hoped that the Project can run as an 'intensive five-day work experience course' with an opportunity to develop life skills. It will offer young people the opportunity for personal development, promote self-discipline, self-respect and confidence, while highlighting the need for excellent communication skills to work effectively in a team. Young people are encouraged to contribute to their communities and become active citizens. The programme will engage young people with education, employment, or training and help prevent and combat further criminal activity.

Draft Worcestershire Young Peoples Plan

42. The Service is contributing to this multi agency forum which is in the process of developing services for the Children and Young People of Worcestershire.

Equality and Diversity

The Equality and Diversity Strategy

43. A full review of the Service's action plan has been completed and a generic equalities scheme has now been drafted, which will ultimately replace the action plan. Work is ongoing towards the Service's ambition to achieve level 4 of the Equality Standard.

The Disability Discrimination Act and the Equality Duty

44. A full audit of policies and procedures for their impact on disability has been conducted previously, and has now been reviewed in accordance with the new Disability Equality Duty, which requires public bodies to positively promote disability equality. The Service has already engaged in a variety of work in this area.

**PAUL HAYDEN
CHIEF FIRE OFFICER/CHIEF EXECUTIVE
HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY
OCTOBER 2006**

FURTHER INFORMATION

Any person wishing to seek further information on this report should contact Carole Williams on 0845 12 24454

Further information on the Fire and Rescue Authority and the Fire and Rescue Service can also be found on the Internet at (www.hwfire.org.uk).

BACKGROUND PAPERS

Agenda papers of the meeting of the Fire and Rescue Authority held on 28 September, 2006.