

**Corporate Services**

Dean Taylor, Deputy Chief Executive and Director  
Your Ref:

Our Ref: CC/SAHC

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**TO: ALL MEMBERS OF THE COUNCIL**

12 July 2012

Dear Councillor

**YOU ARE HEREBY SUMMONED** to attend the meeting of the Herefordshire Council to be held on **Friday 20 July 2012** at **The Shirehall, St Peter's Square, Hereford.** at **9.30 am** at which the business set out in the attached agenda is proposed to be transacted.

Please note that car parking will be available at the Shirehall for elected Members.

Yours sincerely



**C CHAPMAN**  
**ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE**

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Working in partnership for the people of Herefordshire  
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Herefordshire Council  
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# AGENDA

## Council

Date: **Friday 20 July 2012**

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Time: **9.30 am**

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Place: **The Shirehall, St Peter's Square, Hereford.**

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

For any further information please contact:

**Tim Brown, Governance Services**

Tel: 01432 260239

Email: [tbrown@herefordshire.gov.uk](mailto:tbrown@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format or language, please call Tim Brown, Governance Services on 01432 260249 or e-mail [scole@herefordshire.gov.uk](mailto:scole@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Council

## Membership

**Chairman**

**Vice-Chairman**

**Councillor LO Barnett**

**Councillor ACR Chappell**

Councillor PA Andrews  
Councillor CNH Attwood  
Councillor PL Bettington  
Councillor WLS Bowen  
Councillor AN Bridges  
Councillor MJK Cooper  
Councillor BA Durkin  
Councillor DW Greenow  
Councillor RB Hamilton  
Councillor EPJ Harvey  
Councillor JW Hope MBE  
Councillor RC Hunt  
Councillor TM James  
Councillor AW Johnson  
Councillor JLV Kenyon  
Councillor JG Lester  
Councillor G Lucas  
Councillor PJ McCaull  
Councillor JW Millar  
Councillor NP Nenadich  
Councillor FM Norman  
Councillor GA Powell  
Councillor R Preece  
Councillor SJ Robertson  
Councillor A Seldon  
Councillor J Stone  
Councillor DC Taylor  
Councillor DB Wilcox

Councillor AM Atkinson  
Councillor CM Bartrum  
Councillor AJM Blackshaw  
Councillor H Bramer  
Councillor EMK Chave  
Councillor PGH Cutter  
Councillor PJ Edwards  
Councillor KS Guthrie  
Councillor J Hardwick  
Councillor AJ Hempton-Smith  
Councillor MAF Hubbard  
Councillor JA Hyde  
Councillor JG Jarvis  
Councillor Brig P Jones CBE  
Councillor JF Knipe  
Councillor MD Lloyd-Hayes  
Councillor RI Matthews  
Councillor SM Michael  
Councillor PM Morgan  
Councillor C Nicholls  
Councillor RJ Phillips  
Councillor GJ Powell  
Councillor PD Price  
Councillor P Rone  
Councillor P Sinclair-Knipe  
Councillor GR Swinford  
Councillor PJ Watts  
Councillor JD Woodward

## **GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

## AGENDA

		Pages
1.	<b>PRAYERS</b>	
2.	<b>APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
3.	<b>DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	<b>MINUTES</b> To approve and sign the Minutes of the meeting held on 25 May 2012.	1 - 18
5.	<b>CHAIRMAN'S ANNOUNCEMENTS</b> To receive the Chairman's announcements and petitions from members of the public.	
6.	<b>QUESTIONS FROM MEMBERS OF THE PUBLIC</b> To receive questions from members of the public.	19 - 26
7.	<b>FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS</b> To receive any written questions from Councillors.	
8.	<b>NOTICES OF MOTION UNDER STANDING ORDERS</b> Two Notices of Motion have been submitted for consideration by Council.  <b>Notice of Motion One</b>  Submitted by Councillors EPJ Harvey, AM Atkinson, MAF Hubbard, JLV Kenyon and FM Norman.  Background: In December 2012 The Portas Review: "An independent review into the future of our high streets" was published by the Department of Business Innovation & Skills. In 2012 funds have been made available for pilot projects across the country to implement some of this report's recommendations. Currently this county has 4 bids submitted for funding under the second tranche of Portas Pilot projects covering: Hereford City, Ledbury, Leominster and Ross-on-Wye.  Huge amounts of thought and effort have come together to construct these bids – which are all aimed at strengthening and improving the retail centres of our market towns and cathedral city. The teams submitting these bids have brought together the ideas and enthusiasm of communities across our county. Whether or not one or more of our bids is successful in the latest round of funding, there is much which this Council can do to support and encourage these communities to deliver on their visions and to work together to share their ideas to the benefit of all the high streets of Herefordshire.  With this in mind, I propose that this Council resolves to support the high	

streets of Herefordshire by implementing the local government level recommendations of the Portas report; encouraging landlords, business owners and communities to work together to ensure the relevance, resilience and renewal of all of our town centres. Specifically we shall:

1. endorse, encourage and materially support the “Town Team” model of community engagement in the operational management of our high streets;
2. celebrate markets in all their forms and encourage new market traders by actively reviewing trading regulations and promoting a “Herefordshire Market Day”;
3. encourage new business through the exercise of new powers to approve business rate concessions and by the implementation of parking schemes tailored to the needs of a Locality in discussion with Town Teams;
4. facilitate skills sharing and mentoring between large businesses and small local and independent retailers;
5. engage with commercial landlords to support new and existing businesses through more flexible rent reviews, short tenancies and pop-up business models, and, if necessary, use statutory powers of compulsory purchase to ensure the redevelopment of key high street retail space; and
6. promote Neighbourhood Planning and encourage the inclusion of the High Street as a distinct area in Neighbourhood Plans.

### **Notice of Motion Two**

Submitted by Councillor PM Morgan.

This Council is extremely concerned that the West Mercia Police are planning to reduce the number of Community Support Officers within Herefordshire.

This Council would like to ask the West Mercia Police to reconsider this decision, and see if there are ways in which we could work together to preserve and enhance the Community Support Officer role, which we believe performs an extremely valuable service within our communities.

<b>9.</b>	<b>LEADER'S REPORT</b>	27 - 34
	To provide an overview of the Executive's activity since the last Council meeting.	
<b>10.</b>	<b>ELECTORAL REVIEW OF HEREFORDSHIRE: PROPOSALS FOR WARDING ARRANGEMENTS</b>	35 - 50
	To consider and approve the proposed submission to the Local Government Boundary Commission for England, in respect of council warding arrangements for Herefordshire.	
<b>11.</b>	<b>STRATEGIC PLAN FOR CHILDREN AND YOUNG PEOPLE IN HEREFORDSHIRE; THE "YES WE CAN" PLAN</b>	51 - 78
	To consider and approve the <i>Yes We Can</i> plan, as the strategic partnership	

plan for children and young people in Herefordshire.

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|--|-----------|
| <b>12. IMPLEMENTATION OF LOCALISM ACT 2011 CHAPTER 7 - STANDARDS</b>   | 79 - 102  |
| To advise Council of the steps required to implement the provisions of Chapter 7 of the Localism Act 2011 regarding standards of conduct for Members and co-opted members of the Authority.  |           |
| <b>13. TREASURY MANAGEMENT OUTTURN REPORT</b>  | 103 - 116 |
| To approve the Treasury Management Outturn Report as agreed at Cabinet on 14 June 2012.  |           |
| <b>14. HEREFORDSHIRE COMMUNITY SAFETY STRATEGY 2011-2014</b>   | 117 - 144 |
| To endorse the Herefordshire Community Safety Strategy 2011-2014.  |           |
| <b>15. HEREFORD &amp; WORCESTER FIRE AND RESCUE AUTHORITY</b>  | 145 - 152 |
| To receive the report of the meetings of the Hereford & Worcester Fire and Rescue Authority held on 15 February and 20 June 2012.  |           |
| <b>16. WEST MERCIA POLICE AUTHORITY</b>  | 153 - 162 |
| To receive the report of the meetings of the West Mercia Police Authority held on 14 February 2012 and 19 June 2012. Councillor WLS Bowen has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority. |           |

#### **EXCLUSION OF THE PRESS AND PUBLIC**

In the opinion of the Proper Officer, the following item will not be, or is likely not to be, open to the public and press at the time it is considered.

**RECOMMENDATION:** that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**Paragraph 1** Information relating to any individual.

**Paragraph 5** Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

#### **17. REPORT OF THE EMPLOYMENT PANEL**

To receive the report of the Employment Panel held on 12 June 2012. (To follow.)





# The Public's Rights to Information and Attendance at Meetings

## YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50, for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- A member of the public may, at a meeting of the full Council, 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 with the Monitoring Officer eight clear working days before the meeting i.e. by 12:00 noon on a Monday in the week preceding a Friday meeting.

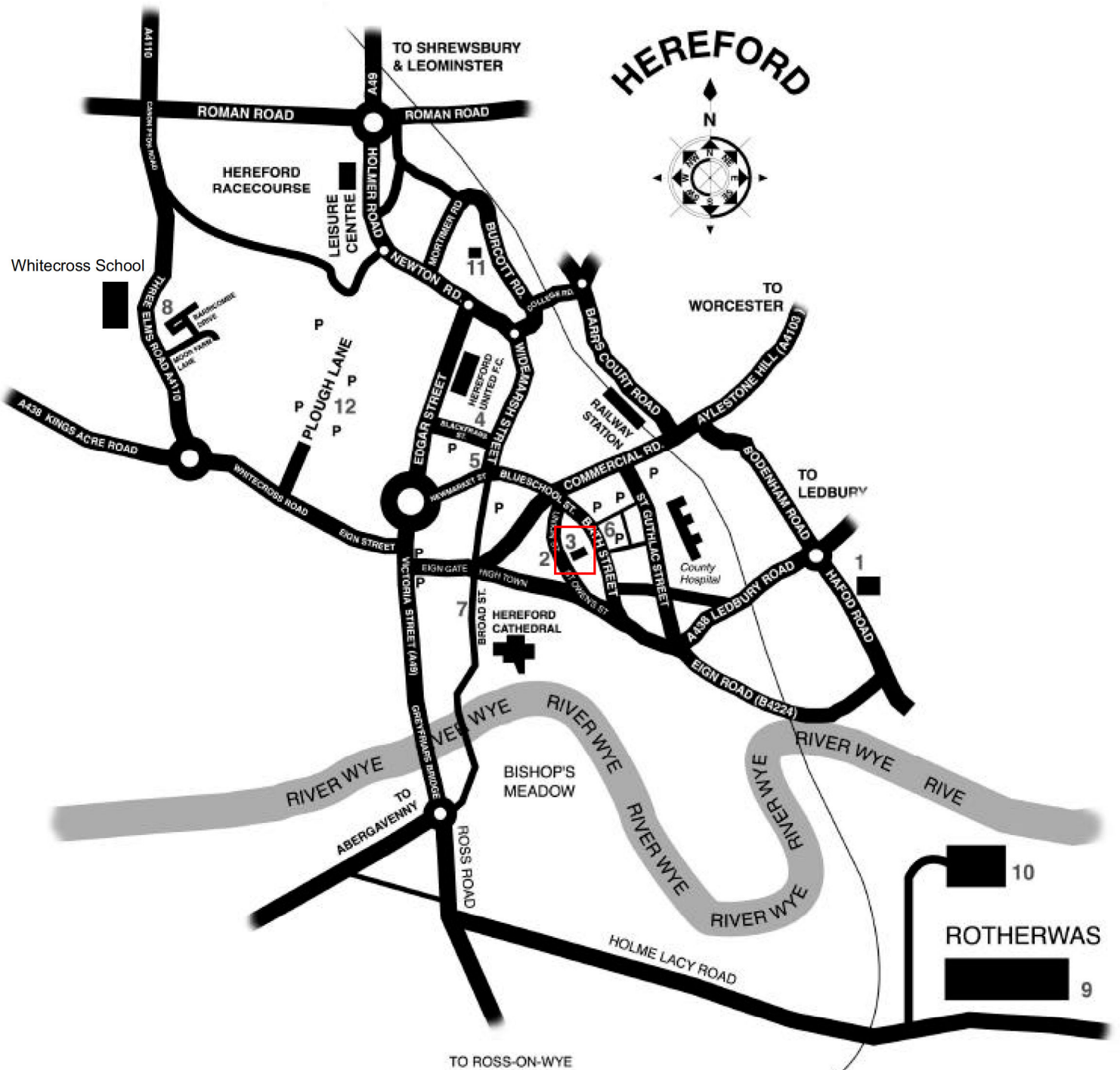
## Public Transport Links

- The Shirehall is ten minutes walking distance from both bus stations located in the town centre of Hereford. A map showing the location of the Shirehall is found opposite.



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|---|------------------|----|-----------------------------------|
| 1 | Brockington      | 7  | Kemble House                      |
| 2 | Town Hall        | 8  | Trinity House                     |
| 3 | Shire Hall       | 9  | Thorn Office Centre               |
| 4 | Education Centre | 10 | Herefordshire Commercial Services |
| 5 | Garrick House    | 11 | Merchant House                    |
| 6 | Bath Street      | 12 | Plough Lane                       |



# **FIRE AND EMERGENCY EVACUATION PROCEDURE**

## **IN CASE OF FIRE**

**(no matter how small)**

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

## **ON HEARING THE ALARM**

Leave the building by the nearest exit and proceed to assembly area on:

## **GAOL STREET CAR PARK**

**Section Heads will call the roll at the place of assembly.**



HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 25 May 2012 at 10.30 am**

**Present:** Councillor LO Barnett (Chairman)  
Councillor ACR Chappell (Vice Chairman)

**Councillors:** PA Andrews, AM Atkinson, CNH Attwood, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, BA Durkin, PJ Edwards, RB Hamilton, J Hardwick, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, RC Hunt, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, G Lucas, RI Matthews, SM Michael, JW Millar, PM Morgan, NP Nenadich, C Nicholls, FM Norman, RJ Phillips, GJ Powell, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, J Stone, GR Swinford, DC Taylor, PJ Watts and DB Wilcox

**1. CHAIRMAN OF COUNCIL**

The Monitoring Officer called for nominations to the office of Chairman of the Council.

Councillor James moved that Councillor Barnett be nominated as Chairman of the Council for the forthcoming municipal year. Councillor Hubbard seconded the proposal. Councillor Barnett was unanimously elected as Chairman of the Council.

**RESOLVED: That Councillor LO Barnett, be elected Chairman of the Council for the forthcoming municipal year.**

**2. PRAYERS**

The Very Reverend Michael Tavinor led the Council in prayers.

The Chairman extended a warm welcome to Her Majesty's Lord Lieutenant, the Countess of Darnley, the Earl of Darnley and distinguished guests attending Council.

**3. APOLOGIES FOR ABSENCE**

Apologies for absence were received from:

Councillors:	CM Bartrum	PGH Cutter
	DW Greenow	KS Guthrie
	PJ McCaull	GA Powell
	JD Woodward	

**4. DECLARATIONS OF INTEREST**

**9. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS.**

Councillor NP Nenadich, Personal, Agenda item 9 Director of Hereford United Football Club.

**11. POLICE AND CRIME PANEL REPORT.**

Councillor AJM Blackshaw, Personal, Agenda item 11 Councillor Blackshaw standing as a candidate, Police and Crime Commissioner.

11. POLICE AND CRIME PANEL REPORT.

Councillor WLS Bowen, Personal, Agenda item 11 Member of the Police Authority.

16. ANNUAL REPORT OF THE REGULATORY COMMITTEE.

Councillor P Rone, Personal, Agenda item 16 Councillor Rone is a taxi driver.

**5. VICE-CHAIRMAN OF COUNCIL**

The Chairman called for nominations to the office of Vice Chairman of the Council.

Councillor Matthews moved that Councillor Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year. Councillor Jarvis seconded the proposal. It was unanimously agreed that Councillor Chappell be appointed Vice-Chairman of the Council.

**RESOLVED: That Councillor ACR Chappell be appointed Vice-Chairman of the Council for the forthcoming municipal year.**

**6. MINUTES**

**RESOLVED: That the Minutes of the Council meeting held on 2 March 2012 be approved as a correct record subject to the following amendments.**

**Minute No: 63** Notice of Motion three, page 5 of the minutes, bullet point six – line two and three change Hereford to Herefordshire. Bullet point nine, to read – it was stated that the quarterly meetings between Hereford Futures and City Councillors would be opened up to all Hereford locality Members.

**7. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman in her announcements:

- Congratulated Colonel Charles Thwaites on his appointment as High Sheriff of the County.
- Informed Council that the Olympic torch had attracted thousands of spectators to welcome it on its travels through the County, passing through Bartestree, Hereford, Ledbury, Leominster, Lugwardine and Ross-on-Wye en route to Wales.
- Informed Council that the Chairman and Vice-Chairman had attended the launch in March of Robocap, which is a pioneering treatment for prostate cancer.
- Reported that she had attended an awards ceremony at The Courtyard on 3 May in recognition of long service by Poppy Appeal Collectors and the considerable sums of money raised by collectors.
- Reported that she had attended the 18 anniversary celebrations of Kemble Care. A local company supplying trained staff to provide quality care to people in their own homes.
- Reported that she had attended the opening of the May Fair on 8 May.
- Informed Council of the official naming of the Wye Trow, which the Lord Lieutenant Lady Darnley christened The Hereford Bull. The Trow will represent Herefordshire in the Thames Pageant by being part of the fleet of a 1,000 boats and ships to mark the Queen's Diamond Jubilee on 3 June.
- Reminded Council of the Queen's visit to Herefordshire on 11 July as part of the Queen's tour across the country to mark the Diamond Jubilee and encouraged all schools to take part and attend this once in a lifetime event.
- Informed Council of the wonderful tactile model map of Hereford City which has been erected in the Cathedral Close and made by local artist Matthew Hart and students from the Royal National College for the Blind.



- Thanked the Mayors of the County for their courtesy and kindness during the past 12 months of her office as Chairman.
- Reminded Council of the ceremony following the Council meeting to adopt The Rifles as the county regiment, which was agreed by Council at its meeting on 2 March.

## **Petitions**

One petition has been received from Belmont Abbey expressing concern about the threat posed to Belmont Abbey by the proposal to terminate a major new road with a roundabout encroaching on Belmont Abbey sports field and the intention of constructing a city bypass across the field and beyond.

## **8. QUESTIONS FROM MEMBERS OF THE PUBLIC**

A copy of the public questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 1.

## **9. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS**

A copy of the public questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 2.

## **10. LEADER'S REPORT**

LDF and therefore, parts of the planning application would be post Christmas. The Leader of the Council, Councillor JG Jarvis, presented his report and apologised to Council for some grammatical errors in the report. Members made comments on the following items:

- Page 29 paragraph 1, in appreciating the budget difficulties Councillor Hempton-Smith stated that he had grave concern for the lack of support and only basic provision that was being made for young people. The Leader stated his support for this area of work but added that it should be looked at in context with all other areas of work in the county.
- Page 31, Herefordshire's Economy and Communities Councillor Hubbard congratulated the administration on the improvements made at the Yazor Brook as the recent heavy rain fall had not caused any difficulties for the residents, but added that Tupsley and Three Elms now had some sewage in the brook. The Leader responded that he would ask for this concern to be checked.
- In response to the question as to who had paid for the erection of the hoarding around the retail quarter it was the Leader's understanding that the developers had done so, however, he would inform the Councillor if this was not the case.
- In response to a question on the timetable of the Local Development Framework (LDF), Council was informed that the timetable that the Cabinet Member Highways, Transportation and Sustainability had given was correct and that parts of the Local Transport Plan (LTP) would need to be separated from the LDF. The Leader added that he would be happy to discuss the matter further outside the meeting and acknowledged the need to keep neighbouring ward Councillors informed.
- Page 31 paragraph 11 the Leader was asked to confirm that there were no legal or binding agreements with Stanhope and British Land in place. The Leader referred the Councillor to the answer given previously and stated he would provide a written response.
- In response to a question as to the financial benefits to the tax payer from the new livestock market, the Cabinet Member Enterprise and Culture reminded

Council that agriculture was the biggest industry in the county and that the market was working to capacity. A market of this quality would enhance the agriculture business in the county.

- Page 31 paragraph 12 a reference was made to the LDF being moved to the July Cabinet meeting and that there would then be a significant break before the next meeting of Council in November. A Councillor asked for assurance that the improved consultation process would take place and that consideration would be given to a Council meeting in September to overcome the gap between the July and November Council meetings. The Leader advised that an extraordinary meeting of Council was being considered. The Leader added that care was being taken to ensure that further extensive consultation would be carried out and urged all Members to attend the June Member seminar on consultation.
- Page 31 paragraph 9 a Councillor referred to the housing needs of local people and the need for energy efficient homes. The Leader noted the comments and advised that Councillor Rone would take up this issue, as the new Cabinet Support Team member dealing with housing matters.
- Page 32 paragraphs 14 to 21 it was asked when residents would see improvement to the benefit of their communities. The Leader noted the comments and stated that the degree of community engagement varied across localities.
- Page 32, first bullet point Destination Hereford and paragraph 14 of the report, a Councillor stated that they felt the grant funding could be spent better elsewhere in the county and that they had spoken with businesses in the area who had expressed a wish not to see any reduction in the parking spaces available in Broad Street. The Leader advised there was a need to look at the scheme in context for the whole of the city and that if the authority tried to move the £5m grant funding it would be in danger of losing it altogether.
- In referring to the provision of affordable housing a Councillor asked if consideration had been given to opportunities under new legislation. The Councillor congratulated the Leader on the excellent work done in Ledbury on the Masters House and requested that any loss in car parking was taken into consideration during the development of the project. The Leader thanked the Councillor and added that he would speak separately outside the meeting regarding new legislation.
- In response to a question on business rates and charity shops the Leader stated he was referring to national charities paying business rates and not local charities.
- In response to a question on improving the county's waste recycling rates the Leader stated that it was dependent on the good will of local people and if garden waste was included it would be at a considerable cost to the Council, but he was willing to explore options which should be brought to the attention of the recycling officer.
- In response to concerns raised about Overview and Scrutiny and improvements that needed to be made, the Leader reminded Council that he had stated the previous year that a review would be carried out. This was now coming to a conclusion and proposals would be brought to the July Council meeting.
- Concern was raised over the low turnout by Members at some seminars and in particular the recent one on Root and Branch reviews. It was asked if Group Leaders could reiterate the importance of attending seminars to their political groups.
- The Leader confirmed the appointment of Councillor Hamilton as the new Cabinet Member for Environment, Housing and Planning and that further changes to Cabinet would be made in the future which would include bringing Councillor Graham Powell into Cabinet. The Leader added that he had invited Councillor Rone to join the Cabinet Support Team with a remit for Housing.

## **RESOLVED**

### **THAT:**

- (a) the intention to revise the timetable for the production of the Local Development Framework, as set out at paragraph 12 to the report, be noted; and**
- (b) the overview of the Executive's activity be noted.**

## **11. POLICE AND CRIME PANEL REPORT**

Council was reminded by the Assistant Director Law, Governance and Resilience that all authorities needed to agree the same recommendations to ensure the establishment of a West Mercia Police and Crime Panel as a joint committee of the 10 principal local authorities, to be administered by the lead authority Worcestershire County Council.

Councillor Hubbard noted the complications to moving any amendments to the recommendations but asked that consideration be given to one of Herefordshire's panel members being a city Member, given that many of the policing issues arose in the City. Concern was raised at the potential poor turn out for a November election for the Police Commissioner and whether the responsibility for policing matters should lie with the Chief Constable. The Leader moved the report which was seconded by Councillor Price. There was a majority agreement for the recommendations with nine abstentions.

## **RESOLVED**

### **THAT:**

- a) Council approved the establishment of a West Mercia Police and Crime Panel (PCP) as a joint committee of the 10 principal local authorities in the West Mercia Police force area, to be administered by Worcestershire County Council as lead authority.**
- b) Council approved the proposed membership of the PCP, the Panel arrangements and any consequential actions required under the Act; and**
- c) Council authorised the Deputy Chief Executive to finalise the details of the proposals in consultation with the Leader.**

## **12. TRANSITIONAL STANDARDS MATTERS**

The Monitoring Officer outlined to Council the requirements of the new standards regime under the Localism Act and the need to recruit independent persons as required by Section 28 (7) of the Localism Act 2011.

## **RESOLVED**

### **THAT:**

- a) The Monitoring Officer be authorised to recruit up to three independent persons pursuant to Section 28 (7) of the Localism Act 2011;**
- b) Independent persons be entitled to reimbursement of expenses; and**

- c) **The Monitoring Officer be authorised to appoint such additional parish members as may be required to complete the outstanding business of the Standards Committee.**

**13. ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE**

The Chairman of the Audit and Governance Committee presented the Annual Report. The Chairman was asked for a copy of the presentation on the new Amey Wye Valley Ltd., contract, which the Chairman stated he would follow up following the Council meeting. In response to further questions on the Amey Wye Valley Ltd., contract the Chairman assured Council that the Committee was very aware of Members concerns, which would be raised at Committee.

**RESOLVED: That the report be noted.**

**14. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Chairman presented the Annual Report of the Overview and Scrutiny Committee. The Chairman informed Council that the model currently adopted for Overview and Scrutiny had not been entirely successful and the results of a review would be put to Council at the July meeting. There was still a considerable amount of outstanding work to be dealt with in various areas, but particularly in Health.

In response to a question the Chairman advised that it had been difficult for the Task and Finish Group to carry out their review of income and charging whilst consultants Price, Waterhouse, Cooper (PWC) were also carrying out their review at the same time. The Chairman added he felt some of the work of PWC could have been dealt with by the Task and Finish Group and hence reduced some of the cost to the authority for the services of PWC. The Chairman thanked the Vice-Chairman and officers for their support.

**RESOLVED: That the report be noted.**

**15. ANNUAL REPORT OF THE PLANNING COMMITTEE**

The Vice-Chairman of the Planning Committee presented the Annual Report and thanked the Members for their regular attendance and hard work at Committee and also that of officers. The Vice-Chairman noted the comments in relation to the number of appeals and the related costs including officer time and stated this information could be a valuable addition to future reports.

**RESOLVED: That the report be noted.**

**16. ANNUAL REPORT OF THE REGULATORY COMMITTEE**

The Chairman of the Regulatory Committee presented the Annual Report of the Regulatory Committee 2011/12.

**RESOLVED: That the report be noted.**

**17. ANNUAL REPORT OF THE STANDARDS COMMITTEE**

Mr David Stevens, Independent Chairman of the Standards Committee presented the Annual Report. Mr Stevens stated that as this could be the last report of the Committee he would like to thank all Members for their support and trust. The Chairman also extended his thanks to the independent members, parish council representatives and officers.

Council complimented Mr Stevens on his chairing of the Committee and the Chairman of Council thanked Mr Stevens for all his hard work and guidance the he had provided.

**RESOLVED: That the report be noted.**

**18. DATES OF FUTURE MEETINGS**

**RESOLVED: That the programme of ordinary meetings of Council be approved.**

**19. DEED OF ADOPTION**

Following the formal business meeting Council held a presentation for the Deed of Adoption of The Rifles Regiment as the County Regiment.

The meeting ended at 12.25 pm

**CHAIRMAN**



## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

### **Question from Councillor GJ Powell of Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

- 1 *The Herefordshire Community Safety Partnership recognises that in order to reduce crime and ensure that our communities feel safer, we need to work with communities in both identifying and tackling issues. The issue in rural Herefordshire is staff related - can we be assured that the review of resources currently being undertaken by West Mercia Police will not further impact police numbers in rural Herefordshire?*

### **Answer from Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

Answer to question 1

West Mercia Police is currently reviewing all its services in light of the decision by the Home Office to reduce funding by 20% across the Police Service. West Mercia needs to save £38 million as part of these savings over the next four years.

Operationally any decisions will be made by the Chief Constable in conjunction with the West Mercia Police Authority.

At this stage the force has not made any formal decisions including in relation to police numbers. Once decisions have been made they will be communicated to partners and the public.

West Mercia Police have advised that it will always seek to provide the best possible policing service it can across the force area considering all its resources. Herefordshire Community Safety Partnership will, of course, consider any published proposals and how they might impact on policing in Herefordshire's localities.

### **Supplementary Question**

There is an issue of staffing levels, visibility, respect and value of Police Community Support Officers (PCSO). Could the Cabinet Member write to the Chief Constable and seek his assurance that there will be no further reduction in the number of Community Support Officers?

Cabinet Member Response

Yes. The new Police Commissioner is to be in post by November. I believe there will be an opportunity to review the policing plan.

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## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

### **Question from Councillor PJ Edwards of Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

- 2 *The strategic Riverside Footway / Cycleway, leading from Belmont Ward to The City remains in a very poor surfaced state despite continued pressure for redirection away from the River embankment and surface improvement. Will the Council please deal with this given Government funding receipt to aid sustainable Travel?*

### **Answer from Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

Answer to question 2

The government funding was not secured for routine maintenance purposes and therefore cannot be used to support this work.

The footpath and cycleway is being considered in the context of the future work programme; it is important to note that this process involves prioritisation of competing demands from across the whole county and therefore I cannot confirm that your request will be met at this time. I have asked officers to keep ward members informed of the outcome of this prioritisation.

### **Supplementary Question**

This is the third time I have brought this to the attention of Council. Can the Cabinet Member not agree that the people's highway exactly fits your response to the public question on page 11 of the agenda regarding the Destination Hereford project and infrastructure improvements.

Cabinet Member Response

I will look at this again in conjunction with other pressing projects.

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### **Question from Councillor PJ Edwards of Councillor PD Price, Cabinet Member Corporate Services and Education**

- 3 *I understand that future Business Rate Tax will continue to be collected by The Council and that Central Government will ensure Herefordshire Council receives an agreed tax base receipt. Great weight was placed by Cabinet Members relying on Herefordshire further benefiting from additional Business Rate Tax to be forthcoming from redeveloping the former Livestock Market site! Are the figures which were quoted still realistic?*



## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

### **Answer from Councillor PD Price, Cabinet Member Corporate Services and Education**

Answer to question 3

From April 2013 all councils will operate under a new business rates scheme. Because councils will be able to keep a significant percentage of business rates from new business in their area it acts as an incentive to promote growth. Whilst we await the final detail from the government it is clear that the new business rates scheme will reward councils that encourage business growth. In the meantime we have taken a prudent and realistic approach.

### **Supplementary Question**

The Government now states that Council's will only be keeping 50% of the business rates. Is Cabinet's approach now considered to be realistic?

Cabinet Member Response

At the time of the Cabinet meeting there was an assumption that the new scheme would be beneficial. I am aware of the new government proposals and if it proves necessary for us to adjust our expectations I will inform Members.

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### **Question from Councillor PJ Edwards of Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

4 *I note The Council Conservative Administration's reluctance to proceed with its LDF programme due to unresolved issues now considered to need further public consultation. Will the Cabinet ensure that the third option link road between the A49tr and A465 Belmont Road (inappropriately introduced during midterm previous consultations) be removed forthwith so to reduce impact on the Belmont Haywood Country Park and established 95 properties (including several Listed Buildings) throughout the area?*

### **Answer from Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability**

Answer to question 4

There is no reluctance to proceed with the LDF programme, rather a desire to ensure that our process supporting the programme is as robust as possible.

Proposals for a link between the A49 and the A465 have been consulted upon twice as part of the LDF process, with a view to establishing a corridor within which more detailed design would establish a route; it is also included in the

## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

Local Transport Plan. Work is continuing to define that corridor, having regard to a range of considerations. Until that process is complete it would not be appropriate to discount any option.

### **Supplementary Question**

Why not now review the third option in an open and transparent manner?

### **Cabinet Member Response**

I am aware of the concerns, I expect the corridor to be confirmed in July. Design work will then be undertaken with a route defined in the autumn and a planning application after Christmas. I have been assured by officers that there has been consultation.

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### **Question from Councillor EMK Chave of the Cabinet Member Environment, Housing and Planning**

Question 5: disallowed on the grounds that it is the same or substantially similar to a question put to a meeting of Council in the last six months, HC Constitution Part 4, 4.1.15.4 c. Member question 14, 2 March 2012.

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### **Question from Councillor EMK Chave of Councillor LO Barnett, Chairman of Council**

6 *On what theological grounds does Herefordshire Council claim to be “a Christian organisation” (Clause 8, report on Prayers and Council Meetings, pages 25-26 of the Agenda for 3rd March 2012); what are its Christian values, and how does the Council intend to demonstrate those values?*

### **Answer from Councillor LO Barnett, Chairman of Council**

Answer to question 6

The council makes no claim to be a Christian organisation. However, in agreeing to continue the practice of including prayers in the agenda for meetings of Council, for those who wish to participate, Council was making a statement to the general public about the values it holds.

You will of course be aware that the council has adopted the following values that underpin its work:

**People:** Treating people fairly, with compassion, respect and dignity  
**Excellence:** Striving for excellence, and the highest quality of service, care and life in Herefordshire

## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

**Openness:** Being open, transparent and accountable for the decisions we make

**Partnership:** Working together in partnership and with all our diverse communities

**Listening:** Actively listening to understanding and taking into account people's views and needs

**Environment:** Protecting and promoting our outstanding natural environment and heritage for the benefit of all

We expect staff and Members equally to strive to demonstrate these values in the work that they do, and to support each other in holding to them.

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### **Question from Councillor EMK Chave of Councillor JG Jarvis, Leader of the Council**

7 *Given that the electorate in the city is roughly one third of the county's total electorate, shouldn't the Cabinet have a more representative and proportional number of councillors from city wards? (I also note that the market towns represent approximately one third of the county's total electorate – but have NO representation on Cabinet).*

### **Answer from Councillor JG Jarvis, Leader of the Council**

Answer to question 7

Cabinet, and indeed committees of the Council such as Overview & Scrutiny Committee, are not geographically representative bodies.

### **Supplementary Question**

Given this lack of geographical representation, what consideration does Cabinet, or indeed any other committee, give to listening to the experience of councillors who do represent particular geographical areas when decisions will affect those areas?

Leader of the Council Response

With regard to the Cabinet the wider Cabinet support team members provide representation and they feed information into Cabinet. Information is also fed back to Cabinet through the localities; most of which are represented by a Cabinet Member.

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### **Question from Councillor RI Matthews of Answer from Councillor PD Price, Cabinet Member Corporate Services & Education**

## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

- 8 *Could Members be informed who agreed and signed the 250 year lease of the Edgar Street Football Ground to Hereford United and how much adjoining land is included in the agreement?*

### **Answer from Answer from Councillor PD Price, Cabinet Member Corporate Services & Education**

Answer to question 8

A 30 year lease has been negotiated by officers acting under delegated authority in accordance with the constitution; subject to certain conditions being met a further lease period to a maximum of 250 years may be entered into. As part of the finalisation of the lease arrangements and in the interests of effective land management a minor 'land swop' was agreed; the net effect on the land coverage is minimal.

### **Supplementary Question**

Can you confirm that there was no Cabinet Member involvement in negotiating that lease and that it was negotiated by officers? The Hereford Times refers to a new hotel announcement. Can you confirm how much land is involved and what is its value?

Cabinet Member Response

A thirty year lease is under negotiation but this will come to Cabinet and Members before any decision is made. If an application comes forward for a hotel it will be dealt with as part of the usual process, but I have no knowledge of this at the present time.

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### **Question from Councillor MD Lloyd-Hayes of Councillor LO Barnett, Chairman of Council**

- 9 *What, if anything, is happening on the River Wye in Hereford during the jubilee celebrations?*

### **Answer from Councillor LO Barnett, Chairman of Council**

Answer to question 9

I am delighted that the main county-wide event to celebrate the Diamond Jubilee will be a special Herefordshire Diamond Day to be held on 11 July when both the Queen and Duke of Edinburgh visit Hereford. The event will be held on the King George V playing fields next to the River Wye.

Building on the heritage of the River Wye, the Wye Trow is a replica of an 18th century working boat, specially designed to be used on the River Wye. The Trow, was officially named '*The Hereford Bull*' by the Lord Lieutenant of

## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

Herefordshire, Lady Darnley at a ceremony in High Town on 12 May. *The Hereford Bull* will represent Herefordshire in the Thames Diamond Jubilee Pageant on 3 June, before coming back to the county, and will be on display during the Diamond Day celebrations.

Her Majesty's visit provides a really special opportunity for everyone in Herefordshire to experience a unique opportunity and to have a special part in the national celebrations. I know that communities across the county have really taken the jubilee to heart, developing their own celebratory events and I would encourage everyone to join in their local festivities as well as come along to the Diamond Day on 11 July.

### **Supplementary Question**

I repeat my question what is happening on the actual Wye?

Chairman's Response

A written response has been provided and I am happy to discuss the matter separately outside the meeting.

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### **Question from Councillor EPJ Harvey of Councillor LO Barnett, Chairman of Council**

10 *When the Monitoring Officer disallows questions to Council, from councillors or members of the public, why is the full text of the question not published for all to see?*

### **Answer from Councillor LO Barnett, Chairman of Council**

Answer to question 10

The text is not published because if a question has been disallowed it therefore does not form part of the agenda for Council.

### **Supplementary Question**

I am concerned about the publication of written responses to supplementary questions. In relation to disallowed questions I ask that consideration be given to publishing the text of the full question asked to enable the public and Councillors to learn from the experience of others on how to frame their question.

Chairman's Response

I refer the Councillor to the written response and I would also like to invite Councillor Harvey to join me in my office to discuss this matter further.

## MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012

### **Question from Councillor EPJ Harvey of Councillor JG Jarvis, Leader of the Council**

- 11 *What is the most recent meeting date on which the LDF Task Group last met, and what is the most recent LDF Annual Monitoring Report which has been published?*

### **Answer from Councillor JG Jarvis, Leader of the Council**

Answer to question 11

The LDF Group met on 27 February 2012. The most recent published LDF Annual Monitoring report is that for 2009-2010; the report for 2010/11 has been prepared and should be published by the end of the month.

### **Supplementary Question**

Why have no minutes of the LDF Task Group been published since September 2010? Why is there a three month delay in publishing the Annual LDF Monitoring report?

Leader of the Council Response

I will investigate the publication of the minutes. I will confirm when the annual monitoring report will be published.

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### **Question from Councillor MAF Hubbard of Councillor P Price, Cabinet Member Corporate Services & Education**

- 12 *In relation to the covenant forbidding alcohol sales on the Old Cattle Market site:*
- A. *Please identify when the covenant was reported to the following: a) the cabinet member responsible b) the cabinet c) the council d) the local ward member. If it was not reported to any of these please explain why?*
- B. *Please explain the legal process by which the covenant will be removed, including the estimated cost of any such process and where the funding is coming from?*

### **Answer from Councillor P Price, Cabinet Member Corporate Services & Education**

Composite answer to question 12

The issues raised by this covenant were addressed in the development agreement approved in 2009 and by the subsequent decision taken by the

## **MEMBERS' QUESTIONS TO COUNCIL – 25 MAY 2012**

Cabinet Member on 6 September 2011. In light of the legal and financial advice provided in support of those decisions, no further reporting of this issue was necessary. Any restrictive effect of the covenant was effectively removed when the land in question was formally appropriated for planning purposes (a standard town centre regeneration procedure), a process approved by the Cabinet Member in September 2011. There were no financial implications for the council beyond officer time in processing the appropriation.

### **Supplementary Question**

Please can you tell me whether the owners of the covenant, Punch Taverns, have been informed that their covenant has been superseded by the appropriation of the land and that they have no further financial or legal claim on the land?

### **Cabinet Member Written Response**

Yes, the owners have been informed.

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<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>QUESTIONS FROM MEMBERS OF THE PUBLIC</b>
<b>REPORT BY:</b>	<b>ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To receive any questions from members of the public deposited more than eight clear working days before the meeting of Council.

### **Introduction and Background**

- 1 Members of the public may ask a question of a Cabinet Member or Committee or other Chairmen. Written answers will be circulated to Members, the press and public prior to the start of the Council meeting. Questions subject to a Freedom of Information request will be dealt with under that separate process.
- 2 Standing Order 4.1.14.4 of the Constitution states that: a question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday eight clear working days before the day of the meeting (ie the Monday of the week preceding the Council meeting where that meeting is on a Friday). Each question must give the name and address of the questioner and must name the person to whom it is to be put.
- 3 A questioner who has submitted a written question may also put **one** brief supplementary question without notice to the person (if s/he is present at the meeting) who has replied to his or her original question. A supplementary question must arise directly out of the original request or reply. The Chairman may reject a supplementary question on any of the grounds for rejecting written questions set out in these Council rules or if the question is too lengthy, is in multiple parts or takes the form of a speech. In any event, any person asking a supplementary question will be permitted only **1 minute** to do so.
- 4 The Monitoring Officer may reject a question or a supplemental question if it:
  - Is not about a matter for which the Council has a responsibility or which affects the County or a part of it;
  - Is illegal, scurrilous, defamatory, frivolous or offensive or otherwise out of order;

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Further information on the subject of this report is available from  
Chris Chapman, Assistant Director Law, Governance and Resilience on (01432) 260200

- Is substantially the same as or similar to a question which has been put at a meeting of the Council in the past six months or relates to the same subject matter or the answer to the question will be substantially the same as the previous answer;
- Requires the disclosure of confidential or exempt information;
- Relates to a planning or licensing application;
- Relates to an employment matter that should more properly be dealt with through the Council's Human Resources processes.

5 There will be a time limit of a maximum of 30 minutes for public questions and of 30 minutes for Members' questions. If either public or Member questions are concluded in less than 30 minutes, then the Chairman may allow more time for either public or Member questions within an overall time limit of one hour for all questions and supplementary questions. There will normally be no extension of time beyond one hour, unless the Chairman decides that there are reasonable grounds to allow such an extension, and questions not dealt with in this time will be dealt with by written response. The Chairman will decide the time allocated to each question. The register of questions put to the Council meeting, both questions allowed or rejected, is available at a Council meeting for members of the public to view.

## **Questions**

6 Eleven questions have been received by the deadline and are attached at Appendix 1.

## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mr P McKay, Leominster, Herefordshire

Question 1

#### Un-adopted Roads

A paper reference SN402 raised to inform MP's about un-adopted roads may be read at [www.parliament.uk/briefing-papers/SN00402.pdf](http://www.parliament.uk/briefing-papers/SN00402.pdf) and advises that there are 40,000 such roads in England, with councils being the highway authority though they are not maintained at public expense. In Herefordshire some are referred to as being the highway on which footpaths and bridleways terminate on the written statements, others of public interest include those that are through routes or lead to places of public resort. My supplementary question of 25 May asked *"Thank you for advising that highway records will be online by autumn, and asking if you will please check that this will include those un-adopted roads Council is aware of, especially those that connect with public rights of way or are through routes, as required by the 2007 Regulations ?"* and is being responded to by letter, but whether or not the reply is *'yes these un-adopted roads will be included'*, which is reply I predict, as otherwise the online highway records would be littered with gaps, cul-de-sac's, etc., and be a mockery not worthy of our Council, leading to many needless costly and time consuming representations, may I please ask:-

*Will Council raise a management policy for un-adopted roads, as being un-adopted they are outside scope of current Highway Maintenance Plan, with this policy covering identification, management, and adoption procedures, etc., recognising the contribution these routes make to countryside access, particularly for equestrians due to the identified lack of recorded bridleways in the county ?*

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mr P Mitchell, Herefordshire

Question 2

#### Shortfall in proceeds of the sale of Council interest in WMS

*Can the Cabinet Member explain the circumstances which led to the sale of the Council's interest in West Mercian Supplies to Hedgeland Ltd a holding or shell company which apparently itself was then sold on only a week later to Smiths News Ltd at more than six times the value the Council was paid for it.*

*Specifically addressing -:*

- *What if any proportion was the pre-existing value of Hedgeland of the sale value to Smiths News*
- *Disclosure of likely under valuation to this Council funds of up to £7.4m on the £1.4m sale share*
- *If the Council's adviser valuation was independently checked or validated before the WMS sale*
- *Why this potential direct sale opportunity to Smiths News had not been identified by its adviser*
- *Explain its validation of Hedgelands claims to independently operate WMS itself*
- *Any sale conditions set for recovery of premature onwards sale proceeds*
- *What steps can and are being taken to recover any shortfall in receipts rightly due to the Council*
- *Demonstrate no impropriety by its agents or any other party involved in the sale*
- *How such potential mistakes will be avoided / prevented in the future*

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### Question from Mr H Bryant, Herefordshire

Question 3

#### A49 to A465 Link Road

*Can Herefordshire Council give an assurance that, before they spend a large amount of public money on the A49-A465 Link Road, it has thoroughly investigated and shown evidence that all reasonable alternatives for solving Hereford's traffic flow problem have been explored, such as:*

- *A new river crossing at Rotherwas*
- *Banning parking on Belmont Road from the Tesco roundabout to the Greyfriars Bridge thus enabling two lanes in in the morning and two lanes out in the afternoon, as has been done successfully in Cardiff*
- *Reopening Pontrilas station as a request stop and a park and rail scheme at Tram Inn*
- *An efficient school bus scheme*
- *A tramway on the Great Western Way*

*and state where any such evidence is available?*

## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Morawiecka, Brienton, Herefordshire

Question 4

#### Revised Preferred Option Consultation Results

*A consultation was carried out on the Revised Preferred Option of the Local Development Framework from September to November 2011. Whilst all the individual responses have been published on the Herefordshire Council website, an actual summary of the results of the consultation, analysed consistently with previous years, has not been made public. Instead, Here for Hereford have had to provide a total analysis in the absence of the work being done by Council officers. This summary shows that:-*

- a. 84% of respondents were against the revised, proposed housing plans for the county;*
- b. 88% against the Western relief road;*
- c. 93% requested plans in place for increased water and sewage treatment prior to the Core Strategy being approved;*
- d. 94% requested that plans be in place to cater for increased demand for hospital beds prior to the Core Strategy being approved.*

*Could you please explain how the revised preferred option has been amended to address the concerns raised through the consultation process?*

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### Question from Mrs Corrigan, Holmer, Herefordshire

Question 5

#### Housing at Holmer

*Holmer has been proposed by officers for inclusion within the draft Core Strategy to accommodate 500 homes. However, existing residents in Holmer have not been able to connect to a mains sewerage system in the last 19 years and their soakaways have been compromised by surrounding developments permitted by Herefordshire Council. With sewerage facilities overloading, what is Herefordshire Council proposing to do to remedy this situation, especially before any further developments should be included in the Draft Core Strategy and when is the new main between Cleeve Orchard Pumping Station and Wentworth Park likely to be adopted?*

## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Wegg-Prosser, Breinton, Herefordshire

Question 6

#### Re Bed Shortages in County Hospital

*Further to my question raised on 25<sup>th</sup> May concerning a meeting regarding bed shortages in the County Hospital which meeting has yet to be arranged despite Councillor Jarvis saying then it would be progressed 'in the next few weeks', the Overview & Scrutiny committee heard this month that Herefordshire continues to have the lowest number of hospital beds per head of population in England. Could you please explain how the new housing developments proposed for Herefordshire will help increase hospital bed provision within the plan period 2012 to 2031?*

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### Question from Mrs Churchward, Breinton, Herefordshire

Question 7

#### Draft Core Strategy

*The new National Planning Policy framework reiterates that Local Planning Authorities should take into account the economic and other benefits of "the best and most versatile agricultural land" (ie. Grades 1,2 & 3A agricultural land) . Where significant development is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land, in preference to that of higher quality.*

*Could you please explain how this approach has been applied to the Draft Core Strategy, especially when 3 Strategic Sites for Hereford (namely Holmer, Three Elms and Lower Bullingham) have been proposed, which are on land which falls within this classification?*

## **PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012**

### **Question from Mrs Morris, Hereford**

Question 8

#### **Omission from Draft Core Strategy (12 July 2012)**

*Neither the Edgar Street Retail Development nor the urban housing scheme for 800 homes, has been identified by officers for inclusion within the Draft Core Strategy, according to the report to Cabinet (12<sup>th</sup> July 2012).*

*As Herefordshire Council has spent millions on bringing forward these key city centre sites for development, why have they been omitted from the Draft Core Strategy?*

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### **Question from Mrs Ferris, Dinedor, Hereford**

Question 9

#### **Hereford Broad Street Improvements**

*Who was responsible for formulating and agreeing the Hereford Broad Street improvements briefing and how was the remit of the briefing decided upon?*

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### **Question from Mr Grice, Belmont, Hereford**

Question 10

#### **Hereford Relief Road Southern Section**

*With reference to the proposed Hereford relief road southern section and the introduction of four more routes ie. SC3, SC4 , SC5 & SC6. I was particularly concerned by the limited consultation period previously adopted when the former bypass route was proposed as a preferred option. What is the full process which Herefordshire council are obliged to follow when choosing the route?*

## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mr Wallace, Breinton, Hereford

Question 11

#### **Rotherwas Rail**

*I understand that much of the original rail infrastructure to the Rotherwas area exists and could be reopened for freight and passengers, for much less than any of the new road schemes proposed by Herefordshire Council. What assessments have Herefordshire Council undertaken to determine the role that railways could play in local transport policy?*

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<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>LEADER'S REPORT</b>

**CLASSIFICATION:** Open

**Wards affected**

County wide

**Purpose**

To provide an overview of the Executive's activity since the last Council meeting.

**Recommendations**

**THAT: the overview of the Executive's activity be noted.**

**Report**

**Planning for the Future**

1. In times of increasing financial constraint it is more important than ever to ensure that the resources we have are used as efficiently as possible and are focussed on agreed priorities. Cabinet have received a presentation on 'Understanding Herefordshire' the integrated evidence base from which our needs assessment for the county is drawn. This living resource (available on the council's website at <http://www.herefordshire.gov.uk/factsandfigures/1922.aspx>) will be used to inform the development of the corporate plan going forward to ensure that our priorities and commissioning decisions are firmly grounded in an evidence based understanding of need.
2. Our Quality of Life survey ended on 9 July and the results of this survey will add to this body of evidence helping us understand whether residents think we are focusing on the right priorities as well as providing the services they believe are needed. It will also allow us to see which services matter to residents most. The survey is the first step in a broader 'Your Community; Your Say' process of engagement and all members will have a role to play in their localities over the coming months.
3. Building on the evidence we already have, Cabinet have considered a number of strategic documents relating to specific priority areas. Members will see elsewhere on Council's agenda today 'Yes We Can' the county-wide strategic plan for children and young people in Herefordshire. Cabinet have also agreed a strategic delivery plan for transforming adult services. Both these documents reflect not only the priority given to supporting the most vulnerable in the county, but also demonstrate that we cannot do things alone. Our partners in health, in wider public services, in the voluntary and community sector, and in the private sector all have key roles to play in improving the health and wellbeing of our residents; individuals too can make a real difference to the quality of their own lives often by making very small changes and we need to ensure that they have the information and advice needed to help them take those decisions.

4. Cabinet has agreed changes to the timetable for finalising the Local Development Framework which, subject to outstanding matters being sufficiently resolved, provides for a further report to Cabinet in December 2012 before consultation on the draft plan (and sustainability assessment, strategic environmental assessment and habitat regulations assessment reports). Following analysis of the consultation responses Cabinet will recommend the plan to Council for adoption in July 2013.
5. Cabinet has also agreed to the development of a Local Transport Plan covering the period to 2014/15. The timetable agreed by Cabinet sees consultation on proposals being undertaken in the autumn of this year with Cabinet recommending the plan to Council for adoption in February 2013.
6. Our 'Root & Branch' Review process is underway with all four of the first phase reviews well in hand. All but one of the remaining reviews has been scoped and member interest has been registered with the programme, identifying members who want to actively support and influence a particular review. Review leads will work directly with these members to ensure meaningful engagement on a more detailed level for each review. We have committed to undertaking a 'Lean Systems' thinking approach to the reviews and a programme of training and engagement has begun; senior managers received an inspiring session recently with a similar session planned with members for September 2012.

#### **Herefordshire's People**

7. As part of the ongoing focus on protecting vulnerable people, particularly the elderly, two successful prosecutions of rogue traders have taken place resulting in one prison sentence and one fine. Such prosecutions do have a deterrent effect and tend to ensure those particular rogue traders avoid targeting Herefordshire in the future. Protection of our vulnerable residents from doorstep conmen is a priority for the council.
8. Following last year's successful pilot, the weekend out-of-hours Noise Response Team has been put back in place for 10 weekends from 22 June to the August bank holiday weekend.
9. Between 18 and 29 June over 1,400 Year 6 pupils from a total of 66 primary schools across Herefordshire, including 4 Special Educational Needs schools, took part in Crucial Crew at Herefordshire Racecourse. This interactive programme of activities, provided by a wide range of agencies, developed the skills of children to help them keep healthy and safe as they make the transition into secondary education. This year's event was organised by the joint public health team in partnership with the Police, the Red Cross, Hereford and Worcester Fire and Rescue Service, school nurses and Herefordshire Housing. Both the Chairman and I attended some of this event and were hugely impressed by the enthusiasm of the young people attending. I'd also like to extend my thanks to all the officers and partners who helped make the event so successful.
10. NHS health checks are now being offered to the eligible population of Herefordshire by invitation from their GP Practice. This covers the age range of 40–74 year olds and will be offered every five years. People identified at high risk of vascular disease are offered support to make lifestyle changes, provided by Halo, as well as primary care services to reduce or manage their risk. This year the offer will be made to 34% of the eligible population; it is pleasing to note that April and May performance has been positive and the number of health checks delivered has been three times higher than planned.
11. Following a request from the school's governing body as a result of very low pupil numbers, we are currently consulting on a proposal to close Holme Lacy Primary School. Whilst the school's governors have worked very hard to sustain the school, numbers on roll have now fallen to a level at which they no longer feel the school is viable (3 pupils in September). This is in no way a reflection on the standard of educational provision at the school; indeed I am

pleased to say that at the time of preparing this report Herefordshire was in the position of having no schools falling within the OFSTED category of concern. Small and declining numbers of pupils and small class sizes do, however, affect the viability of individual schools and their future sustainability in delivering first class education to their pupils.

12. Members will of course be aware of the current consultation on the adult social care charging policy. Herefordshire Council, like other councils across the country, is reviewing how much people have to pay towards the cost of their adult social care services. These services include home care, day care, transport, meals in a day centre, meals on wheels and carers' services such as short breaks and sitting services; residential services are not affected. In line with our agreed charging principles, the council is proposing that any charges made need to cover the cost of the service provided. We have some ideas about how we should do this in the fairest way possible and I would encourage members and residents to let us know what they think of these proposals. The consultation ends on 20 August.
13. In June, Cabinet affirmed the future direction for provision of youth services taking account of the outcome of public consultation; similarly the future delivery model for provision of children centre services was agreed.
14. I recently attended an engagement event with representatives of the city youth forum, and was very impressed by the young people who attended and who were able to very clearly say what their priorities were. I will be looking to identify member champions to help ensure that the young people's views are taken forward, and I would like to thank those members from across the political groups who attended the day as observers; their interest and support was much appreciated by both me and the young people.

### **Herefordshire's Economy & Communities**

15. Cabinet has agreed the processes by which the land required for the construction of a link road between Edgar Street and Commercial Road may be acquired. This is an essential step towards the overall implementation of our proposals to regenerate the city.
16. In July Cabinet received a progress report on negotiations on the future of the Herefordshire Service Delivery Partnership with Amey, and agreed the next steps.
17. The very unseasonal weather that we have been experiencing lately has led to some parts of our county suffering from flooding; I would like to place on record my thanks to the Resilience Team, ward members, and all our partners who stepped in to help ensure that services continue to operate effectively and that the most vulnerable are protected. We can always learn from these experiences and the Resilience Team is keen to encourage anyone who experienced flooding in their properties to contact the council so that we can work together with the Environment Agency to help plan for the future and see if there is any assistance we can give now. Their contact details are available on the council's website.
18. In spite of some threatening clouds, Herefordshire's Diamond Day was a community event that the whole county can be proud of. The royal visit provided a real opportunity to celebrate what is best about our county and made me immensely proud to be a representative of Herefordshire. My grateful thanks go to all those who gave their time and energy to ensuring the day was so memorable. Diamond Day was preceded by the Jubilee weekend; and the celebration events and beacons arranged throughout the county again provided a perfect demonstration of the strength of community spirit in Herefordshire, a community spirit we must not lose.
19. Following a change in the law giving councils more freedom to decide how they manage their housing waiting lists, Herefordshire Council is reviewing the way affordable housing is allocated to people across the county. Anyone can apply for affordable housing, but demand is

very high: there are nearly 5,000 people currently on the waiting list with approximately 19 properties available each week. The council has to decide how to prioritise access to affordable housing in a way that is fair to everyone. At the same time, we have to make sure vulnerable people and those in most need have somewhere safe and affordable to live. We would like to ask your views on how we do this and I would encourage members and residents to let us know what they think of these proposals. The consultation ends on 1<sup>st</sup> October.

20. On 11 July, the Cabinet Member for Enterprise & Culture Councillor Roger Phillips, who is interim chair of the Enterprise Zone Board, met in Westminster with the Communities Secretary, the Governor of the State of Washington and representatives from the Get It Group and two aerospace companies. I am delighted to say that we have agreed to work together in the coming months to explore the potential for the aerospace companies to set up development and manufacturing units at the Enterprise Zone in Rotherwas and Model Farm at Ross on Wye. I am meeting with the representatives in Herefordshire on the 16<sup>th</sup> July. This is a fantastic opportunity for the county and, while there is a lot of hard work now to be done to convert this interest into real investment and jobs for local people, it is an excellent example of what can be achieved by the private and public sectors working together.

### **Other Issues**

21. As I indicated at the annual meeting of Council, I have made some changes to the portfolios of cabinet members. The detail of these revised portfolios is attached at Appendix A for information.
22. In addition, the Executive has considered the following issues:
- a) *Budget and Performance Monitoring Reports* – Cabinet has considered reports on overall 2011/12 performance and budget outturn. Cabinet has also agreed revisions to the way in which performance is monitored and reported to provide greater transparency of performance reporting and improve the quality of the information available to inform decision making.
  - b) *NHS Transition* – Cabinet has received a report on progress in achieving safe transfer of legal responsibilities relating to public health from the NHS to the council. It has also approved the establishment of HealthWatch Herefordshire in line with the requirements of the Health & Social Care Act 2012. This body will play a significant role in improving the health & wellbeing of the people of Herefordshire by acting as consumer champion for NHS, public health and adult social care services.
  - c) *Executive Responses to Scrutiny Task & Finish Reviews* – Cabinet members have approved executive responses to the following Task & Finish Group reviews: Planning System; Tourism & Temporary Signage; Adult Safeguarding; Council Procurement Policy & Local Business & Employment; Income & Charging. The contribution made by the members of Overview & Scrutiny to policy development is welcomed.
  - d) *Hereford Bull* – The council's support for this iconic piece of public art in High Town was approved.

## **Appendices**

Appendix A – Cabinet Portfolio List

## CABINET MEMBER PORTFOLIOS

### **LEADER (CORPORATE STRATEGY AND FINANCE) COUNCILLOR JG JARVIS**

#### **Support Team Member:**

Financial challenge & support across all portfolios: Cllr T Johnson

- Corporate policies and strategies
- Recommend to Council the Policy Framework (as defined in the Council Constitution)
- Agreeing and leading the process for setting the budget
- Agreeing and leading the process for recommending to Council the Council Tax, NNDR
- Communications Strategy, promotion of the Council and external liaison
- Local Government issues including functions, structure, Boundary Commission
- European, national and regional matters
- Key partnerships including Herefordshire Public Services, Local Strategic Partnership (Herefordshire Partnership) and the Hereford Futures Board
- Any initiative not specifically allocated to any other portfolio.

### **CORPORATE SERVICES– COUNCILLOR PD PRICE (DEPUTY LEADER)**

- Legal and Democratic Services
- Land Charges
- External and Internal Communications Implementation and Delivery
- Corporate Programmes
- Research
- Shared Services Programme
- Customer Services (including INFO, Insight and feedback)
- Financial and administrative arrangements including business planning
- Community engagement
- Registration Services (life events)
- Modern Records
- Human Resources & Organisational Development
- Emergency Planning & Business Continuity
- Performance Management & Improvement framework
- Equalities & Human Rights
- Coroner's Service
- Asset management (strategic)
- Property (strategic)
- Audit
- Housing/Council Tax Benefits
- Financial practice and standards
- Financial management
- Risk Management
- Smallholdings Estates
- ICT and e-government
- Information Governance (including security & data sharing)
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

NB For the avoidance of doubt these responsibilities exclude any functions allocated to the Audit and Governance Committee.

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**EDUCATION & INFRASTRUCTURE – COUNCILLOR GJ POWELL****Support Team Member:** Councillor P Sinclair -Knipe

- Broadband
- To provide leadership across the range of Local Authority services and through engagement with a particular focus on education and achievement
- School improvement and achievement
- Services for schools
- Educational achievement of looked after children
- Post 16 education and training
- Lifelong Learning
- Highways policy
- Streetscene design & policy
- Transportation planning and traffic management
- Parking policy and services
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

NB For the avoidance of doubt these responsibilities exclude any functions delegated to school governing bodies; AND these responsibilities exclude any functions allocated to the Planning or Regulatory Committees This Cabinet Member exercises education services functions conferred on the lead member for Children's Services in accordance with the Children Act 2004.

**ENTERPRISE & CULTURE - COUNCILLOR RJ PHILLIPS****Support Team Member:** Cllr AJM Blackshaw

- Cultural Services
- Heritage Services
- Archive Services (public records office)
- Library Services
- Leisure
- Common Land
- Tourism
- Voluntary/Community Sector Support (Strategy)
- Economic Development
- Regeneration Strategy & Projects
- Rural issues including access to services
- Enterprise Zone Programme
- Locality Working
- Markets
- Fair-trade and local produce & products
- Community Safety
- Hereford Futures Programme
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

NB For the avoidance of doubt these responsibilities exclude any functions allocated to the Planning or Regulatory Committees

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**ENVIRONMENT, HOUSING & PLANNING – COUNCILLOR RB HAMILTON**

**Support Team Member:** Cllr P Rone

- Environmental Sustainability
- Land drainage and flood alleviation
- Rivers and waterways
- Gypsies & Travellers
- Planning and land use policy
- Conservation
- Housing (strategic)
- Homelessness, housing allocation and housing condition
- Public Conveniences
- Cemeteries, crematoria and disused burial grounds
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

NB For the avoidance of doubt these responsibilities exclude any functions allocated to the Planning or Regulatory Committees

**HEALTH & WELLBEING – COUNCILLOR PM MORGAN**

**Support Team Members:**

Children: Cllr JA Hyde

Adult Social Care: Cllr NP Nenadich

- To provide leadership and ensure co-ordination across the range of Local Authority children's services, and through engagement with partners, with a particular focus on health & wellbeing and safeguarding:
- Children's services including family services and child protection
- Corporate parenting
- Early Years/Sure Start
- Youth Service including youth offending
- Children's social care commissioning
- Lead member for Children's Services in accordance with the Children's Act 2004
- Leadership re Health & Wellbeing Board
- Environmental Health
- Animal Health & Welfare
- Trading Standards
- Licensing
- Environmental promotion and protection
- To provide leadership and ensure co-ordination across the range of Local Authority adult social care services, and through engagement with partners
- Adult social care including Supporting People and Learning disabilities
- Older peoples services
- Adult social care and integrated commissioning
- Safeguarding of vulnerable adults
- Public Health
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

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**MAJOR CONTRACTS – COUNCILLOR H BRAMER**

- Waste Disposal
- Waste Collection
- Highways maintenance
- Parks and Countryside
- Public Rights of Way
- Streetscene delivery
- Procurement (strategic)
- Co-ordination and overview of major contracts (e.g. Amey) as directed by the Leader
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any other specific responsibilities as allocated by the Leader

NB For the avoidance of doubt these responsibilities exclude any functions allocated to the Planning or Regulatory Committees



<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>ELECTORAL REVIEW OF HEREFORDSHIRE: PROPOSALS FOR WARDING ARRANGEMENTS</b>
<b>PORTFOLIO AREA:</b>	<b>CORPORATE STRATEGY AND FINANCE</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To consider and approve the proposed submission to the Local Government Boundary Commission for England, in respect of council warding arrangements for Herefordshire.

### **Recommendations**

**THAT: the Council**

- (a) **adopts the proposals for warding arrangements as set out in the summary of the Submission at Appendices 1 and 2 to the report, as presented to Council, which is based on single member ward representation across the whole county;**
- (b) **requests the Local Government Boundary Commission to conduct the review so that the recommendations in due course will provide that all wards in the County should be single member electoral areas, and accordingly return one councillor in each case;**
- (c) **agrees the proposed names for the proposed wards as indicated in Appendix 1; and**
- (d) **authorises the Chief Executive, in consultation with the Group Leaders, to complete all necessary detailed information required for the warding submission, in time for the Commission's deadline of 28 August 2012.**

### **Key Points Summary**

- The Local Government Boundary Commission for England (LGBC) began a formal electoral review of Herefordshire in March 2012.
- The purpose of the LGBC review is to ensure electoral equality as far as possible. Achieving electoral equality means ensuring that there are an equal number of electorate per local ward councillor for every Council ward in Herefordshire.

- A cross-party Members' Electoral Review Working Group, and a supporting Electoral Review Officers' Project Team, have been meeting regularly to prepare the information and evidence needed for the Council's submissions for each phase of the review.
- The first phase of the review required the Council to indicate its preference on Council size (i.e. the total number of local authority councillors) to the LGBC. This Council agreed on 02 March 2012 that Herefordshire should in future be represented by 54 councillors, and made a detailed Submission on council size to the LGBC on this basis.
- The LGBC confirmed in June that it is currently minded to recommend a council size of 54 councillors, and that proposals for warding arrangements should be based on this number.
- The second phase of the review is now underway. This deals specifically with re-designing the Council's wards to accommodate the new number of 54. The LGBC began its public consultation on this on 20 June 2012, and it will run until 28 August 2012. As part of this, the Council is required to make a submission on its preferred warding patterns, including a preference for either single member wards or multi-member wards, or a combination of the two.
- The Council's submission on warding patterns is based on criteria drawn up by the Electoral Review Working Group, which are attached at Appendix 2 to this report. In turn these criteria are based on the LGBC's technical guidance, which can be accessed via the following link:

<http://www.lgbce.org.uk/guidance-policy-and-publications/guidance>

## Alternative Options

- 1 Council can approve an alternative option to that proposed if it wishes, but in doing so must provide appropriate evidence that the warding patterns will better serve the communities therein, and enable Councillors to discharge all aspects of their roles and run the Council effectively.

## Reasons for Recommendations

- 2 The LGBC will take into account the Council's initial submission on warding patterns together with any other proposals received by 28 August 2012, in order to inform its own decision later in the year.

## Introduction and Background

- 3 The electoral review is necessary because 30% of wards in the county have an electoral variance in excess of 10% from the average figure of electors per councillor in the Authority. In particular, Hollington Ward has a variance of 34%.
- 4 The LGBC has issued technical guidance to help local authorities, organisations and members of the public, and in this it lists three options for reviews. Herefordshire is subject to an Type C review, outlined as follows:

Type C – applicable where the Authority makes a case for a substantial change of number of councillors which normally involves more than three Councillors. In this instance the LGBC conducts an initial formal public consultation on Council size, following which a minded to recommend notice is issued and views/information are sought from the public on warding arrangements and related issues. This then leads to the second stage of

public consultation on the Commission's Draft Recommendations. This review can take between 52 and 62 weeks to complete.

## Key Considerations

5. Appendix 1 to this report shows the proposed warding arrangements for Herefordshire as a whole, and also gives more detail for each of the urban areas, namely Hereford City, Bromyard, Ledbury, Leominster and Ross-on-Wye. The maps have been produced separately to the Council agenda, in A3 colour format, to give the necessary level of detail. They have been produced as a result of extensive research by the Officer Project Team, working alongside the members' Electoral Review Working Group. In particular, the overall county map is recognised as the optimum arrangement to achieve electoral equality in 2018 – the main criteria used by the LGBC. It takes account of population forecasts, based on extant planning permissions where there is a strong likelihood of them being implemented by 2018. The overall aim has also been to keep parishes together in their current arrangements, because they represent recognised communities.
6. The urban wards have been re-modelled following on from the re-modelling of the overall County map. The proposals on the urban maps have aimed to provide an even split of wards, reflecting community identities, and using established boundaries such as housing estates, railway lines, rivers, and footpaths wherever possible, and also road routes in and out of the centre. These wards also sometimes have a mix of urban and rural.
7. The overall mapping proposals have also taken account of community identity and effective working arrangements for members, wherever possible.
8. The maps are accompanied by tables which give a statistical breakdown of the wards, showing the current electorate and the forecast for 2018. They also give an indication of possible ward names, which members are asked to agree today. The name suggestions submitted are based on the following criteria, although Members will note that there are some gaps where suggestions are still required:
  - Where a current ward boundary is the same, or very similar to a proposed ward boundary, the current ward name has been used;
  - For urban wards, the proposed wards have been denoted as the name of the urban area, plus a compass direction; for example "Bromyard East";
  - Where the proposed ward pattern bears little resemblance to a current ward, new names have been suggested, based on historical or traditional information.
9. The cross-party Member Electoral Review Working Group has met on four occasions to consider the issues in detail and to put forward warding proposals for consideration by Council. As part of this process the Working Group received various views about warding proposals for some parts of the County. The proposals in this report reflect the view from the March Council about a preference for single member wards.
10. The LGBC is obliged to consider a request that, in conducting the review, it should make recommendations for a uniform pattern of single member wards across the whole Authority
11. Any organisation, group, political party or individual will also be able to contribute to the review and the LGBC will take into account all information it receives. In all instances, information should be supported by evidence.
12. Due to the mismatch between the LGBC's timetable, and the Council's own programme of

meetings, it has not been possible to consult the parish and town councils about the proposals. However, the submission will be publicised on the Council's own website, and on the LGBC's website, and they have been encouraged to contact the LGBC directly in accordance with the review.

13. The Council is also required to make a draft submission to the LGBC, in the form of a document in a similar format to the one on Council size. Further work needs to be done on this to describe all of the wards in detail, and to present the rationale behind the Council's proposals. Approval is requested to continue this work on the submission after today's Council meeting, in consultation with the Group Leaders, and to delegate authority to the Chief Executive to finalise the submission by the LGBC's deadline of 28 August 2012.
14. From September 2012, the LGBC will consider all representations and submissions received, to assist them in drawing up draft recommendations for the future warding arrangements.
15. It is expected that the LGBC will announce their draft recommendations and begin the third stage of formal public consultations in November. This consultation period will cover 10 weeks and conclude by the end of January 2013. The Council and other interested parties will be able to formulate any further views and make submissions on the draft recommendations during this period. The LGBC intends to publish the final recommendations for Herefordshire in the Spring of 2013.
16. Any local authority which elects the whole Council every 4 years may request the LGBC when conducting an electoral review to make recommendations for a uniform pattern of single member wards. In these circumstances, the LGBC is required to have regard to the desirability of securing single member electoral areas. However, this requirement does not override the 3 statutory criteria (electoral equality; community identities; effective and convenient local government), which take precedence in all electoral reviews. The LGBC is not obliged therefore to recommend a pattern of single member wards in these cases. If the LGBC declines a single member wards request it has to give reasons for doing so.

## **Community Impact**

17. It should be noted that any new warding arrangements could have implications on the Council's current localities.

## **Financial Implications**

18. Costs have been incurred in the preparation of the Council's submission which can be met from current budgetary provision and there will be additional costs involved in undertaking any re-warding exercise that will follow the Commission's decision.

## **Legal Implications**

19. The review is being undertaken in accordance with the Local Democracy, Economic Development and Construction Act 2009, the Local Government and Public Involvement in Health Act 2007, and the Secretary of State's statutory guidance. The Council has a duty to comply with the review.

## **Risk Management**

20. The need to undertake a re-warding exercise may clash with the organisation of the Police and Crime Commissioner elections and the Annual canvass, which will place considerable strain on existing resources.

## **Consultees**

21. A detailed communication exercise will be undertaken as part of the review.

## **Appendices**

Appendix 1 – Maps of proposed warding arrangements (A colour copy is enclosed separately for reference)

Appendix 2 – Criteria used for warding arrangements

## **Background Papers**

None



Report to Council – 20 July 2012  
 Electoral Review of Herefordshire: Proposals for Warding Arrangements  
 Appendix 1

2012 Ideal Electorate Per Cllr = 2632  
 2018 Ideal Electorate Per Cllr = 2742

Town	New Ward			2012			2018			No. Parish Councils
	Hfds code	Name	No. Cllrs	Electorate	Elec per Cllr	% Variance	Electorate	Elec per Cllr	% Variance	
<b>Ledbury</b>	<b>AB</b>	-	<b>3</b>	<b>7,199</b>	<b>2,400</b>	<b>-8.8</b>	<b>7,416</b>	<b>2,472</b>	<b>-9.8</b>	<b>1</b>
	AB1	Ledbury South	1	2,423	2,423	-7.9	2,471	2,471	-9.9	part 1
	AB2	Ledbury East	1	2,687	2,687	2.1	2,470	2,470	-9.9	part 1
	AB3	Ledbury North	1	2,089	2,089	-20.6	2,475	2,475	-9.7	part 1
	AC	TBD	1	2,592	2,592	-1.5	2,664	2,664	-2.8	3
	AD	TBD	1	2,834	2,834	7.7	2,903	2,903	5.9	6
<b>Ross-on-Wye</b>	<b>AE</b>	-	<b>3</b>	<b>7,432</b>	<b>2,477</b>	<b>-5.9</b>	<b>7,839</b>	<b>2,613</b>	<b>-4.7</b>	<b>1</b>
	AE1	Ross West	1	2,484	2,484	-5.6	2,507	2,507	-8.6	part 1
	AE2	Ross East	1	2,555	2,555	-2.9	2,705	2,705	-1.3	part 1
	AE3	Ross North	1	2,393	2,393	-9.1	2,627	2,627	-4.2	part 1
	AF	Penyard	1	2,682	2,682	1.9	2,725	2,725	-0.6	5
	AG	Kerne Bridge	1	2,558	2,558	-2.8	2,612	2,612	-4.7	3
	BA	TBD	1	2,491	2,491	-5.4	2,522	2,522	-8	5
<b>Leominster</b>	<b>BB</b>	-	<b>4</b>	<b>9,831</b>	<b>2,458</b>	<b>-6.6</b>	<b>10,737</b>	<b>2,684</b>	<b>-2.1</b>	<b>4</b>
	BB1	Leominster Cholstrey	1	2,407	2,407	-8.5	2,569	2,569	-6.3	part 1
	BB2	Leominster Ivington	1	2,306	2,306	-12.4	2,870	2,870	4.7	2 + part 1
	BB3	Leominster Stockton	1	2,511	2,511	-4.6	2,634	2,634	-3.9	part 1
	BB4	Leominster Brierley	1	2,607	2,607	-0.9	2,664	2,664	-2.8	1 + part 1
Kington	BC	Dinedor	1	2,794	2,794	6.2	2,883	2,883	5.1	5
	BD	Belmont Rural	1	2,819	2,819	7.1	2,872	2,872	4.7	1
	BE	Kington with Titley	1	2,884	2,884	9.6	2,951	2,951	7.6	3
	BG	Castle	1	2,570	2,570	-2.4	2,616	2,616	-4.6	6
	CA	Credenhill	1	2,488	2,488	-5.5	2,523	2,523	-8	3
	CB	Golden Valley North	1	2,399	2,399	-8.9	2,491	2,491	-9.2	5
	CC	TBD	1	2,467	2,467	-6.3	2,523	2,523	-8	7
	CD	TBD	1	2,794	2,794	6.2	2,842	2,842	3.6	4
	CE	Mortimer	1	2,836	2,836	7.8	2,909	2,909	6.1	6
	CF	Bircher	1	2,842	2,842	8	2,914	2,914	6.3	4
	CG	TBD	1	2,211	2,211	-16	2,590	2,590	-5.5	3
	DA	Dinmore Hill	1	2,637	2,637	0.2	2,707	2,707	-1.3	4
	DB	TBD	1	2,778	2,778	5.5	2,872	2,872	4.7	4
	DC	TBD	1	2,567	2,567	-2.5	2,650	2,650	-3.4	4
	DE	TBD	1	2,845	2,845	8.1	2,927	2,927	6.7	6
	DF	TBD	1	2,497	2,497	-5.1	2,556	2,556	-6.8	4
	DG	TBD	1	2,761	2,761	4.9	2,873	2,873	4.8	4
	EA	TBD	1	2,734	2,734	3.9	2,769	2,769	1	8
EB	TBD	1	2,847	2,847	8.2	2,902	2,902	5.8	6	
EC	Golden Valley South	1	2,612	2,612	-0.8	2,654	2,654	-3.2	5	
ED	TBD	1	2,757	2,757	4.7	2,837	2,837	3.5	6	
<b>Bromyard</b>	<b>EE</b>	-	<b>2</b>	<b>5,205</b>	<b>2,603</b>	<b>-1.1</b>	<b>5,482</b>	<b>2,741</b>	<b>0</b>	<b>4</b>
	EE1	Bromyard East	1	2,452	2,452	-6.8	2,736	2,736	-0.2	part 1
	EE2	Bromyard West	1	2,753	2,753	4.6	2,746	2,746	0.1	3 + part 1
	EF	Llangarron	1	2,692	2,692	2.3	2,746	2,746	0.1	6
<b>Hereford</b>	<b>AA</b>	-	<b>15</b>	<b>40,459</b>	<b>2,697</b>	<b>2.5</b>	<b>42,548</b>	<b>2,837</b>	<b>3.4</b>	<b>2</b>
	AA1	College	1	2,899	2,899	10.1	2,952	2,952	7.7	part 1
	AA2	City	1	2,489	2,489	-5.4	2,762	2,762	0.7	part 1
	AA3	Holmer	1	2,351	2,351	-10.7	2,930	2,930	6.9	1 + part 1
	AA4	Bobblestock	1	2,745	2,745	4.3	2,870	2,870	4.7	part 1
	AA5	Kings Acre	1	2,735	2,735	3.9	2,727	2,727	-0.5	part 1
	AA6	Putson	1	2,853	2,853	8.4	2,961	2,961	8	part 1
	AA7	Whitecross	1	2,683	2,683	1.9	2,652	2,652	-3.3	part 1
	AA8	Newton Farm	1	2,930	2,930	11.3	2,995	2,995	9.2	part 1
	AA9	Red Hill	1	2,935	2,935	11.5	2,954	2,954	7.7	part 1
	AA10	North Tupsley	1	2,574	2,574	-2.2	2,567	2,567	-6.4	part 1
	AA11	Ryelands & Broomy Hill	1	2,817	2,817	7	2,952	2,952	7.7	part 1
	AA12	Hampton Park	1	2,749	2,749	4.4	2,824	2,824	3	part 1
	AA13	Eign Hill	1	2,616	2,616	-0.6	2,699	2,699	-1.6	part 1
	AA14	Widemarsh	1	2,193	2,193	-16.7	2,719	2,719	-0.8	part 1
	AA15	Hinton & Hunderton	1	2,890	2,890	9.8	2,984	2,984	8.8	part 1
			<b>54</b>	<b>171,781</b>			<b>179,529</b>			<b>138</b>

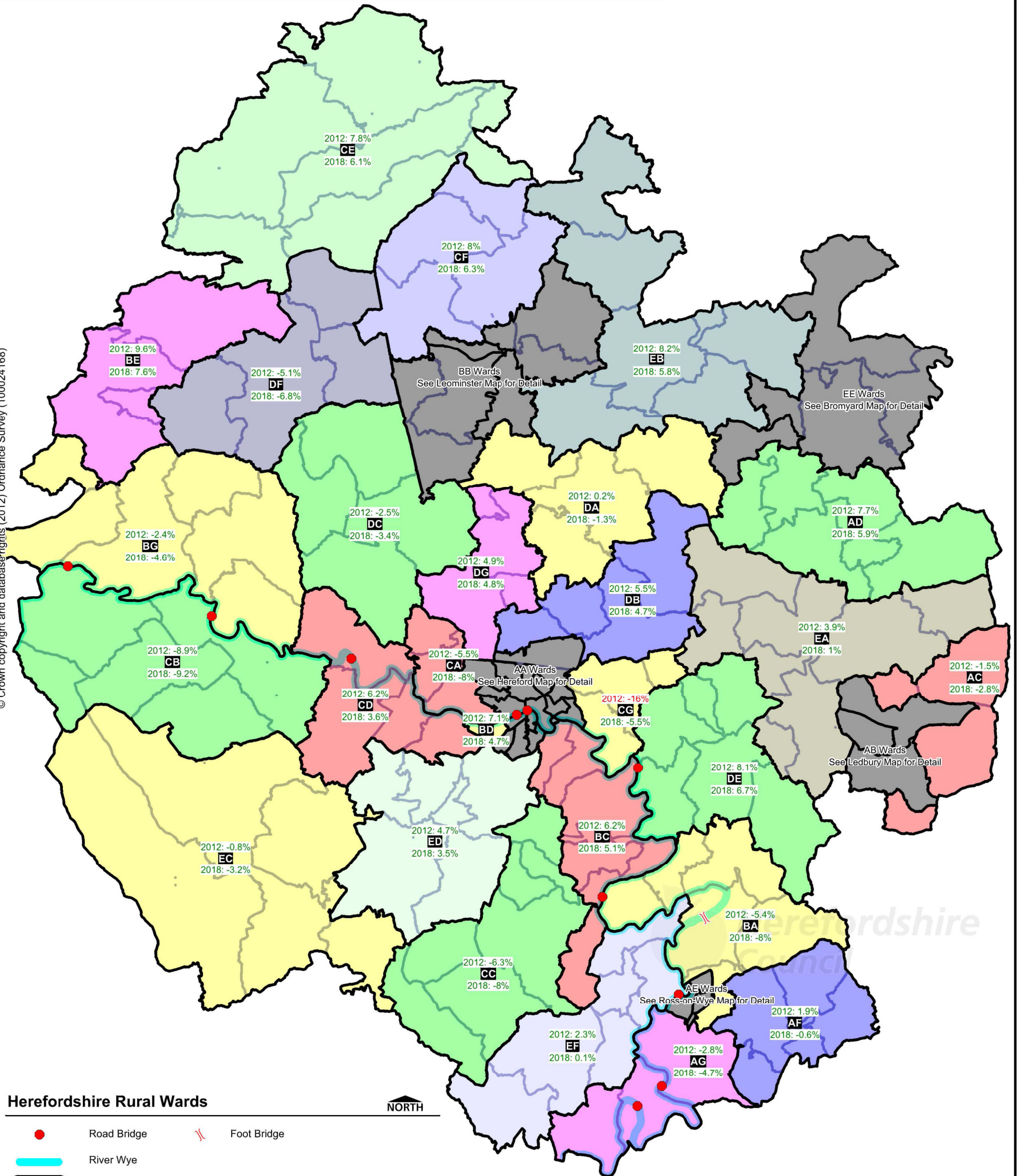
Summary

54 Councillors and 54 Wards for Herefordshire

Urban wards show the summary for the area (dark grey) and breakdown of individual wards within it (light grey)

Parish Councils are not split apart from some of the urban areas where the electorate for the Parish is beyond the 10% variance and must be split to make wards that are within this variance

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**Herefordshire Rural Wards**

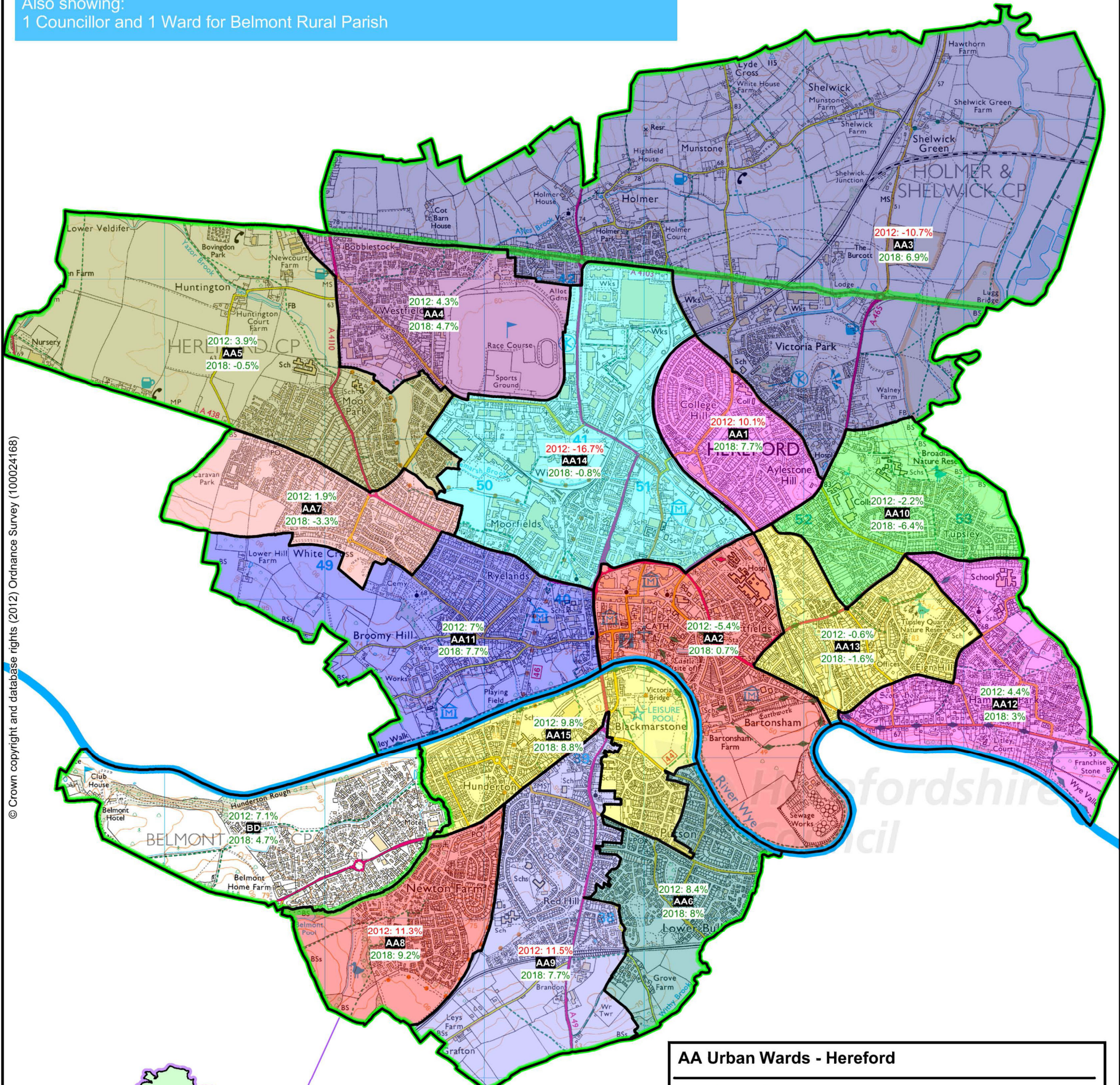
- Road Bridge
- / / Foot Bridge
- River Wye
- Grey regions are areas of urban wards shown in detail in further maps
- Coloured region indicates new proposed ward
- Parish Council / Parish Group

Outside 10% variance (2012)      Within 10% variance (2012)  
 Outside 10% variance (2018)      Within 10% variance (2018)

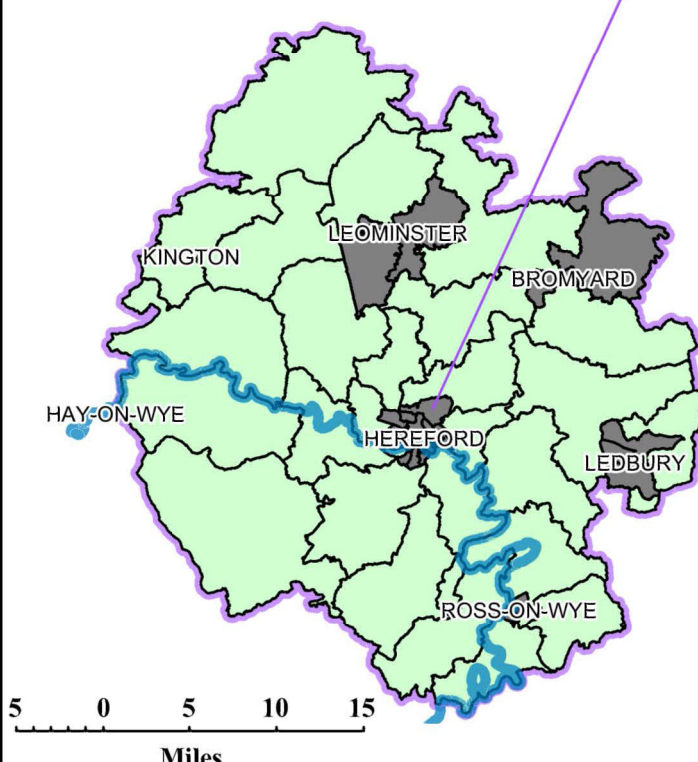


Preferred Warding Model - Hereford Wards

15 Councillors and 15 Wards for Hereford Parish and Holmer and Shelwick Parish  
 Also showing:  
 1 Councillor and 1 Ward for Belmont Rural Parish



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**AA Urban Wards - Hereford**

- River Wye
- 2012 % Variance
- New Ward Ref
- 2018 % Variance
- red indicates outside 10% variance
- Coloured region indicates new proposed ward
- red indicates outside 10% variance
- Parish/Parish Council Boundary
- NORTH

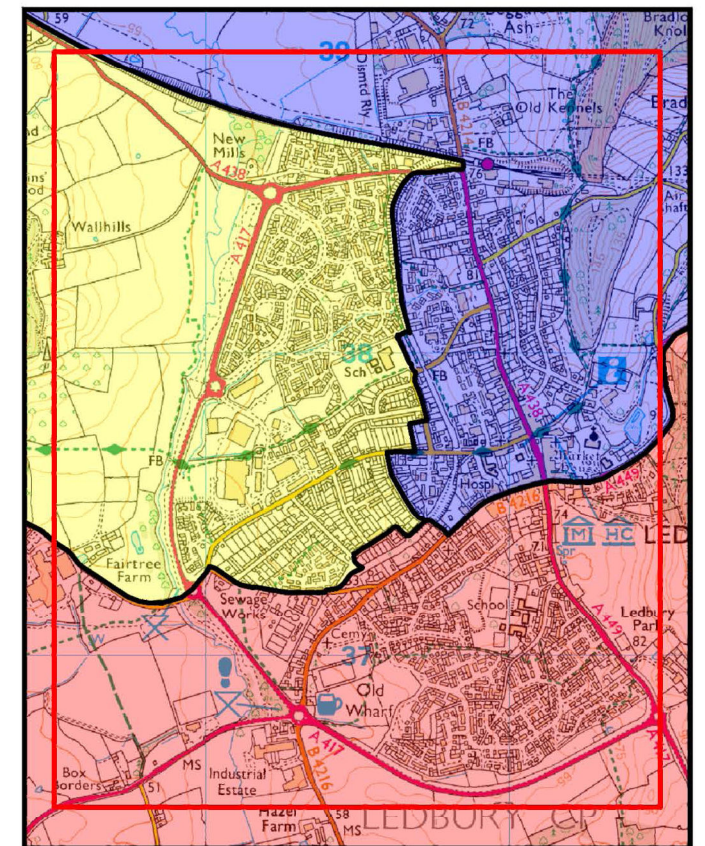
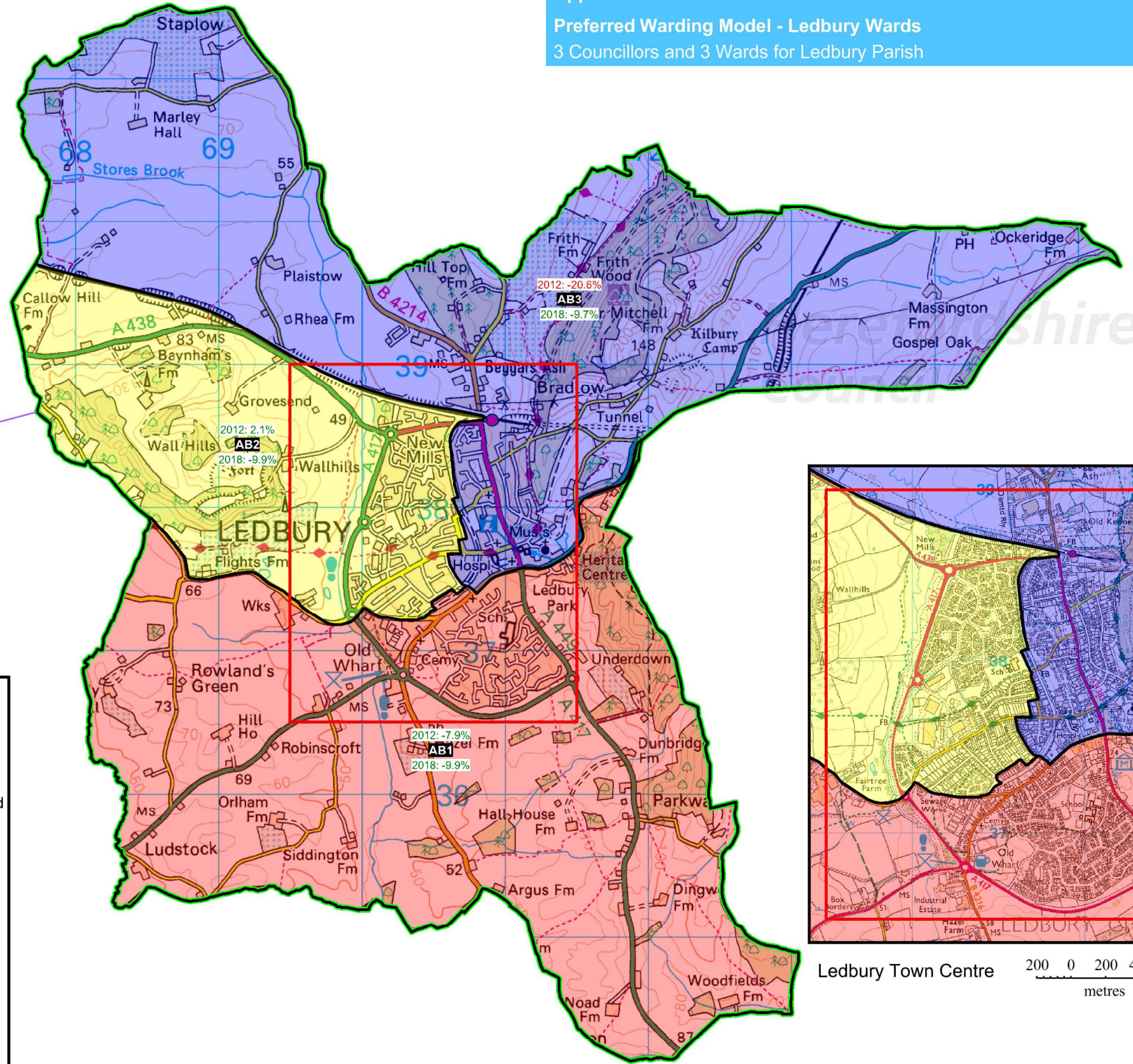
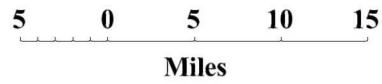
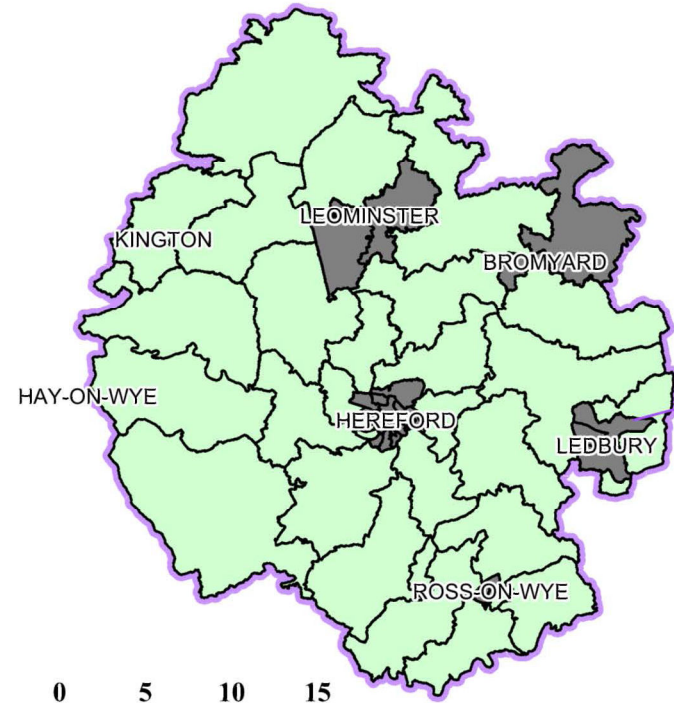
gismapping@hoopleltd.co.uk

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Metres





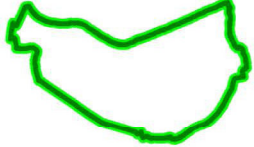
Herefordshire Council

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Preferred Warding Model - Ledbury Wards  
 3 Councillors and 3 Wards for Ledbury Parish

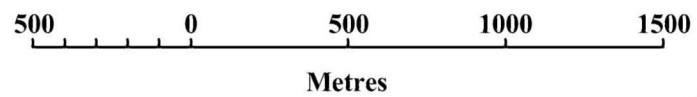


AB Urban Wards - Ledbury

 River Wye  
 New Ward Ref  
 2012 % Variance  
 2018 % Variance  
 Parish/Parish Council Boundary

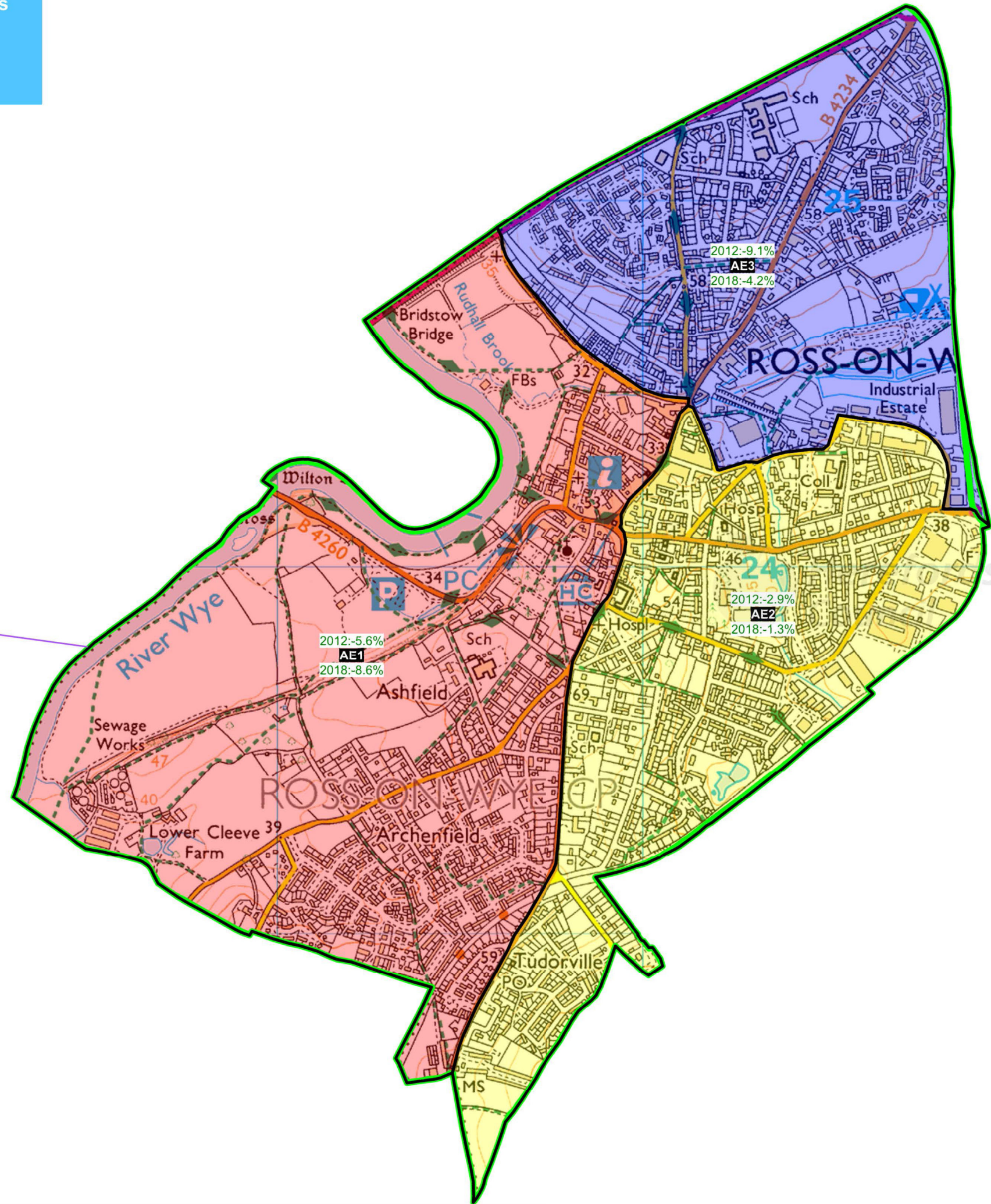
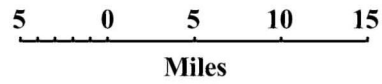
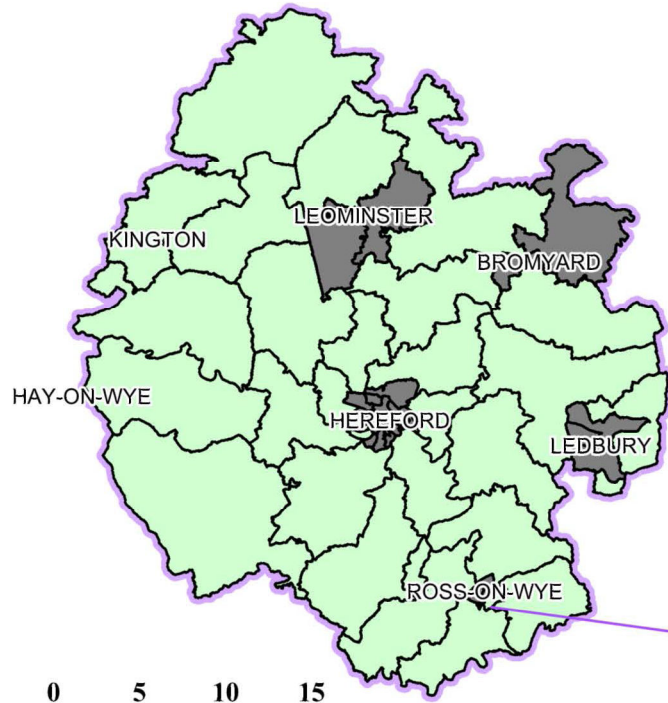
red indicates outside 10% variance  
 Coloured region indicates new proposed ward  
 red indicates outside 10% variance

 NORTH  
 gismapping@hoopleltd.co.uk



Preferred Warding Model - Ross-on-Wye Wards

3 Councillors and 3 Wards for Ross-on-Wye Parish



AE Urban Wards - Ross-on-Wye

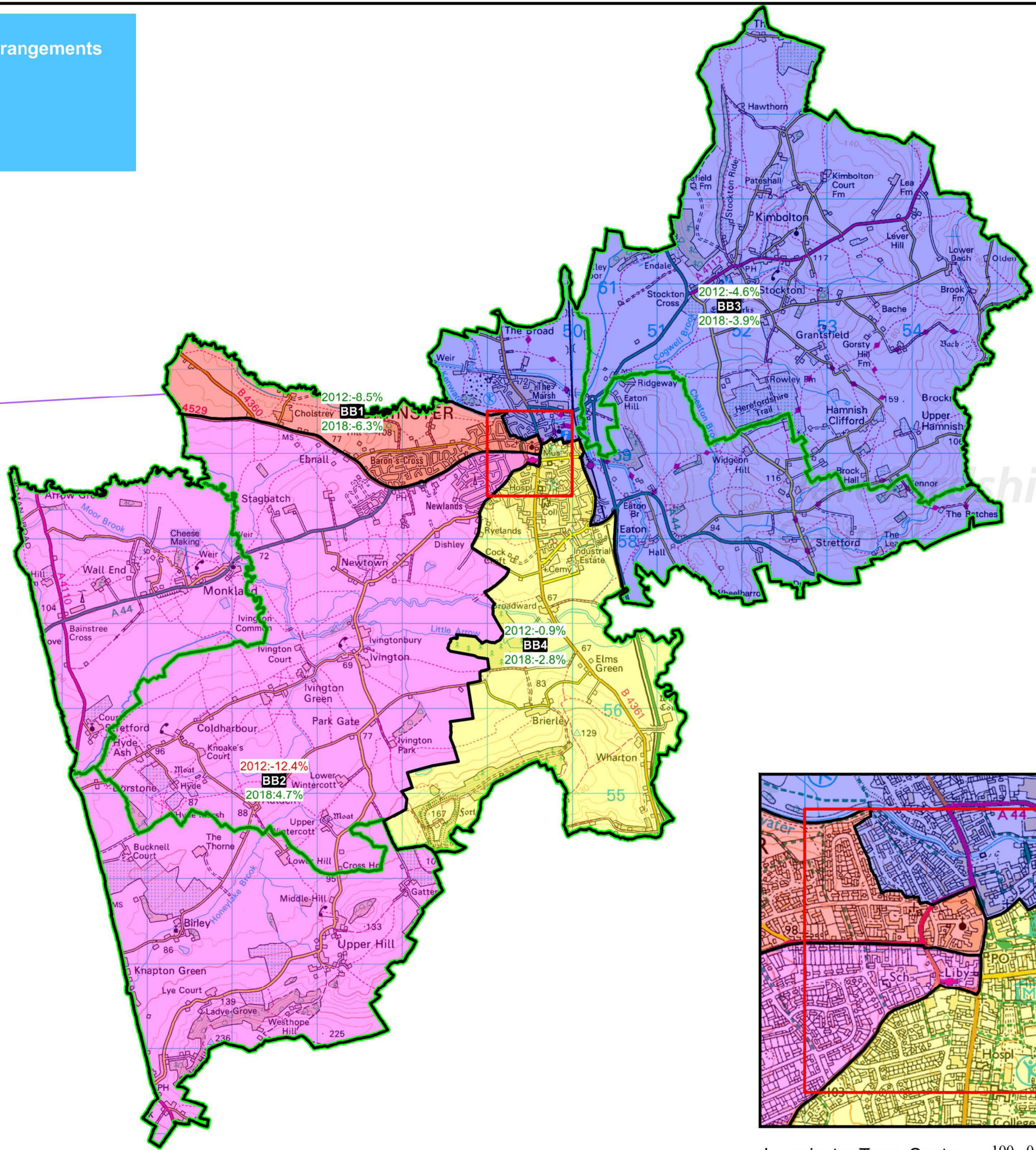
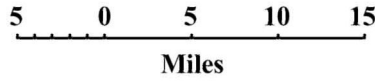
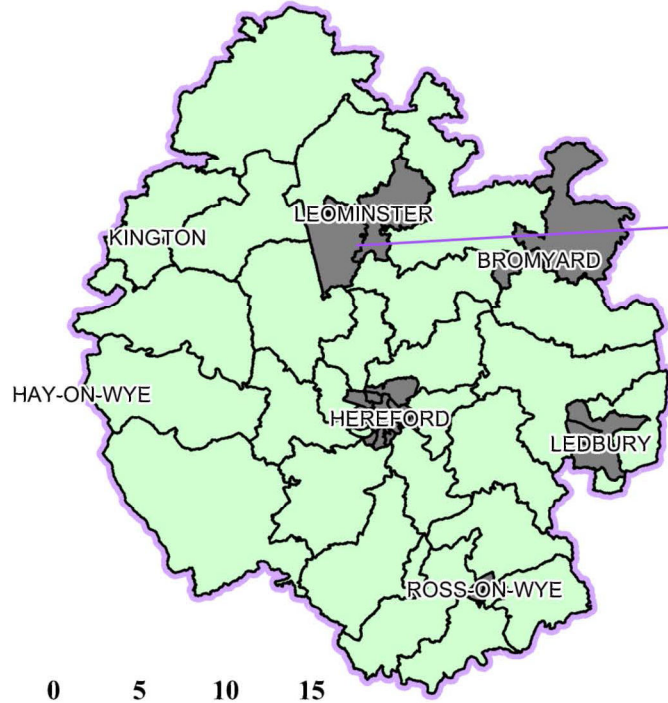
**Legend:**

- River Wye
- 2012 % Variance
- New Ward Ref
- 2018 % Variance
- red indicates outside 10% variance
- Coloured region indicates new proposed ward
- red indicates outside 10% variance
- Parish/Parish Council Boundary

**Scale:** 500 0 500 1000 1500 Metres

**Logos:** Herefordshire Council, Hoople Innovation in business

**Contact:** gismapping@hoopleltd.co.uk

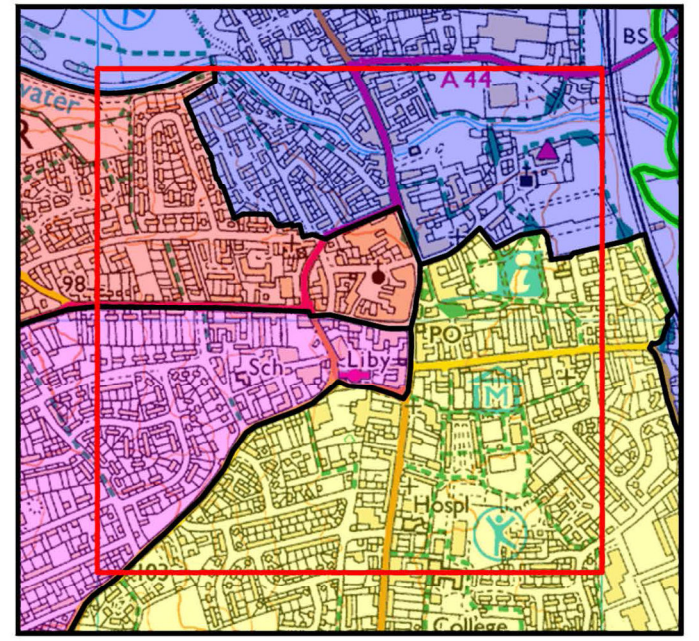


**BB Urban Wards - Leominster**

- River Wye
- 2012 % Variance
- New Ward Ref
- 2018 % Variance
- red indicates outside 10% variance
- Coloured region indicates new proposed ward
- red indicates outside 10% variance
- Parish/Parish Council Boundary

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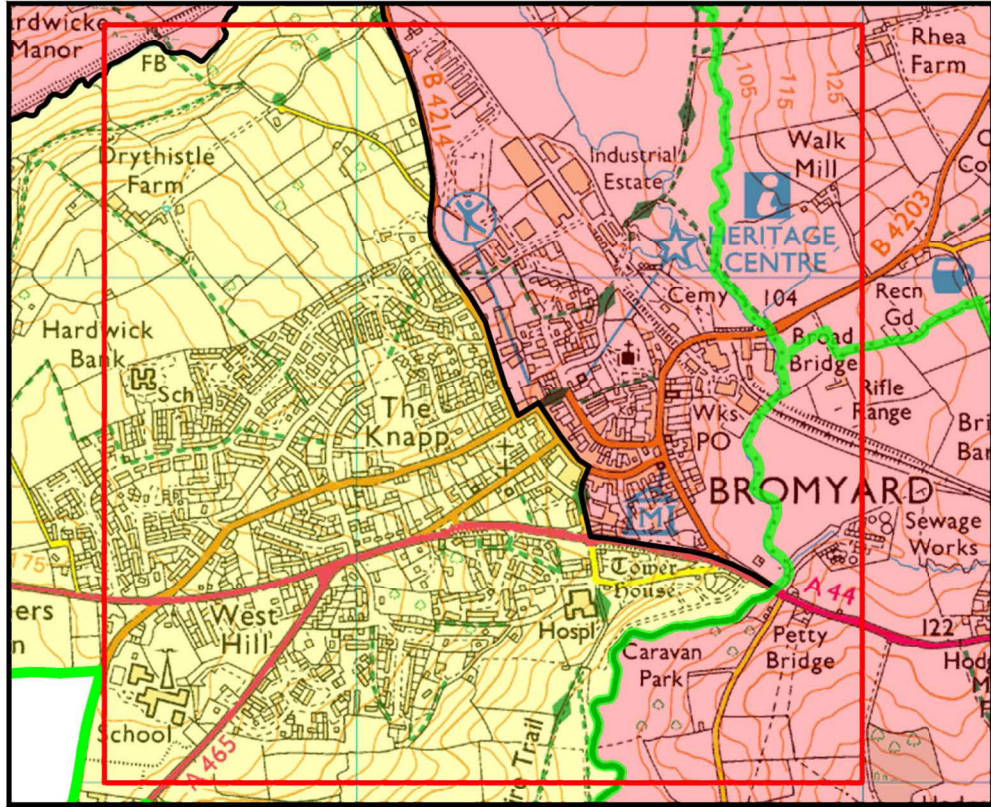
Herefordshire Council  
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Leominster Town Centre  
 100 0 100 200 300  
 metres

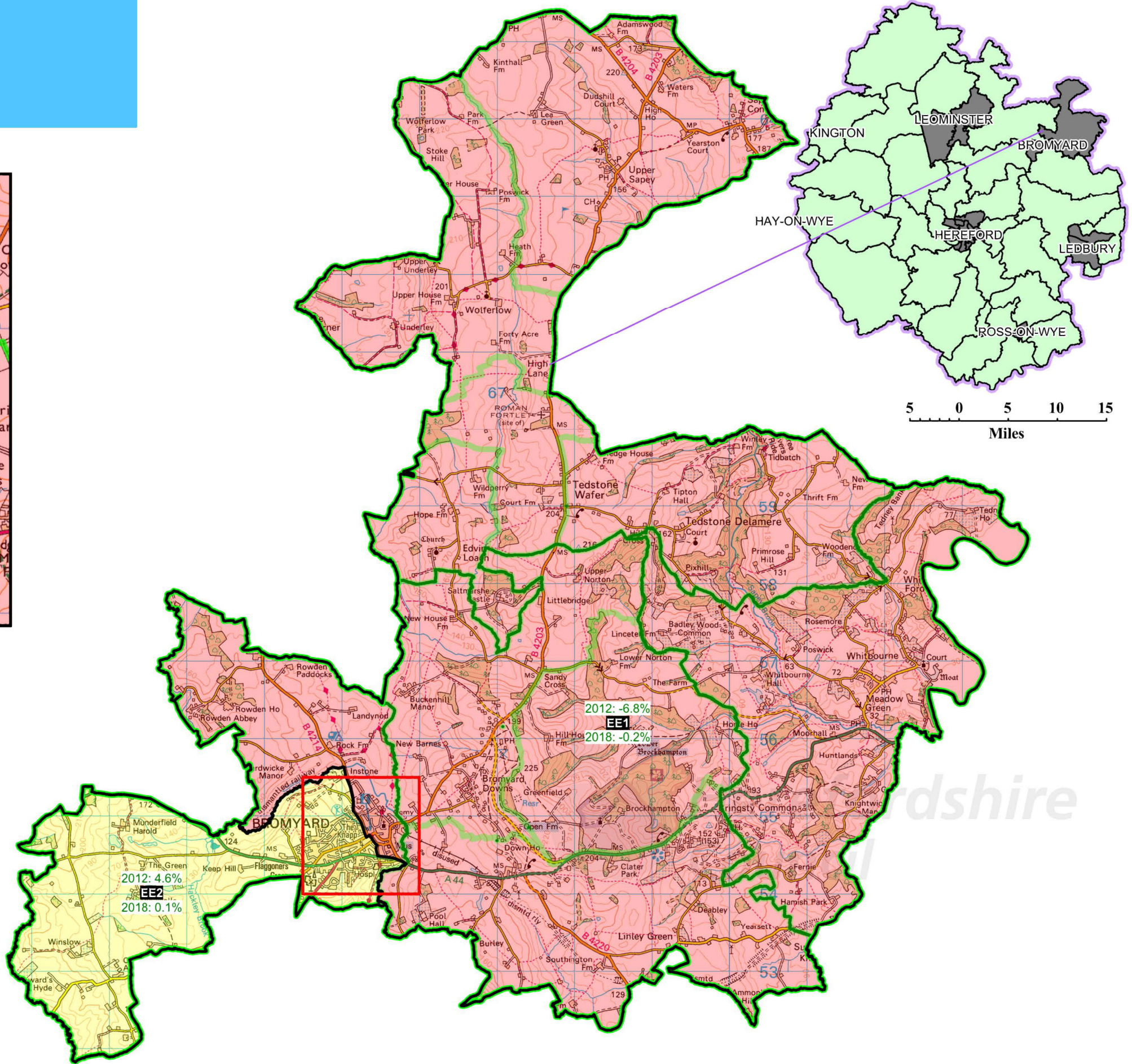
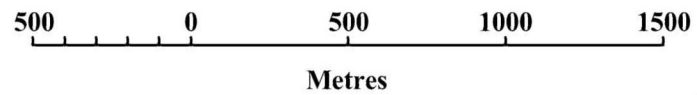
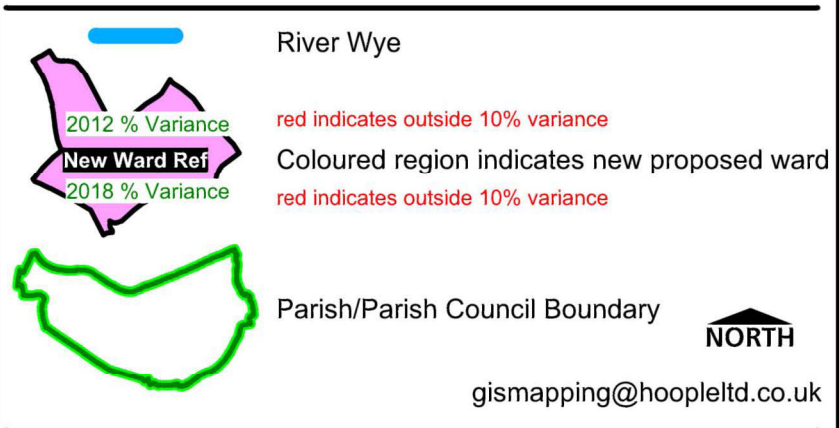
Preferred Warding Model - Bromyard Wards

2 Councillors and 2 Wards for  
 North Bromyard Group Parish Council, Whitbourne Parish  
 Brockhampton Group Parish Council, Bromyard and Winslow Parish



Bromyard Town Centre  
 100 0 100 200 300 metres

EE Urban Wards - Bromyard





## **Appendix 2**

### **ELECTORAL REVIEW WARDING CRITERIA**

1. In making proposals for a pattern of Wards, full account will be taken of the three statutory criteria of –
  - Securing equality of representation
  - Reflecting the identities and interests of local communities
  - Securing effective and convenient local governmentas described in detail in the Technical Guidance published by the Boundary Commission
2. The objective will be to achieve a Councillor – Elector ratio tolerance of plus or minus 5%, recognising that the Commission’s tolerance is within a guideline of plus or minus 10%, if justified by the statutory criteria, particularly the maintenance of local community identities
3. Where possible, existing Ward boundaries should be maintained in principle in those cases where the Councillor – Elector ratio is within the tolerance of plus or minus 5%
4. For a Council of 54 Members, the 5% plus or minus tolerance range based on the current electorate is between 2500 and 2763 Electors per Councillor (the average being 2632), and account will be taken of the electorate projection data to 2018 as warding proposals are developed
5. Weight will not necessarily be given to the maintenance of numerical electoral equality where there are strong arguments and evidence in favour of natural communities
6. There is a general presumption for single Member Wards, where this can be achieved without detriment to local communities. It is expected that single Member Ward arrangements will apply particularly in the rural localities. In order to protect community interests, avoid splitting communities and to retain local community identities as far as possible, flexibility will be provided to allow 2 Member Wards where needed, and in exceptional cases to enable the possibility of one or more 3 Member Wards. It is envisaged that any multi Member Wards will be located primarily in the more urban areas. Any proposals for multi Member Wards will be based on evidence that the three statutory criteria will be best satisfied with such a configuration in the areas concerned.
7. Parish Council boundaries to be used as the lowest level building blocks, with a preference against splitting Parish Councils if this can be avoided. It is recognised that it may be necessary to alter current Parish Council ward boundaries mainly in the urban areas.
8. Where possible, the views of Parish Councils to be taken into account and reflected in the Council’s proposals

9. Account to be taken of natural and man made physical features when Ward boundaries are drawn. This will include rivers and general topography, railway lines and roads (which can be seen as dividing lines or links between local communities)

10. Account to be taken of Census output areas and Super output areas, so that wherever possible in developing Ward configurations, statistical information from the Census and other official sources about the population and other local characteristics will relate directly to the new warding arrangements.



<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>STRATEGIC PLAN FOR CHILDREN AND YOUNG PEOPLE IN HEREFORDSHIRE; THE “YES WE CAN” PLAN</b>
<b>PORTFOLIO AREA:</b>	<b>HEALTH AND WELLBEING</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To consider and approve the *Yes We Can* plan, as the strategic partnership plan for children and young people in Herefordshire.

### **Recommendation(s)**

**THAT Council:**

- (a) **approves the *Yes We Can* plan as recommended by Cabinet and attached at appendix 1; and**
- (b) **notes the priorities within the *Yes We Can* plan will be considered as part of the Council’s Root and Branch Reviews.**

### **Key Points Summary**

- Herefordshire needs to have a plan focused on improving the wellbeing and life chances of children and young people living, studying and working in the county. The *Yes We Can* plan is the one strategic partnership plan that organisations and individuals who commission and provide services for children and young people are all agreed on and working to. *Yes We Can* is both a positive commitment of partners to working together in this way, and to raising the aspirations of our children and young people. Appendix 1 is the full plan that partners have developed together. Appendix 2 is the version for young people that has been written by the Shadow Board, a consultative group of young people from across the county. Cabinet approved the plan on 14 June for recommendation to Council.
- The plan contains the four key priorities that partners who provide services for children and young people will work to over the next 3 years:
  - Helping families, parents and carers to help themselves, particularly in the early years

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Further information on the subject of this report is available from  
 Philippa Granthier, Head of Commissioning (Children’s Services) (01432) 260226

of their children's lives

- Promoting health and well-being
  - Achieving success in life, learning and future employment
  - Protecting children from harm
- These priorities are drawn from the Joint Strategic Needs Assessment (now the Integrated Needs Assessment - INA), and consultation with partners and children and young people. The INA highlights the needs of the county, and these are addressed in the new Health and Wellbeing Strategy. Specific elements for children and young people are drawn out in the *Yes We Can* plan; over time it is likely that the *Yes We Can* plan and any subsequent plans are in fact a delivery plan of the overarching Health and Wellbeing Strategy. The Council's contribution to the plan is captured within the Joint Corporate Plan and associated Delivery plans. The Root and Branch reviews will also undertake a strategic overview of services provided to children, young people and their families/carers.
  - The *Yes We Can* plan is a partnership plan and has been in place for the last year. (Despite not being a statutory plan it is still listed as requiring Council approval if a plan is developed). There has been a particular focus during 2011 on the safeguarding aspects with partners, understanding and working to ensure children are in the right system, along with the continued drive for early intervention through the multi-agency groups and use of the common assessment framework (CAF). Improving attainment in the Early Year Foundation Stage Profile and Key Stage 2 was also a key area of focus and there were substantial improvements in both areas evidenced in the 2011 examination results. The plan itself (highlighted in the triangle of need diagrams (page 5 of the plan)) shows the changes that have taken place over the last year regarding children accessing services.
  - Draft recommendations for action from the 2012 INA include tackling obesity and promoting healthy lifestyle choices; continued emphasis on improving educational achievement at Early Years and Foundation Programme, primary and secondary school children; tackling family poverty; and more analysis of domestic violence and people living with learning disabilities. All these areas are already captured within the *Yes We Can* plan priorities and pledges.
  - During 2012 the key areas for focus will include:
    - reducing the numbers of children subject to a child protection plan and those looked after, in line with statistical neighbours;
    - improving the educational attainment of Herefordshire children at all key stages in order to achieve top quartile performance nationally
    - developing a programme for schools to support Personal, Social and Health Education (PSHE)
    - implementing the children and young people's elements of the Health and Wellbeing Board's Strategy specifically around early years and alcohol consumption
    - delivery of services in light of the updated child poverty needs assessment
    - building on the multi-agency group approach and edge of care programme to deliver further intensive support to families as part of the government's community budgets for "troubled families" programme.

- The plan will be driven and delivered by the Children and Young People’s Partnership Forum, a strategic county-wide partnership. This Forum replaces the previous Children’s Trust arrangements, which were statutory. Children’s Trusts were nationally prescribed as to their role and in Herefordshire the groups, governance and delivery plans have all now been removed. The new forum is for all partners to act together and lead their individual agency to improve opportunities and outcomes as outlined in the plan.
- The role of Director of Children’s Services and the Lead Member for Children’s Services are both statutory and they hold partners to account through the Children and Young People’s Partnership Forum.
- Herefordshire has had a Children and Young People’s Plan in place since 2005. The Yes We Can plan is the third plan for Herefordshire but is no longer a statutory requirement. This is a partnership plan, not a Council plan.

## **Alternative Options**

- 1 There is no longer a statutory requirement to have a plan of this nature. However, partners and stakeholders are committed to working together and therefore the plan will help to maintain a focus and vision on the desired outcomes for children and young people living, studying and working in Herefordshire.

## **Reasons for Recommendations**

- 2 Whilst there is no longer a statutory duty on the local authority to publish a children and young people’s plan, it is still a requirement under the Budget and Policy Framework to seek Council approval if such a plan is developed by partners. The plan is a crucial vehicle to enable services to be delivered effectively across partners to improve outcomes for children and young people in Herefordshire.

## **Introduction and Background**

- 3 This is the third children and young people’s plan for Herefordshire; the last one being approved by Council in May 2008. The plan is intended to be the one strategic plan that all partners who commission or provide services to children and young people would align with and work to. Children’s Trusts were the vehicle for co-ordinating these partnership arrangements.
- 4 The legislation around Children’s Trusts and the Children and Young People’s Plan was revoked in 2011 meaning that local areas could decide for themselves what arrangements they wanted in place. In Herefordshire, partners were very keen to continue working together at both a strategic and operational level and there is still a statutory “duty to co-operate” on certain partners. For partners to really focus on the key priorities that could only be achieved by working together, it was agreed to develop a plan – much like the previous Children and Young People’s Plan but without the required statutory guidance so it could be much simpler and truly reflect local needs.

## **Key Considerations**

- 5 The new Children and Young People’s Partnership Forum is now in place and replaces what was the Children’s Trust Board and associated groups. The Forum is made up of a wide range of partners listed below. It has key relationships with the Herefordshire Safeguarding

Children Board (HSCB) and the Health and Well-Being Board. The Forum is the one partnership group that focuses on the holistic needs of children and young people.

Partners include:

Herefordshire Council  
Herefordshire Primary Care Trust, including GPs  
Wye Valley NHS Trust  
Schools  
Colleges  
Worcestershire and Herefordshire Youth Offending Service  
Jobcentre Plus  
West Mercia Probation Trust  
West Mercia Police  
Private, voluntary and community sector groups  
Children, young people and parents / carers

6 The Forum will be the lead partnership group that ensures delivery of the *Yes We Can* plan, and the recently approved Child Poverty strategy which is a mandatory document. Both documents are very closely aligned, both being based on the Joint Strategic Needs Assessment, and both clearly linking to the Herefordshire Public Services Joint Corporate Plan.

7 The *Yes We Can* plan is attached at appendix 1. The plan has been active during 2011, but requires final Council approval as it is still included within the Budget and Policy Framework. The plan therefore has been refreshed for 2012 although the four main priorities and pledges have remained the same. During 2011 there has been an particular focus on:

- safeguarding children by understanding and working to ensure children are in the right system, along with the continued drive for early intervention through the multi-agency groups and use of the common assessment framework (CAF).

- the Children's Centres have developed further, particularly with health partners in offering antenatal and postnatal support (specifically breastfeeding and positive parenting) and early language support. Delivery of health child programme for 0-5 year olds will be through children's centres

- performance monitoring and interventions across all Early Year providers and LA maintained schools targeting underperforming schools/settings. There were improvements in the 2011 examination results in both Key Stage 2 and Early Year Foundation Stage Profile

The plan itself (highlighted in the triangle of need diagrams) shows the changes that have taken place over the last year regarding children accessing services.

8 The plan takes a new approach and looks to work in a partnership way, enabling working relationships and also asking organisations and communities to pledge activity and support. Partners have identified pledges they could support so that progress can be monitored. Many of these pledges are not new and partners are already working on them. The benefit is to work on these collaboratively to make a bigger impact, avoid duplication and make better use of scarce resources. Partners can use the plan to challenge and hold each other to account via the Forum meetings which will take place three times a year. The plan specifically calls on individuals, groups and agencies to consider what they can do to support the priorities and pledges.

- 9 The Shadow Board, a consultative group of young people aged 11-19 years, has made significant contributions to the priorities within the plan and the design of the final document. They have in fact designed their own version specifically aimed at young people (appendix 2). A poster version has also been designed – again with the help of the Shadow Board. The plan, in all its forms, does therefore need to be widely promoted and made easily accessible within resource constraints; this is mainly through the council’s website.

## **Community Impact**

- 10 The plan provides the key priority areas for the county as a whole. From these priorities there is a need to focus services around the nine locality areas identified by Herefordshire Public Services. Partners have already committed to working in this way and working more closely with the communities they serve. In this way the needs of these communities can be mapped to support a more targeted approach to providing services. This information will be used to inform future priorities and therefore more effective commissioning intentions in future. The voice of the children, young people and their families will be a key component in this commissioning cycle.

## **Equality and Human Rights**

- 11 The plan does pay due regard to the public sector equality duty : -

Under Section 149, the "General Duty" on public authorities is set out thus:

"A public authority must, in the exercise of its functions, have due regard to the need to -

- eliminate discrimination, harassment, victimisation and any other conduct ... prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

- 12 The plan’s priorities are to improve the life chances and outcomes of all young people; to eliminate discrimination, harassment and victimisation towards and between children and young people. They are also to create an environment that offers the opportunity for children and young people from all backgrounds to get on well together and take advantage of life chances. The Shadow Board were clear that children don’t want to be labelled and services should have the same aspirations for all children and young people so the priorities are specifically written as such. However, there are specific pledges within the plan for more vulnerable groups including looked after children, children with disabilities and those living in poverty.

## **Financial Implications**

- 13 The plan will be used as the basis for commissioning services for children and young people in Herefordshire i.e. resources will move to focus on these priorities. It will also be used to make the most of existing resources across partners targeted towards children and young people.

- 14 For the Council this plan should drive focus for a number of service areas that work closely with children and young people e.g. housing, cultural services. The biggest contribution will be from the Children and Young People's Provider Services, within the People's Services Directorate.
- 15 The Council is facing significant challenges in financial terms and through the national settlement and reductions in funding. The Council's five year financial strategy includes an estimated 29.7% reduction in government formula grant. Budget decisions have been based on a set of core principles that include Supporting the Vulnerable. The process also includes fundamentally challenging what the council does to ensure appropriate use of public funding and quality of service. Net reductions in Herefordshire Council Children's Services budget from 10/11 to 11/12 amounted to some £3 million as a result of central government grant cuts. Further reductions are required in 12/13 of £1.2million, although this is offset by an increase in grants for the year only so that the overall reduction is £0.7million; however this is net of an additional investment of approximately £1.5m in Children's social care. This creates a considerable challenge to deliver effective services in the current financial climate.

## **Legal Implications**

- 16 The Children and Young People's Plan is part of the Council's budget and policy framework, but is no longer a statutory requirement.
- 17 Although the plan is no longer a statutory requirement there is strong evidence of partnership commitment to collaborative working and to have a plan and forum that "holds the ring" for children and young people in Herefordshire.

## **Risk Management**

- 18 There needs to be strong leadership from the partners to ensure that partnership planning and support remains at a county level to raise the issues facing children and their families. This needs to link with the move to locality based approaches and those partnerships which are statutory e.g. HSCB and Health and Wellbeing Board. The Children and Young People's Partnership Forum will champion holistic approaches to the needs of children, young people and families and provide the other partnership arrangements with the confidence that they are appropriately addressing these issues in their work.

## **Consultees**

- 19 To inform the draft priorities a wide range of people were consulted. The "Have Your Say" campaign in 2010 /11 was held specifically to capture the important things for children and young people and included events and sessions for over 100 primary and secondary school pupils and particular vulnerable groups e.g. teenage parents, looked after children and travellers. A poster campaign also helped to gather views from parents, early years settings, schools and colleges.
- 20 The draft plan was then widely circulated as part of a 12 week consultation. This included all the partners of the Children's Trust including schools and colleges, and third sector groups and organisations. The comments received were then taken into account in producing the final plan. The plan was then agreed by the Children's Trust Board at the time and subsequently by the Children and Young People's Partnership Forum.
- 21 The Shadow Board had significant input to this plan as highlighted in paragraph 9 above. As well as producing their own version they also chose the name for the plan.

## **Appendices**

- 22     Appendix 1 –“Yes We Can” – the plan to support children, young people and families  
       Appendix 2 – The “Yes We Can” plan for young people, written by the Shadow Board

## **Background Papers**

- Joint Strategic Needs Assessment





# “Yes We Can” - the plan to support children, young people and families

Our vision in Herefordshire is for children and young people to grow up healthy, happy and safe, with supportive families and carers, and to make sure they have the best education and opportunities.

REVISED 2012



# Who are we?

We are a children and young people's partnership which is a partnership of different organisations that work together to make things better for children, young people and their parents and carers. We include:

- Herefordshire Council
- Herefordshire Primary Care Trust, including GPs
- Wye Valley NHS Trust
- Schools
- Colleges
- Worcestershire and Herefordshire Youth Offending Service
- Jobcentre Plus
- West Mercia Probation Trust
- West Mercia Police
- Private, voluntary and community sector groups
- Children, young people and parents / carers

A very important part of this partnership is the **Shadow Board**. This is a group of young people aged 11 to 19 from across secondary schools and colleges in Herefordshire. They act as a consultative group commenting on various strategies and projects of our partnership. The Shadow Board link with school councils of both primary and secondary schools, and the youth council, to give children and young people a voice about the issues that affect them. The Shadow Board can directly influence the decisions and actions of leaders of our partnership so it is a powerful group of young people.



Shadow Board



Have an Impact

# Why do we need a plan?

This plan has been written to show what we will do to improve the lives of families and their children and young people in Herefordshire. It covers children from 0 to 19 years of age and up to 25 years for young people with learning difficulties and disabilities. This plan is a county-wide, partnership plan; it is not a plan that lists what each of the partners do on an every day basis. It does include our collective aims of what our partnership wants to achieve by working closely together. Each partner has pledged what their individual contribution will be to help achieve our partnership aims.

For many children growing up in Herefordshire can be fairly easy, but for some it is more difficult. Some may have health problems, some don't have families that can look after them as well as they want, and some have difficulty with learning. Sometimes children need help just for a short time, perhaps settling into a new school.

As partners, our aim is to provide support where it is needed so that children and families can take responsibility for their own health and well-being. Our approach is not just to help children and young people, but their families and carers as well, as they bring up their children and have the greatest influence on them. We can also help nurseries, childminders, schools and colleges, plus community and voluntary groups as these all work directly with children and young people.

Sometimes our support will need to be more targeted and specialist to help those families who are finding situations much more difficult, particularly where children are not developing as they should or are at risk of harm. These children have the right to the same chances and opportunities as the vast majority of children in Herefordshire and we will work together to ensure the needs of these children are met.

This plan covers the period April 2011 to March 2015; it is a strategic plan so it doesn't contain every detail of what must happen but we will monitor partners pledges and that actions are taking place and publish this in an annual review. Four years can be a long time and this plan will develop as changes happen in the needs of our local communities and nationally.

There are other versions of this plan available on the Council's website – a shorter poster summary, workbooks for younger children and a young people's version.



## Some information about Herefordshire families and their children

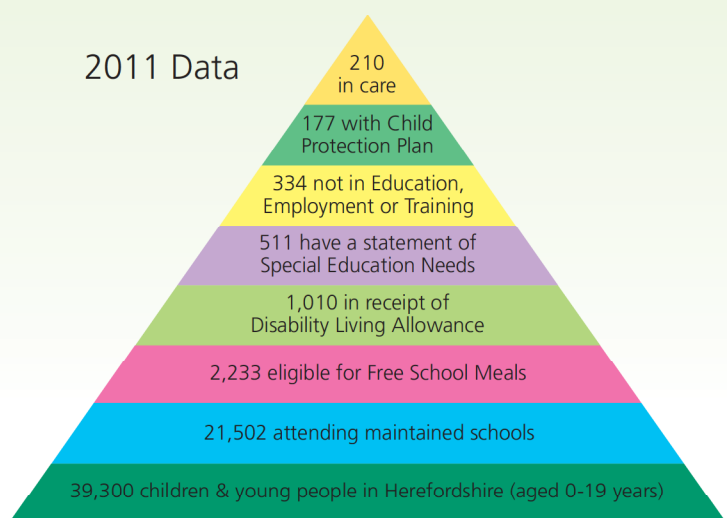
Herefordshire is mainly a rural county, with beautiful unspoilt countryside, distinctive heritage, remote valleys and rivers. The city of Hereford is the county's centre. The other main locations are the five market towns of Leominster, Ross-on-Wye, Ledbury, Bromyard and Kington. The county is sparsely populated. Over half of its 179,300 residents live in rural areas.

The number of children is decreasing, although there were more births than expected in the last two years. This decrease is expected to continue until stabilising from 2016 at about 29,000 children aged 16 years and under.



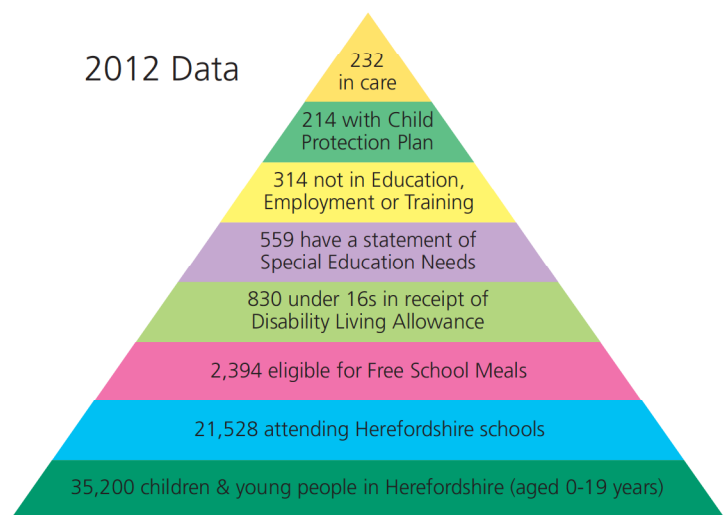
## Triangle of Need: Details of Herefordshire Children and Young People

### 2011 Data



Population data taken from ONS mid year estimates 2009  
Disability living allowance information correct at 2009  
Other data correct at January 2011

### 2012 Data



Disability living allowance information correct at 2010  
School, SEN and Free School Meals data correct at Jan 2012  
Population data taken from ONS 2010 mid-year estimates

### Triangle of need – differences between 2011 and 2012

The triangles opposite illustrate, at a snapshot date, the number of children and young people in Herefordshire who are in receipt of services. In 2011, the Office of National Statistics estimated that there were 39,300 children and young people, aged 0-19, in the county; however, in 2012, this estimate was revised downwards to 35,200. The publication of the 2011 Census data will provide the accurate benchmark.

Slightly more children attended maintained schools in 2012 compared with 2011 (21,528 compared with 21,502). There was a slight increase in the number of children eligible for free school meals which is likely to reflect the economic situation in the country as a whole. Perhaps surprisingly, given the economic situation, the number of young people not in education, employment and training decreased slightly from 334 to 314.

There was a slight decrease in the number of children in receipt of disability living allowance. In terms of vulnerable children and young people, the number of children with a Statement of Special Educational Needs rose from 511 in 2011 to 559 in 2012.

The number of children in the care of the local authority has continued to rise year on year with 232 now looked after compared with 210 the previous year. The number of children and young people subject to a child protection plan rose significantly in 2011-2012 and at January 2012, the figure stood at 214 (compared with 177 at the same time the previous year) which was significantly higher than comparable authorities. As a result of intensive analysis and work through the Herefordshire Safeguarding Children Board, the number of children subject to a child protection plan has now reduced appropriately to levels similar to those of comparable authorities.

# What are we going to do?

Our aims are to prioritise the top issues or problems that are identified in Herefordshire and we will concentrate on improving those over the life of this plan. These priorities are listed below with a short description of what we will aim to achieve.

We have used a variety of different information and documents to help identify what issues we should be tackling in Herefordshire:

- “Have your say” events in September and October 2010 which allowed children, young people and parents and carers the opportunity to tell us what is important to them. Children from nurseries, primary and secondary schools and young people from college and various youth groups were involved. Parents also gave their views.
- Partnership events with people who deliver and manage services for children, young people and their families
- Data and information from surveys and performance indicators
- The [Joint Strategic Needs Assessment](#), [Child Poverty Needs Assessment](#) and the [State of Herefordshire Report](#) which provide more detailed figures and data than is included in this plan
- Inspections and audits from national agencies like [Ofsted](#)
- Impacts of expected changes in new and emerging government policy
- [UN Convention on the Rights of the Child](#) which sets out 54 articles that government and individuals are obliged to work to.
- Feedback and comments from the consultation on the draft version of this plan

We use the data that we gather so it gives us a picture of the needs of different communities and groups of children in Herefordshire. We know that overall outcomes for children and young people in Herefordshire are good but this hides the fact that there are issues in specific wards and for particular groups of children and young people. The voice of children, young people, parents / carers and families is key to understanding this, as is the knowledge of service providers who work directly with families. As our work in localities develops so will our knowledge of needs across Herefordshire. All this improved intelligence will help us to better plan services that are needed in particular areas or by particular groups of children so we can target our resources appropriately.

In the draft plan we identified some specific groups of children that needed more support. Our Shadow Board told us that children don't want to be labelled and that we should have the same hopes and aspirations for all children and young people. So in this plan each partner has identified specific pledges and actions to groups of children and young people that need more support. There are many groups of vulnerable children and they include children with disabilities and learning difficulties, children who are looked after, young carers, ethnic minority groups and teenage parents.

# What are you going to do?



This plan provides the information so that local communities, local partnerships and individual organisations can all pledge what they will do to help achieve the four priorities below.

Please use this plan to commit your organisation or group to supporting our children, young people and their families. You can help us achieve more together by letting us know what you decide to do. Please get in touch with us at [yeswecan@herefordshire.gov.uk](mailto:yeswecan@herefordshire.gov.uk) sending in your pledges for action. We can then help you co-ordinate your actions with others that want to improve the lives of our children and young people.

## How do we know we are achieving this plan?

We will monitor regularly the pledges that partners make to ensure the actions and targets are achieved. The arrangements around our partnership will be organised in line with changes locally and the priorities identified in this plan. This plan helps to provide the links with the Herefordshire Public Services' [Joint Corporate Plan](#).

We will produce an annual review of this plan which will show exactly what we have done, what hasn't been achieved and why. We will also highlight any new priorities which have arisen either through improved locality information, the views of children, young people and their families / carers or inspections of services.



*"Don't annoy the teachers"*

*Michael*



# Our Priorities

## Helping families, parents and carers to help themselves, particularly in the early years of their children's lives

### Why is this important?

- Early child development lays the foundation for the rest of children's lives
- Being a parent is an important role in our society and it is not always easy
- Happy parents and families are important to children and young people and help their development
- Children growing up in poverty are more likely to face poverty in later life

In Herefordshire we are not achieving the levels expected for children in early years settings

### What are we aiming to achieve?

- To improve outcomes at the early years foundation stages
- To educate multi-agency partners in the importance of the early years stages in child development
- To increase the number of babies being breastfed at 6-8 weeks
- To increase the numbers of parents receiving family support
- 100% of families accessing one to one family support through their Children's Centre are offered a common assessment
- To reduce the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest
- To reduce the proportion of children in poverty by 2014
- By 2012, 100% of young people have an agreed transition plan by the age of 18

Get ready to face the adult world

"Be healthy, active and confident"

Thomas







**What we will do:**

- Promote Start4life programme across Herefordshire
- Provide multi-agency ante-natal parenting programmes delivered through children’s centres
- Provide breastfeeding support to new mums
- Co-ordinate a specific offer of support to parents which will include providing positive parenting programmes to develop strong parenting skills
- Use our children centres to co-ordinate services in their community
- Understand the needs of 0-5 year olds, and their parents and families, so that we can develop co-ordinated services, including Health Visiting services, to ensure children develop and are ready to start school
- Implement and evaluate a countywide, graduated programme of early language support and intervention for children under five years of age
- Provide free 2 year old nursery education for all children in poverty, linked with working with parents to raise ambitions
- Work with early years providers and primary schools to raise standards in teaching and learning
- Engage with professionals, and deliver co-ordinated services, through multi-agency locality teams (building on the No Wrong Door project)
- Understand the issues and needs of children with additional needs and the support their families need
- Develop care pathways and services for children with disabilities and their families including transition arrangements to adult life
- Provide general information, advice and guidance to young people, parents and professionals through the Family Information Service Directory on the council website and linked to partners websites
- Train our staff and offer opportunities for others to have the appropriate skills and knowledge to provide consistent support to parents / carers and families
- Pledge support to families, and undertake actions to help reduce the impact of child poverty including support with housing issues and providing training for adults



# What will you do?

## Promoting health and well-being

### Why is this important?

- There are high rates in Herefordshire of young people who smoke and drink alcohol, and these patterns continue into adult life
- Good mental health and well-being helps children feel confident and happy which means they are more likely to do well at school and college
- Childhood obesity is increasing and causes health problems later in life
- Young people say they need better information and education about healthy lifestyles, relationships and sexual health
- The number of Herefordshire teenagers getting pregnant has risen
- Children and young people say they want to have the chances to give their opinions, to contribute to their communities / society and want to be respected by other children and adults

### What are we aiming to achieve?

- To educate young people on the risks to their health if they start smoking
- To reduce the number of under 18 year olds who binge-drink
- To meet the emotional well being needs of children and young people earlier so preventing the need for more specialist support e.g. mental health services
- To reduce childhood obesity in reception year pupils and in year 6 pupils



Stay safe and be healthy

"A good cyclepath"

Thomas





#### What we will do:

- Encourage parents to stop smoking, especially women, before and during pregnancy, and within their homes
- Provide 8 to 13 year olds with information, advice and guidance on how to maintain healthy lifestyles, with particular emphasis on the risks of smoking and drinking alcohol
- Develop a clear plan for child health services and develop our multi-agency approach to improve these services
- Understand the issues and needs of children and young people in respect of their mental health and well-being and then improve the services we provide
- Understand the issues and needs of young people around sexual health and substance misuse (including tobacco and alcohol) and then improve the services we provide
- Provide the opportunities and entitlement for children looked after by the local authority to have good health, advice and well-being
- Ensure children placed for adoption and those adopted receive the support they need to have good health and well-being
- Provide opportunities for active play, sport and exercise
- Provide opportunities for children and young people to engage in local decision making and designing our services



# What will you do?

## Achieving success in life, learning and future employment

### Why is this important?

- The academic achievement of Herefordshire children at early years stage profile, key stages 2 and 4 is not as good as it should be
- Children and young people learn differently so need different learning routes to ensure success in what they do
- There is a clear link in Herefordshire between children living in areas of deprivation and gaining poorer achievement results at GCSE levels.
- Young people will become part of an economy that is global and is looking for flexibility, innovation, wide experience and core skills
- There is a gap in achievement levels between more vulnerable groups of young people and their peers
- Ambitions in families enables success in children and young people
- Educational attainment is everyone's business

### What are we aiming to achieve?

- To improve the educational attainment of Herefordshire children at all key stages
- To reduce the achievement gap between pupils eligible for free school meals and their peers
- To reduce the achievement gap between children who have special educational needs and their peers.
- To increase the numbers of young people who are in education, employment or training
- To increase the percentage of 16-19 year olds in vulnerable groups (e.g. teenage parents, looked after children) who are in education, employment and training



Enjoy life and learning

"Making mistakes is learning"



Cara



#### What we will do:

- Work with local employers to increase the number of work experience opportunities and apprenticeships available in the county
- Work with employers, local businesses and schools/colleges to provide and promote new learning opportunities and developments so that young people's skills meet the needs of local businesses
- Support young people to stay in employment, education or training through the provision of careers guidance in the community as well as in schools, academies and colleges which helps them in the transition to adult life
- Support schools, academies, colleges and training providers to create a vibrant range of opportunities that ensure there is sufficient choice for young people and to address the challenges of raising the participation age to 17 in 2013 and 18 in 2015
- Identify vulnerable children who are at risk of not making progress in line with their peers
- Support nurture groups in schools with the highest level of need
- Provide vibrant cultural opportunities for children and young people
- Provide opportunities and support for children and young people to volunteer and develop community action



What will you do?

## Protecting children from harm

### Why is this important?

- In Herefordshire we have seen a significant increase in the number of children requiring child protection plans or needing the care of the local authority
- Children and young people have a right to protection from harm and abuse and to participate fully in family, cultural and social life
- Providing early effective help to children who are at risk of abuse or neglect has both immediate and long term benefits on their health and wellbeing
- Safeguarding children from harm and abuse is everyone's business
- Young people are vulnerable though misuse of technology (cyberbullying)

### What are we aiming to achieve?

- To appropriately reduce the number of children coming into the council's care, to comparator with statistical neighbours averages, by meeting their needs earlier
- To increase the percentage of professionals who are confident about sharing information
- To reduce the number the children coming into the Council's care through the edge of care service
- To increase the number of high quality and timely referrals and common assessments resulting in help for families which is co-ordinated across partners
- 80% of families report that things have improved for them / their child as a result of a common assessment intervention
- To target help at those families identified in most need
- To reduce the level of domestic abuse, and ensure we have help available to reduce the impact of abuse.

Stay safe and be healthy

Friends

Ryan





### What we will do:

- Implement the Herefordshire approach to Levels of Need and Service Response for children and young people across all agencies
- Develop an “edge of care” service to prevent, where possible, the need for children and young people to be looked after by the local authority
- Except in urgent cases, ensure across all agencies that targeted support is offered to families, normally via a CAF, before a referral is made to child protection services.
- Put in place clear routes for help and support across locality teams and specialist social care services (building on the No Wrong Door project)
- Provide the support and services needed for vulnerable young people (e.g. 16 and 17 year olds, teenage parents, looked after children) who are homeless or at risk of being homeless
- Ensure that children and young people who become looked after are well supported, have clear plans and the best opportunities to develop as their peers
- Continue awareness campaigns for staff to enable them to share information with other agencies where their actions will protect children from harm
- Provide our staff with the skills to understand and look for the exploitation of children and young people; whether sexual, drugs, religion, radicalisation, violent extremism
- Develop robust arrangements in relation to children placed in Herefordshire by other local authorities
- Continue to roll out the anti-bullying strategy and e-safety campaign
- Implement the community safety strategy, ensuring domestic abuse remains a high priority, in terms of tackling perpetrators and supporting victims.



# What will you do?

If you would like help to understand this document, or would like it in another format or language, please call 01432 260006 or email [communications@herefordshire.gov.uk](mailto:communications@herefordshire.gov.uk)

[www.herefordshire.gov.uk](http://www.herefordshire.gov.uk)



# The “Yes We Can” Plan for young people

We want Herefordshire children and young people to grow up healthy, happy and safe, with supportive families and carers, and to make sure they have the best education and opportunities.



Shadow Board



Have an Impact

Written by young people for young people

## Who are we?

Us, you, your parents and other family members, carers, and all those people who give up their time for us including teachers, health workers, youth workers, people who work for 'official' bodies such as the council, the police, jobcentre plus and any volunteers who care about making growing up as good as it can be in Herefordshire.



## What can we do?

We can help deliver the priorities that we said were important issues for us.

## How can we do it?

We can think about the priorities.

We can then send in our ideas by contacting the Herefordshire Children and Young People's Partnership by e mailing [yeswecan@herefordshire.gov.uk](mailto:yeswecan@herefordshire.gov.uk);

We can get in touch through the school council or youth club;

We can also get in touch through the Shadow Board.

The Shadow Board (SB) is a group of young people with a specific responsibility for making sure the Partnership is listening to us.

Without a plan we wouldn't know where we are heading or what we need to do to get there.



Shadow Board



Have an Impact



## Who is the plan for?

The plan is for us, young people from 0 to 19 years of age and up to 25 years for young people with learning difficulties and disabilities. It is also for parents, carers and families who obviously play an important part in our lives.

The plan lasts for 4 years (2011-2015) but is reviewed every year to make sure it is still on track delivering what we need.

It is called the "Yes We Can" Plan to emphasis that making things better for young people and families is something we have to do together - we can all play a part.

We make up nearly a quarter of the Herefordshire population! - our voice needs to be heard.

## All in it together

The plan is for all young people whatever their circumstances and abilities.

## What does the plan say?

The plan includes 4 priorities that people and organisations can pledge to

They are:

- Helping families, parents and carers to help themselves, particularly in the early years of their children's lives
- Promoting health and well-being
- Achieving success in life, learning and future employment
- Protecting children from harm

## How was the plan put together?

We were asked what was important to us through 'Have your say' events and these ideas were then looked at with the results from local research plus requirements set by Government and European policies.

## Now what are you going to do to help deliver and make a difference?

To see the full plan visit:

[www.herefordshire.gov.uk/yeswecanplan](http://www.herefordshire.gov.uk/yeswecanplan)





<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>IMPLEMENTATION OF LOCALISM ACT 2011 CHAPTER 7 – STANDARDS</b>
<b>REPORT BY:</b>	<b>MONITORING OFFICER</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To advise Council of the steps required to implement the provisions of Chapter 7 of the Localism Act 2011 regarding standards of conduct for members and co-opted members of the Authority.

### **Recommendation**

**THAT**

- (a) the Code of Conduct at Appendix A be adopted;**
- (b) the Complaints Process at Appendix B be adopted;**
- (c) the granting of dispensations be delegated to the Audit and Governance Committee and the Monitoring Officer be requested to make recommendations about further delegations;**
- (d) the powers of Audit and Governance Committee be enlarged to enable it to determine complaints about member conduct and the Monitoring Officer be empowered to make any necessary consequential amendments to the Constitution;**
- (e) the Audit and Governance Committee be requested to bring forward amendments to Standing Orders as a matter of urgency;**
- (f) all members be encouraged to attend training;**
- (g) the members of the Standards Committee be thanked for their hard work and especially their assistance in developing these proposals**

### **Key Points Summary**

- The Localism Act 2011 removed the standards regime which had been in place since 2001
- The National Code of Local Government Conduct, Standards for England and statutory

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Further information on the subject of this report is available from  
Chris Chapman, Assistant Director Law Governance Resilience on (01432 260200)

Standards Committees have been abolished and powers of disqualification and censure have been removed.

- The Council must now adopt a local code of conduct and a process for handling complaints and these were considered by the Standards Committee prior to its abolition on 30<sup>th</sup> June 2012.

## **Alternative Options**

1. The requirement to adopt a code of conduct and a process for handling complaints is statutory. However, there is wide local discretion about the form these should take. The Department for Communities and Local Government (DCLG) and the Local Government Association (LGA) have both produced alternative specimen codes which have attracted little support nationally because they are considered to contain insufficient detail.

## **Reasons for Recommendations**

2. The recommendations are supported by the outgoing Standards Committee and by the Herefordshire Association of Local Councils (HALC) (since this Council will still investigate complaints about members of town and parish councils).
3. The code of conduct follows a model produced by the Association of County Secretaries and Solicitors, which is being generally supported elsewhere.
4. The complaints process retains the involvement of parish members, which enhances its credibility with the local councils.

## **Introduction and Background**

5. The Localism Act 2011 abolished the standards regime administered by Standards for England and involving local Standards Committees and a National Code of Conduct, supported by a statutory scheme of sanctions which included powers to suspend or disqualify. It had originally been intended that the new regime would commence on 1 April 2012 and the Standards Committee agreed with Group Leaders the general approach advocated by this report as long ago as December 2011. Implementation was then delayed nationally to 1 July 2012 and the necessary secondary legislation was not issued until 8 June 2012.
6. The legislation requires all councils and the town and parish councils to adopt local codes of conduct by 1 July 2012. Pecuniary interests have to be registered with the Monitoring Officer by 1 July 2012. The Monitoring Officer has to set up a register and have this available on the Council's website. All members and local council members and clerks require training as to their responsibilities (ideally before making an informed decision on the new local code). Standing Orders have to be changed. Schemes for granting dispensations have to be produced. New registers for gifts and hospitality need to be created. These all have to be done in an impossibly short timescale, which the Council is attempting to do, whilst recognising the need to explain the changes and support members and parish councils.
7. The Monitoring Officer, in consultation with HALC and the outgoing Standards Committee, has ensured that registration of pecuniary interests can take place in time. All members of this Council and all parish clerks have had the necessary forms and the clerks have been provided with the regulations and helpline support from both Governance Services and HALC.
8. A programme of training sessions has been created and these are being run by the Monitoring Officer and Deputy Monitoring Officer, in association with HALC (all parish and town councils will be invited to participate in this).

9. A code of conduct has been produced for this Council to adopt and, working with HALC, it is hoped that as many towns and parish councils as possible will adopt the same code.
10. A process for dealing with complaints has been devised and agreed with HALC so that it can be adopted by this Council. Care has been taken to secure involvement of town and parish councils in the process.
11. Further work needs to be done to amend Standing Orders to reflect changing obligations to declare interests and leave meetings. A scheme for granting dispensations is also required.
12. The report today ensures that the Council has carried out its legal obligations as soon as possible after 1 July 2012. The code and the complaints process will require further revision as they evolve.

## **Key Considerations**

13. Council is asked to adopt the new local code of conduct at Appendix A. The content has been provisionally agreed with HALC who will encourage local councils to adopt it as well.
14. Council is asked to adopt the new complaints process at Appendix B. This has also been provisionally agreed with HALC and will be used to handle complaints about town and parish councils as well as this Council's own members. Significant features are the assessments and filtering by the Monitoring Officer, the requirements to tell the subject member about the complaint when it is made and the involvement of a panel supporting the Independent Person to make recommendations.
15. A scheme for granting dispensations will be required and some dispensations may be appropriate to be granted by the Monitoring Officer. However, at this stage it is suggested that the function be devolved to the Audit and Governance Committee. The Monitoring Officer will bring forward suggestions to them for further delegations.
16. As stated above, Standing Orders will need to be amended and the Audit and Governance Committee should be asked to bring forward suggestions to Council in the usual way.
17. The transitional regulations provide that any cases going through local determinations by Standards Committees as at 30 June 2012 fall to be handled under the new arrangements. It will be necessary to determine the appropriate stage in the new process for such cases (depending on whether they were at Assessment, Consideration or Determination stage at that time) to ensure that complainants and subject members do not have to start again.

## **Community Impact**

18. The maintenance of transparency and ethics in decision making is a key element of good governance and is essential to the standing of local authorities at county and local level. Confidence in the system is required to encourage democratic engagement.

## **Equality and Human Rights**

19. The proposals do not raise immediate issues under the Equality Act 2010.

## **Financial Implications**

20. As at present, provision needs to be made for external assistance with investigations and hearings. The budgetary provision can remain unaltered but may be reviewed as the workload pattern becomes apparent. There will initially be increased pressure on the

Monitoring Officer, who now takes over the filtering and assessment role from Standards Committee. The displaced work needs to be handled elsewhere at a cost still to be discovered.

## **Legal Implications**

21. The proposals in the report are those required to fulfil the legal requirements of the Localism Act 2011.

## **Risk Management**

22. If the new standards structures are not embedded, not only will members face the risk of prosecution but the public perception of local government suffers if there is no effective means of enforcing good governance practices.

## **Consultees**

23. In the limited time available there has been no opportunity for wide consultation. Herefordshire Association of Local Councils, Group Leaders and outgoing members of the Standards Committee have been consulted and have contributed to the proposals. The intention is to develop our local approach to the new arrangements over time, whilst ensuring compliance with the key requirements.

## **Appendices**

Appendix A - Code of conduct

Appendix B – Complaints Process

## **Background Papers**

None



**THE CODE OF CONDUCT  
FOR  
MEMBERS AND CO-OPTED MEMBERS**

**The Rules for Registration of Interests  
and Conflicts of Interest**

*Approved by the Herefordshire Council on  
-----2012*

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## Contents

<b><u>Part 1</u></b>	<i>Page</i>
<b>The Code of Conduct for Members and Co-Opted Members of the Council</b>	
I. Purpose of the Code	3
II. Scope of the Code	3
III. Public Duties of Members	4
IV. General Principles of Conduct	4
V. Expectations of Conduct	5
VI. Rules of Conduct	5
VII. Registration and Declaration of Interests	7
VIII. Duties in respect of the Council's Standards Panel, Audit and Governance Committee and the Monitoring Officer	7
 <b><u>Part 2</u></b>	
<b>Registration, Disclosure and Duties on Interests held by Members</b>	
I. Registration of Interests	8
II. Disclosable Pecuniary Interests	8
III. Other Interests	12
IV. Gifts and Hospitality	12
V. General	13

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# PART 1

## The Code of Conduct for Members and Co-Opted Members of the Council

*In the event that this code is adopted by a parish or town council within the County of Herefordshire, any reference in this code to “Monitoring Officer” shall be construed as referring to the Monitoring Officer of Herefordshire Council. Reference in this code to any other officer shall be construed as relating to the officer holding equivalent responsibilities in the parish or town council.*

*Prepared pursuant to Chapter 7 of the Localism Act 2011*

### **I. Purpose of the Code**

1. The purpose of this Code of Conduct is to assist Members (including co-opted Members) in the discharge of their obligations to the Council (referred to as “the Authority”), their local communities and the public at large by:
  - (a) setting out the standards of conduct that are expected of Members and co-opted Members of the Authority when they are acting in that capacity, and in so doing
  - (b) providing the openness and accountability necessary to reinforce public confidence in the way in which Members perform those activities.

### **II. Scope of the Code**

2. The Code applies to Members in all aspects of their activities as a Member, including when acting on Authority business, Ward business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.
3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the Authority and the rulings of the Chairman of the Council.
4. The obligations set out in this Code are also complementary to, and include, those obligations which apply to Members falling within the scope of related Codes and Protocols of their Authority, for example:
  - (a) use of Council resources by Members;
  - (b) Member/officer relations code;
  - (c) code on gifts and; and
  - (d) the planning Code

### **III. Public Duties of Members**

5. Members have a duty to uphold the law, including the general law against discrimination and the requirements of the Localism Act, and to act on all occasions in accordance with the public trust placed in them.
6. Members have an overriding duty to act in the interests of their Authority's area as a whole, but also have a special duty to represent the views of the residents and communities of their ward.

### **IV. General Principles of Conduct**

7. In carrying out their duties in exercising the functions of the Authority or otherwise acting as a member or co-opted member of the Authority, members will be expected to observe the following general principles of conduct identified by the Committee on Standards in Public Life in its First Report as applying to holders of public office. These principles will be taken into consideration when any allegation is received of breaches of the provisions of the Code.

#### *Selflessness*

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

#### *Integrity*

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

#### *Objectivity*

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### *Accountability*

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### *Openness*

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

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### *Honesty*

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### *Leadership*

Holders of public office should promote and support these principles by leadership and example.

## **V. Expectations of Conduct**

8. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
9. Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the Authority on the use of such expenses, allowances, facilities and services.
10. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, or its Members or officers generally, into disrepute.

## **VI. Rules of Conduct**

11. Members shall in particular observe the following rules when acting as a Member or co-opted Member of the Authority and Members are informed that you:
  - (a) **Do** treat others with respect and courtesy.
  - (b) **Do not** do anything which may cause the Authority to breach any of its equality duties (in particular as set out in the Equality Act 2010);
  - (c) **Do not** bully any person;
  - (d) **Do not** intimidate or attempt to intimidate any person who is or is likely to be:
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her Authority's code of conduct; or

- 
- (e) **Do not** anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.
  - (f) **Do not** use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
  - (g) **Do** be aware of the requirements of the Bribery Act 2010 and that offences under the Act include the situation where a Member requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, any function of a public nature, any activity connected with the Authority or any activity to be performed by or on behalf of the Authority or others should be performed improperly.
  - (h) **Do not** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
    - (i) you have the consent of a person authorised to give it;
    - (ii) you are required by law to do so;
    - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
    - (iv) the disclosure is—  
  
reasonable and in the public interest; and  
  
made in good faith and in compliance with the reasonable requirements of the Authority.
  - (i) **Do not** prevent another person from gaining access to information to which that person is entitled by law.
  - (j) **Do not** conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
12. Members shall observe the following rules when using the resources of the Authority, or authorising the use of those resources by others, and Members are informed that you:
- (a) **Do** act in accordance with the Authority's reasonable requirements including the requirements of the Authority's ITC policy and any other policies listed at in the Authority's Constitution, Standing Orders, Terms of Reference, Codes and Guidance, which you are deemed to have read ;

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- (b) **Do** make sure that such resources are not used improperly for political purposes (including party political purposes); and
  - (c) **Do** have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
  - (d) **Do not** improperly use knowledge gained solely as a result of your role as a member for the advancement of your own interests.
13. Members shall observe the following rules when making decisions on behalf of or as part of the Authority, and Members are informed that you:
- (a) **Do** have regard to any relevant advice provided to you by the Council's chief financial officer and Monitoring Officer where such advice is offered pursuant to his or her statutory duties.
  - (b) **Do** give reasons for the decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority.

#### **VII. Registration and Declaration of Interests**

14. Members shall fulfil conscientiously the requirements of the Authority in respect of the registration of interests in the Register of Members' Interests and, where it is required or appropriate to do so, shall always draw attention to any relevant interest in any proceeding of the Authority or its Committees, or in any communications with the Authority, its Members or officers as required in Part 2.

#### **VIII. Duties in respect of the Authority's Standards Panel, Audit and Governance Committee and the Monitoring Officer**

15. The application and guidance on the application of this Code shall be a matter for the Authority and for the Authority's Standards Panel, Audit and Governance Committee and, as appropriate, the Monitoring Officer, acting in accordance with their terms of reference.
16. Members shall co-operate, at all stages, with any investigation into their conduct by or under the authority of those persons and shall not seek to intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness or involved in the administration of any investigation or proceedings in relation to an allegation that a member has failed to comply with his or her authority's code of conduct.
17. No Member shall lobby a member of the Authority's Standards Panel or Audit and Governance Committee in a manner calculated or intended to influence their consideration of a complaint of a breach of this Code otherwise than in accordance with the arrangements laid down by the Authority.





## Part 2

### Registration, Disclosure and Duties on Interests held by Members and Co-Opted Members of the Council

#### I. Registration of Interests

1. **Do** fulfil the requirements of the law and the Authority in registering your interests in the Register of Members' Interests. These are explained on the following pages.
2. **Do** draw attention to any relevant interest, , where it is required or appropriate to do so, in any proceeding of the Authority or its Committees with which you are involved or in any communications with any colleague, officer or outside body in your role as a member
3. **Do** approach the Authority's Monitoring Officer if you feel that your interest should be treated as sensitive because it could lead to you, or a person connected with you, being subject to violence or intimidation

#### II. Disclosable Pecuniary Interests

4. The following table indicates those interests which members should declare as "disclosable Pecuniary Interests", as outlined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (Statutory Instrument 2012 Number 1464):

Interest	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.  This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).

Interest	Description
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*[For this purpose –*

*“the Act” means the Localism Act 2011;*

*“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;*

*“director” includes a member of the committee of management of an industrial and provident society;*

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*“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;*

*“M” means a member of a relevant authority;*

*“member” includes a co-opted member;*

*“relevant authority” means the authority of which M is a member;*

*“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of*

- section 30(1) – “A member or co-opted member of a relevant authority must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority, notify the authority’s monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given.”;*
- or 31(7) – “If the interest is not entered in the authority’s register and is not the subject of a pending notification, the member must notify the authority’s monitoring officer of the interest before the end of 28 days beginning with the date when the member becomes aware that the condition in subsection (6)(b) (which states “the member has a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, by the member in the course of discharging that function”) is met in relation to the matter”,*

*as the case may be, of the Act;*

*“relevant person” means M or any other person referred to in section 30(3)(b) of the Act, namely:*

- M’s spouse or civil partner,*
- a person with whom M is living as husband and wife, or*
- a person with whom M is living as if they were civil partners,*
- and M is aware that that other person has the interest;*

*“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.]*

5. In relation to Disclosable Pecuniary Interests, do ensure that you:

- (a) comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest.

- (b) ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.
- (c) make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- (d) “Meeting” means any meeting organised by or on behalf of the Authority, including:
  - (i) any meeting of the Council, or a Committee or Sub-Committee of Council
  - (ii) any meeting of the Cabinet and any Committee of the Cabinet
  - (iii) in taking a decision as a Ward Councillor or as a Member of the Cabinet
  - (iv) at any briefing by Officers; and
  - (v) at any site visit to do with business of the Authority.

6. Do ensure, where you

are present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority; and

are or become aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting,

that you

- (a) **do not** participate, or participate further, in any discussion of the matter at the meeting; and
- (b) **do not** participate in any vote, or further vote, taken on the matter at the meeting

7. Do ensure, where you

are to discharge a function of the authority acting alone (this is applicable to Herefordshire Council Members only), and

are or become aware that you have a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, in the course of discharging that function

that you

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(a) **do not** take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).

8. **Do** make a written request made to the proper officer of the authority if you consider it appropriate that the Authority grant a dispensation relieving you from either or both of the restrictions in paragraph 6.

9. **Do** be aware that, in respect of disclosable pecuniary interests, failing to act as required by the Localism Act (as outlined here) is a criminal offence.

### **III. Other Interests**

10. In addition to the requirements set out above if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non-disclosable pecuniary interest” or a “non-pecuniary interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

11. You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your Authority where:

(a) A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the Ward or electoral area for which you have been elected or otherwise of the Authority’s administrative area, or

(b) It relates to or is likely to affect any of the interests listed in this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association and that interest is not a disclosable pecuniary interest

12. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest listed in Paragraph 4), you must disclose the nature of the interest and may not vote on the matter. You may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a “sensitive interest”, you shall declare the interest, but not the nature of the interest.

### **IV. Gifts and Hospitality**

13. As a Member you must, within 28 days of being offered or receiving any gift or hospitality, notify the Monitoring Officer in writing.

14. The Monitoring Officer will place your notification on a public register of gifts and hospitality.

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15. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

**V. General**

16. **Do** act in accordance with the Authority's standing orders (Procedure Rules) where you
- (a) are present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority; and
  - (b) are or become aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting,
17. **Do** base your conduct when acting as a Member on a consideration of the public interest, avoiding conflict between your personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

# APPENDIX 'B'

## How the Council deals with complaints about member conduct

### Complaints Process

If you want to complain about the conduct of a member of Herefordshire Council or a member of one of our parish or town councils, you must submit your complaint, in writing, to:

The Monitoring Officer (Assistant Director – Law Governance and Resilience)  
Herefordshire Council  
Brockington  
35 Hafod Road  
Hereford HR1 1SH

or e-mail it to [cchapman@herefordshire.gov.uk](mailto:cchapman@herefordshire.gov.uk)

Complaint forms are available from the resources box below; from the Monitoring Officer (Assistant Director – Law Governance and Resilience), Brockington, 35 Hafod Road, Hereford HR1 1SH, or by contacting our offices on 01432 260200.

This complaints process can only deal with complaints about the behaviour of a member. It will not deal with complaints about matters that are not covered by the members' Code of Conduct. If your complaint does not concern a councillor, see Herefordshire Council's general complaints process on the [Customer Feedback page](#).

### How complaints are dealt with (see also Flow Chart attached)

- When the Monitoring Officer receives a complaint he or she undertakes an initial appraisal to decide whether some action should be taken. This appraisal will include the following:
  - Assessing whether the complaint appears to be covered by the Council's Code of Conduct for members
  - Deciding whether the complaint is appropriate for investigation (e.g. is it not sufficiently serious; not in the public interest; vexatious, malicious or obsessive; political tit for tat; broadly similar to another complaint about the same issue?)
  - Deciding whether the complaint is really about (eg) a service delivery matter, the policies and practices of the Council or the conduct of an officer. Such complaints will be transferred to the appropriate procedure
  - Notifying the member of the complaint and obtaining an initial response
- The Monitoring Officer may consult the Council's Independent Persons, who have been appointed by the Council for this purpose and are not elected members
- The Monitoring Officer will attempt to resolve complaints informally wherever possible and (when it is appropriate to do so) complaints may be resolved informally in a number of ways, which could include:
  - provision of advice;

- provision of training;
- inviting an apology;
- mediation.
- If the complaint cannot be resolved informally, then it will be referred to a panel chaired by an Independent Person and assisted by two others, who would normally be an elected member of Herefordshire Council and a parish councillor. The panel would meet to consider submissions made either in person or in writing by the complainant, the subject member and the Monitoring Officer. The complainant will be notified of the procedure which will be followed. The Independent Person then produces a report with recommendations. We aim to conclude this part of the process within twelve weeks of receiving a complaint. The report will be published on the Council's website.
- The report of the panel will be presented, either:
  - to the Council's Audit and Governance Committee in the case of a complaint against a member of Herefordshire Council ; or
  - to the relevant town or parish council in the case of a complaint against a town or parish council member.

That body will then decide what action to take on the recommendations in the panel's report.

- In a case involving a member of Herefordshire Council, the Audit and Governance committee, has a broad discretion about the action it can take but it cannot fine, suspend or disqualify a member from membership of the authority itself. Some examples of possible action are:
  - (a) Censuring the member
  - (b) Reporting its findings to Council for information;
  - (c) Recommending to the member's Group Leader (or in the case of ungrouped members, recommending to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
  - (d) Recommending to Council that the member be replaced as Executive Leader of the authority;
  - (e) Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
  - (f) Recommending the Monitoring Officer to arrange training for the member;
  - (g) Recommending to Council that the member be removed from all outside appointments to which he/she has been appointed or nominated by the authority



## APPENDIX 'B'

- In a case involving a member of a town or parish council, that council has similar discretion about the action it can take. It cannot fine, suspend or disqualify a member from membership of the council itself. Some examples of possible action are:
  - (a) Censuring the member
  - (b) Recommending the Monitoring Officer to arrange training for the member;
  - (c) Recommending to the council that the member be removed from all outside appointments to which he/she has been appointed or nominated by the authority

### **When this procedure comes into force**

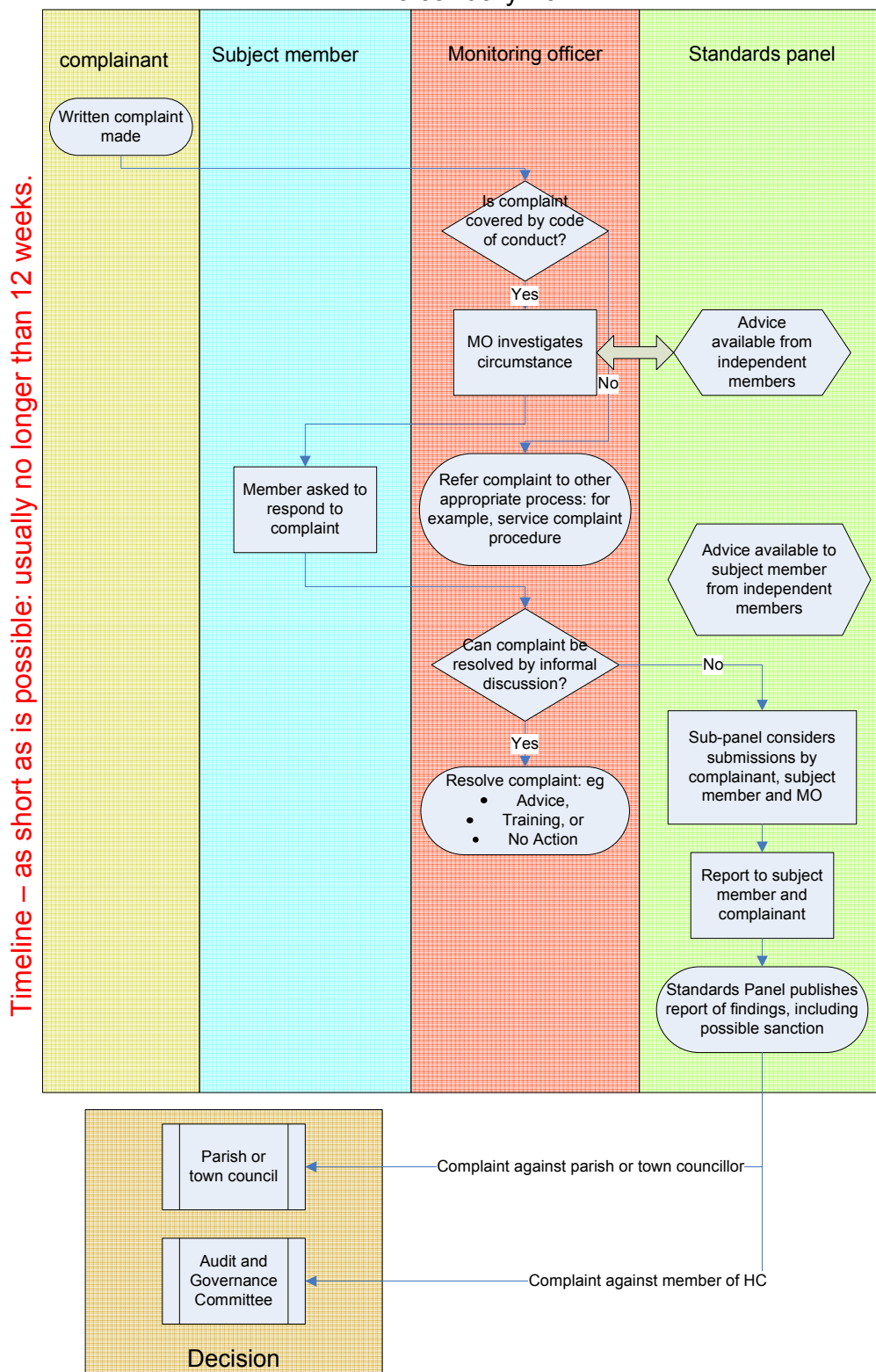
This procedure comes into force on 20<sup>th</sup> July 2012 and covers all new complaints received after 1<sup>st</sup> July 2012. With modification it also covers complaints which were being handled by the Council's former Standards Committee but were not completed by 30<sup>th</sup> June 2012.



## Appendix B – COMPLAINTS PROCESS

Outline process for dealing with a complaint of a breach of the Code of Conduct

Proposal from the Standards Committee to Herefordshire Council:  
13 January 2012





<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>TREASURY MANAGEMENT OUTTURN REPORT</b>
<b>PORTFOLIO AREA:</b>	<b>CORPORATE SERVICES</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To approve the Treasury Management Outturn Report as agreed at Cabinet on 14 June 2012.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT Council approves the Treasury Management out-turn report.**

### **Key Points Summary**

- The Treasury Management out-turn was an under spend of £1.18m on borrowing costs and £226k on interest received.
- The Council complied with the Prudential Indicators agreed as part of the 2011/12 Treasury Management Strategy.

### **Alternative Options**

1. There are no Alternative Options

### **Reasons for Recommendations**

- 2 At Cabinet on 14 June 2012 it was agreed that Full Council should be requested to approve the Treasury Management Outturn Report.
- 3 Under section 4.7.23.9 of the Constitution it states that Cabinet will receive an annual treasury management report after the end of the financial year and will recommend to Council for approval.

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Further information on the subject of this report is available from  
Heather Foster, Head of Corporate Finance on (01432) 260284

## Introduction and Background

- 4 Treasury Management is about managing the Council's cash flow, borrowing and cash investments to support Herefordshire's finances for the benefit of the Council Tax payers and the services that the Council provides. These activities are structured to manage risk foremost, and then optimise performance. The Treasury Management function seeks to ensure stability by sound debt, cash and risk management techniques. The need to minimise risk and volatility is constantly addressed whilst aiming to achieve the treasury management objectives.
- 5 Throughout 2011/12 the council's revenue, capital and treasury management position has been reported to Cabinet. The reporting is a discrete part of the performance reporting regime and ensured Cabinet was informed of the council's financial position.
- 6 The reports also conformed to best practice by informing Cabinet on 14<sup>th</sup> June 2012 of the 2011/12 Treasury Management activities.
- 7 The Council's treasury management activities are regulated by statute, professional codes and official guidance. The Local Government Act 2003 (the Act) provides the powers to borrow and invest as well as providing controls and limits.

## Key Considerations

- 8 The formal treasury management out-turn report is in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, which is required to be approved by Council. The Treasury Management 2011/12 out-turn was an under spend of £1.18m on borrowing costs and £226k on interest received. This made a significant contribution to the Council's overall financial position.
- 9 During the year an internal audit review of the treasury management function was completed as part of the annual audit plan. The audit opinion was the highest classification possible under the framework used by our internal auditors KPMG. The result was Substantial Assurance.
- 10 To comply with the CIPFA Code of Practice for Treasury Management in the public services, the Chief Officer: Finance & Commercial provides an annual report and mid-year reports to members for information covering this function's activities and performance.
- 11 Investment of the Council's cash balances is governed by guidance on Local Government Investments issued by Communities and Local Government. The key intention of the guidance is that councils invest prudently and that priority is given to security (protecting the investment from loss), and liquidity (keeping the money readily available for expenditure when needed) before yield.
- 12 During the 2011/12 financial year the Council's total borrowing fell slightly from £145.6m to £144.5m. This change is not viewed as significant but when comparing the position at the start of the year with the final year end position the average life of borrowing decreased by one year from 22 years to 21 years. The average interest rate fell slightly from 4.02% to 4.01%.
- 13 The average amount invested in 2011/12 was £39.85m with an average rate of interest received of 1.15%. The interest received exceeded budget by £226,512 due to higher investment balances and higher average interest rates.
- 14 The attached report confirms the Council complied with its Prudential Indicators for 2011/12.

These were approved by Council on 4 February 2011 as part of the Council's Treasury Management Strategy. None of the Prudential Indicators have been breached and a prudent approach has been taken. Security and liquidity have priority over yield.

## **Community Impact**

15 Not applicable.

## **Equality and Human Rights**

16 The recommendations do not have equality implications.

## **Financial Implications**

17 The Annual Treasury Management Report sets out details of the treasury management activity undertaken in the period 1 April 2011 to 31 March 2012. The financial implications of this activity have been factored into the Council's budget and budget monitoring reports and the medium term financial strategy continues to be revised to reflect the forecast of future interest rates along with other factors.

## **Legal Implications**

18 The Council is required to comply with the requirements of the Local Government Act 2003 and to have regard to guidance from the Department for Communities and Local Government and CIPFA Code when determining its treasury management policy and strategies together with details of practices.

## **Risk Management**

19 The reporting requirements are intended to ensure that treasury management activity has been conducted in accordance with the policy and strategy agreed by the Council and that treasury management operations have been performed within agreed limits.

20 The Council's treasury management advisors have provided officers with additional information in relation to treasury management activity. However it must be recognised that the responsibility for all decisions with regard to policies, strategy and transactions remain with the Council.

## **Consultees**

21 None

## **Appendices**

Annual Treasury Management Report 2011/12.

## **Background Papers**

None





## 1. Background

- 1.1 The Council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to annually produce Prudential Indicators and a Treasury Management Strategy Statement on the policies and objectives of the council's treasury management activities for the forthcoming year and then an outturn report at the end of the year detailing the actual results for the year.
- 1.2 Treasury management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 1.3 Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management objectives.

## 2. Economic Background

- 2.1 At the time of determining the 2011/12 strategy at the beginning of 2011, there were tentative signs that the UK was emerging from recession with the worst of the financial crisis behind it. Recovery in growth was expected to be slow and uneven as the austerity measures announced in the 2010 Comprehensive Spending Review were implemented in order to bring down the budget deficit and government borrowing and rebalance the economy and public sector finances.
- 2.2 Inflation  
During 2011-12 inflation remained high with CPI (the official measure) and RPI reaching a peak in September at 5.2% and 5.6% respectively, primarily due to escalating utility prices and the January 2011 increase in VAT to 20%. Inflation eased slowly as reductions in transport costs, food prices, intensifying competition amongst retailers and supermarkets and the VAT effect falling out in 2012, pushed February 2012's CPI down to 3.4% and RPI to 3.7%. This, however, was not enough to offset low wage growth and, as a result, the UK suffered the biggest drop in disposable income in more than three decades.
- 2.3 Monetary Policy  
The Bank of England's Monetary Policy Committee maintained the Bank Rate at 0.5%, but increased asset purchases by £75bn in October 2011 and another £50bn in February 2012 taking the Quantitative Easing (QE) total to £325bn.
- 2.4 The policy measures announced in the March 2012 Budget statement were judged to be neutral. The government stuck broadly to its austerity plans as the economy was rebalancing slowly. The opinion of the independent Office for Budget Responsibility (OBR) was that the government was on track to meet its fiscal targets; the OBR identified oil price shocks and a further deterioration in Europe as the main risks to the outlook for growth and in meeting the fiscal target.
- 2.5 Europe  
In Europe, sovereign debt problems for some peripheral countries became critical. Two bailout packages were required for Greece and one for Portugal, and the contagion spread to Spain and Italy whose sovereign bonds came under increased stress in November. The credit agency Standard & Poor's downgraded nine European sovereigns and the European

Financial Stability Facility bailout fund.

## 2.6 Gilts

Over the 12-month period from April 2011 to March 2012, 5-year gilt yields more than halved from 2.40% to 1.06%; 10-year gilt yields fell from 3.67% to 2.25%; 20-year yields fell from 4.30% to 3.20% and 50-year yields from 4.20% to 3.35%. PWLB borrowing rates are set approximately 1% higher than gilt yields and so PWLB interest rates also fell but the cost of carry associated with borrowing longer-term loans, whilst investing the monies temporarily until required for capital financing, remained high.

## 3. The Borrowing Requirement and Debt Management

3.1 Borrowing transactions during the year, and the year end position, were as follows:

	Balance on 01/04/11 £m	Debt Maturing £m	New Borrowing £m	Balance on 31/03/12 £m
Short Term Borrowing	5.50	(5.50)	-	-
Long Term Borrowing	140.1	(6.1)	10.5	144.5
<b>TOTAL BORROWING</b>	<b>145.6</b>	<b>(11.6)</b>	<b>10.5</b>	<b>144.5</b>
Other Long Term Liabilities	29.4	(0.9)	0.7	29.2
<b>TOTAL EXTERNAL DEBT</b>	<b>175.0</b>	<b>(12.5)</b>	<b>11.2</b>	<b>173.7</b>

*The above amounts show the principal outstanding. The figures in the council's annual accounts will be higher as they include accrued interest and other accounting adjustments.*

3.2 The council's underlying need to borrow at 31<sup>st</sup> March 2012, as measured by the Capital Financing Requirement (CFR) was £208 million. The figure for council balances and reserves stood at £38 million and it is the utilisation of these reserves that enabled the council to borrow around £34 million less than the CFR.

3.3 The PWLB remained the Council's preferred source of borrowing given the transparency and control that its facilities continue to provide. In total £10.5m of new loans were raised which included the replacement of maturing debt.

### **New loans taken out during 2011-12**

Type of loan	Date	Principal £m	Interest Rate	Period
PWLB Fixed Rate EIP Loan	14/07/11	7.5	3.59%	15 years
PWLB Fixed Rate EIP Loan	03/11/11	3.0	3.35%	20 years
<b>Total</b>		<b>10.5</b>		
<b>*EIP = Equal Instalments of Principal (with the loan being repaid in equal instalments over the term of the loan)</b>				

3.4 Given the large differential between short and longer term interest rates, which is likely to remain a feature for some time in the future, as well as the pressure on the council's revenue budget, the debt management strategy sought to lower debt costs within an acceptable level

of volatility (interest rate risk). Loans that offered the best value in the prevailing interest rate environment were PWLB variable interest rate loans, PWLB medium-term Equal Instalments of Principal (EIP) loans and temporary borrowing from the market. The council chose EIP loans as variable rate loans are not so attractive following the October 2010 rate increase.

- 3.5 The changes in the debt portfolio were not significant and had little effect on the overall average life of the loans in the portfolio and the average rate of interest paid. Comparing the position at the start of the year to that at the end the average life decreased by one year from 22 years to 21 years and the interest rate fell slightly from 4.02% to 4.01%.
- 3.6 The long-term borrowing budget was set in January 2011 at a time when PWLB rates were steadily increasing and there was concern over the interest rates that would need to be paid on future borrowing. At that time the forecast provided by the council's treasury adviser, Arlingclose, was for the 20 year PWLB rate to reach 6% in the third quarter of 2011. In order to set a prudent budget, and give the council flexibility with regard to maturity periods, the budget was set using an interest rate of 5.75%. The budget was also set assuming that, faced with increasing interest rates, the council may take the opportunity to externalise amounts internally borrowed in recent years. However, deteriorating economic conditions in the Eurozone meant that PWLB interest rates actually fell during the year and so the total loans taken out, and the interest rates available, were less than forecast resulting in a surplus for the year. This surplus can be analysed as follows:

	Budget	Outturn	Surplus
	£m	£m	£m
Minimum Revenue Provision	9.87		0.26
Loan interest paid	6.73		0.98
<b>Original budget</b>	<b>16.60</b>	<b>15.42</b>	<b>1.24</b>
<b>Agreed budget virement to property disposal costs</b>	<b>(0.05)</b>	-	<b>(0.05)</b>
<b>Budget adjustment relating to a reduction in capital financing contributions from directorates</b>	<b>(0.12)</b>	-	<b>(0.12)</b>
<b>Adjustment for capitalised interest</b>	-	<b>(0.11)</b>	<b>0.11</b>
<b>Budget surplus as at 31 March 2012</b>	<b>16.43</b>	<b>15.31</b>	<b>1.18</b>

- 3.7 The council is able to capitalise interest costs relating to interest paid on borrowing used to fund large capital schemes that take substantial periods of time to get to the point at which the assets may be utilised. Such interest, incurred at the construction or installation phase, may be capitalised and added to the cost of the associated asset. In 2011-12 the council capitalised interest costs totalling £113,000 and this figure has increased the surplus at the end of the year.

#### 4. Investment Activity

4.1 The CLG's Investment Guidance requires local authorities to focus on security and liquidity, rather than yield. The council takes this approach.

4.2 Investments held at the start and end of the year were as follows:

Investments	Balance on 01/04/2011 £m	Investments Made £m	Maturities/ Investments Sold £m	Balance on 31/03/2012 £m
Instant access accounts	15.40	308.26	(322.03)	1.63
Term deposits	11.00	25.50	(27.00)	9.50
<b>Total</b>	<b>26.40</b>	<b>333.76</b>	<b>(349.03)</b>	<b>11.13</b>
<b>Decrease Investments</b>	<b>in</b>			<b>(15.27)</b>

4.3 Security of capital remained the Council's main investment objective. This was maintained by following the council's policy as set out in its Treasury Management Strategy Statement for 2011/12. Investments during the year included:

- Deposits with other Local Authorities
- Investments in AAA-rated Stable Net Asset Value Money Market Funds
- Call accounts and deposits with systemically important UK banks and also with Nationwide Building Society.

4.4 Counterparty credit quality was assessed and monitored with reference to all sources of available information including credit ratings, credit default swaps and share prices. With reference to credit ratings, the minimum acceptable long-term rating specified in the 2011/12 treasury strategy was A+/A1 across all three credit rating agencies (Fitch, Standard & Poor's and Moody's).

4.5 Downgrades in October 2011 to the long-term ratings of Royal Bank of Scotland, National Westminster Bank and Nationwide Building Society resulted in their ratings falling below the minimum threshold. The downgrades were driven principally by the agencies' view of the extent of future government support (flowing from the recommendations to the government from the Independent Commission on Banking) rather than any deterioration in the institutions' creditworthiness. Further use of these counterparties was suspended until a revised criteria was approved for use from 1<sup>st</sup> April 2012.

4.6 Because of uncertain and deteriorating credit conditions in Europe, the maturity periods for term deposits shortened as the year progressed.

4.7 Investment balances and interest earned during the year was as follows:

Month	Average Invested £m	Average rate of interest earned	Amount of interest earned £
April 2011	40.6	1.08%	36,046
May 2011	47.4	1.15%	46,099
June 2011	47.0	1.17%	45,261
July 2011	48.2	1.17%	47,788
August 2011	48.0	1.23%	49,707
September 2011	42.6	1.28%	44,914
October 2011	38.0	1.30%	42,061
November 2011	40.0	1.27%	40,728
December 2011	36.7	1.24%	39,029
January 2012	36.2	1.17%	36,116
February 2012	32.4	1.11%	28,981
March 2012	21.6	1.10%	20,253
<b>Total treasury interest received</b>			<b>476,983</b>
<b>Loan interest received</b>			<b>12,786</b>
<b>Interest paid on third party funds etc.</b>			<b>(14,187)</b>
<b>Net total interest for year</b>			<b>475,582</b>
<b>Budget</b>			<b>249,070</b>
<b>Surplus</b>			<b>226,512</b>

4.8 The council sought to optimise returns commensurate with its objectives of security and liquidity. The UK Bank Rate was maintained at 0.50% through the year.

4.9 The average invested during the year was £39.85 million and the average rate of interest achieved was 1.15%. This rate compares favourably with the generally accepted benchmark of the average 7-day London Inter-Bank Bid (LIBID) rate of 0.52%.

4.10 The interest received exceeded budget by £226,512 due to both higher investment balances and higher average interest rates, due principally to a rolling programme of placing term deposits for up to twelve months (and then six months) during the first part of the year.

## 5. Compliance with Prudential Indicators

5.1 The Council can confirm that it has complied with its Prudential Indicators for 2011/12, which were approved by full council on 4<sup>th</sup> February 2011 as part of the council's Treasury Management Strategy Statement. Details can be found in Appendix 1.

5.2 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during 2011/12. None of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

## **6. Other Items**

### **6.1 Potential for reduced PWLB borrowing rates**

A brief paragraph in the 2012 Budget Report (March 2012) contained HM Treasury's intention to offer a 20 basis points discount on loans from the PWLB "for those principal local authorities providing improved information and transparency on their locally-determined long-term borrowing and associated capital spending plans" and raised the possibility of an independent body facilitating the provision of "a further reduced rate for authorities demonstrating best quality and value for money". More detail is awaited and, given that discussion with relevant bodies will be required, it could be some months before either of these measures is implemented.

## Appendix 1

### 1. Capital Financing Requirement (CFR)

Estimates of the Council's cumulative maximum external borrowing requirement for 2011/12 to 2013/14 are shown in the table below:

	31/3/2012 Estimate £000s	31/3/2012 Actual £000s	31/3/2013 Estimate £000s	31/3/2014 Estimate £000s
Gross CFR	209,550	208,014	213,392	224,524
<b>Less:</b>				
Existing Profile of Borrowing	129,766	144,516	140,532	136,535
Other Long Term Liabilities	27,982	29,204	28,228	27,161
<b>Cumulative Maximum External Borrowing Requirement</b>	<b>51,802</b>	<b>34,294</b>	<b>44,632</b>	<b>60,828</b>

### 2. Usable Reserves

Estimates of the Council's level of Balances and Reserves for 2011/12 to 2013/14 are as follows:

Usable Reserves	31/3/2012 Estimate £000s	31/3/2012 Actual £000s	31/3/2013 Estimate £000s	31/3/2014 Estimate £000s
Earmarked Reserves	12,236	13,459	13,909	13,909
General Fund	6,390	6,113	6,113	6,113
Capital Receipts Reserve	2,228	2,769	1,400	1,500
Capital Grants Unapplied	-	15,679	6,500	1,500
<b>Total</b>	<b>20,854</b>	<b>38,020</b>	<b>27,922</b>	<b>23,022</b>

The addition of Capital Grants Unapplied to usable reserves is a change in accounting treatment under International Financial Reporting Standards, having previously been disclosed in the Balance Sheet under liabilities.

### 3. Prudential Indicator Compliance

#### 3.1 Authorised Limit and Operational Boundary for External Debt

- The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached.
- The Council's Authorised or Affordable Borrowing Limit was set at £230 million for 2011/12 (being borrowing of £190 million and other long-term liabilities of £40 million).
- The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit.
- The Operational Boundary for 2011/12 was set at £210 million (being borrowing of £175 million and other long-term liabilities of £35 million).

- There were no breaches to the Authorised Limit and the Operational Boundary during the year.

### 3.2 Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

- These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates.
- The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2011/12	Maximum during 2011/12
<b>Upper Limit for Fixed Rate Exposure</b>	100%	100%
Compliance with Limits:	Yes	Yes
<b>Upper Limit for Variable Rate Exposure</b>	25%	0%
Compliance with Limits:	Yes	Yes

### 3.3 Maturity Structure of Fixed Rate Borrowing

- This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Lower Limit for 2011/12 %	Upper Limit for 2011/12 %	Actual Fixed Rate Borrowing as at 31/03/2012 £m	%	Compliance with Set Limits?
Under 12 months	0%	25%	15.98	11.06%	Yes
12 months and within 24 months	0%	20%	4.00	2.77%	Yes
24 months and within 5 years	0%	30%	19.29	13.35%	Yes
5 years and within 10 years	0%	40%	16.97	11.74%	Yes
10 years and within 20 years	0%	40%	37.28	25.80%	Yes
20 years and within 30 years	25%	100%	18.00	12.45%	Yes
30 years and within 40 years			10.00	6.92%	Yes
40 years and within 50 years			23.00	15.91%	Yes
<b>Total</b>			<b>144.52</b>	<b>100.00%</b>	

The council's two LOBO loans are included as being repayable within twelve months as this is the earliest that the loans could be repaid. However, if the lenders do not increase the interest rates being charged the loans could remain outstanding until 2054.

### 3.4 Actual External Debt

- This indicator is the closing balance for actual gross borrowing (short and long-term) plus other deferred liabilities.
- The indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.



<b>Actual External Debt as at 31/03/2012</b>	<b>£m</b>
Borrowing	144.5
Other Long-term Liabilities	29.2
<b>Total</b>	<b>173.7</b>

### 3.4 Total principal sums invested for periods longer than 364 days

- This indicator allows the Council to manage the risk inherent in investments longer than 364 days.
- The limit for 2011/12 was set at £10 million.
- In May 2011 the council placed £500,000 on deposit with Lloyds TSB for 449 days at an interest rate of 2.65%. However, during the rest of the year credit conditions deteriorated, with maturity limits being reined in, and this was the only investment placed for a period longer than 364 days.

### 3.5 Capital Expenditure

- This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits, and, in particular, to consider the impact on council tax..

<b>Capital Expenditure</b>	<b>2011/12 Estimate £'000</b>	<b>2011/12 Actual £'000</b>	<b>2012/13 Estimate £'000</b>	<b>2013/14 Estimate £'000</b>
<b>Total</b>	<b>55,477</b>	<b>49,437</b>	<b>44,029</b>	<b>46,577</b>

Capital expenditure has been and will be financed or funded as follows:

<b>Capital Financing</b>	<b>2011/12 Estimate £'000</b>	<b>2011/12 Actual £'000</b>	<b>2012/13 Estimate £'000</b>	<b>2013/14 Estimate £'000</b>
Capital receipts	4,260	4,493	2,097	503
Government grants	40,297	34,642	30,027	22,287
<b>Total financing</b>	<b>44,557</b>	<b>39,135</b>	<b>32,124</b>	<b>22,790</b>
<b>Prudential borrowing</b>	<b>10,920</b>	<b>10,302</b>	<b>11,905</b>	<b>23,787</b>
<b>Total financing and funding</b>	<b>55,477</b>	<b>49,437</b>	<b>44,029</b>	<b>46,577</b>

The table shows that the capital expenditure plans of the Authority could not be funded entirely from sources other than external borrowing.

### 3.6 Ratio of Financing Costs to Net Revenue Stream

- This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs.
- The ratio is based on costs net of investment income.

<b>Ratio of Financing Costs to Net Revenue Stream</b>	<b>2011/12 Estimate %</b>	<b>2011/12 Actual %</b>	<b>2012/13 Estimate %</b>	<b>2013/14 Estimate %</b>
Net Revenue Stream	146,130	146,314	143,356	144,095
Financing Costs	17,520	18,171	18,836	18,480
<b>Percentage</b>	<b>11.99%</b>	<b>12.42%</b>	<b>13.14%</b>	<b>12.83%</b>

<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>20 JULY 2012</b>
<b>TITLE OF REPORT:</b>	<b>HEREFORDSHIRE COMMUNITY SAFETY STRATEGY 2011 - 2014</b>
<b>PORTFOLIO AREA:</b>	<b>ENTERPRISE AND CULTURE</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To endorse the Herefordshire Community Safety Strategy 2011 – 2014

### **Recommendation**

**THAT: Council adopts the Herefordshire Community Safety Strategy 2011-2014**

### **Key Points Summary**

- The local Community Safety Partnership (CSP) is responsible for producing a Community Safety Strategy. This is a statutory requirement under the Crime and Disorder Act 1998. The Herefordshire Partnership Executive Group (HPEG) is responsible for the Community Safety Partnership's statutory duties and has been integral to the development of this strategy.
- This strategy is underpinned by an annual strategic needs assessment of crime and disorder in the county. This entails a robust process looking at partner information relating to crime and disorder and consultation with communities on what their concerns are. This information forms the basis of the strategy and informs the key priorities each year the CSP will focus on.
- This Strategy has to be renewed annually with the up to date information provided through the annual strategic needs assessment. The document provides the strategic direction for the CSP and it is the fundamental document of which the responsible authorities within the CSP (Police, Local Authority, Probation, Police Authority, Fire Service and Health) use for partnership work in the area of community safety.
- Direct funding to CSPs has been substantially reduced over recent years from the Home Office and future funding from April 2013 will be transferred to the elected Police and Crime Commissioners (PCC's) for each police force area. The Herefordshire Community Safety Partnership hopes to work closely with the West Mercia elected PCC in the future to prioritise the issues that matter most to local residents.

## Alternative Options

1. No alternative options are applicable, it is a statutory requirement

## Reasons for Recommendations

2. The Herefordshire Community Safety Strategy is in the Budget and Policy Framework and needs to be adopted.

## Introduction and Background

3. Herefordshire Community Safety Partnership is a statutory partnership formed as a result of the 1998 Crime and Disorder Act and the later amended 2002 Police Reform Act. These acts placed a duty for the 'responsible authorities' to work together to reduce crime and disorder.
4. The Community Safety Strategy is underpinned by an annual strategic needs assessment of crime and disorder in the county. This entails a robust process looking at partner information relating to crime and disorder and consultation with communities on what their concerns are. This information forms the basis of the strategy and informs the key priorities each year the CSP will focus on. This Strategy has to be renewed annually with the up to date information provided through the annual strategic needs assessment. The document provides the strategic direction for the CSP and it is the fundamental document of which the responsible authorities within the CSP (Police, Local Authority, Probation, Police Authority, Fire Service and Health) use for partnership work in the area of community safety.
5. Direct funding to CSPs has been substantially reduced over recent years from the Home Office and future funding from April 2013 will be transferred to the elected Police and Crime Commissioners (PCC's) for each police force area. The Herefordshire Community Safety Partnership hopes to work closely with the West Mercia elected PCC in the future to prioritise the issues that matter most to local residents.

## Key Considerations

6. The local Community Safety Partnership (CSP) is responsible for producing a Community Safety Strategy. This is a statutory requirement under the Crime and Disorder Act 1998. Since April 2011 the Herefordshire Partnership Executive Group (HPEG) has become responsible for the Community Safety Partnerships statutory duties. The Strategy has to be refreshed annually to reflect the emerging priorities for partners and communities. The Herefordshire Community Safety Strategy has been reviewed using information from the annual strategic assessment.
7. The Strategy details what the priorities will be for 2012 – 2013 and how partners will work together and target resources where they are needed in the most efficient and effective way. The key priorities identified as
  - o **Integrated Offender Management (IOM)** - Through partnership working, activity is focussed around supporting offenders away from crime. This priority also seeks to ensure that repeat and vulnerable victims of crime are adequately supported.
  - o **Alcohol Harm Reduction** – Alcohol is seen as a joint priority for both the Health and Wellbeing Board (HWBB) and HPEG. Therefore a joint Alcohol Harm Reduction Strategy and Action Plan are currently being developed which will include training front line staff to give brief advice, an education programme, intelligence led enforcement with a focus to intervening early to prevent violent crime and address health implications

relating to alcohol use.

- **Empowered Localities** - It is recognised that in order to deliver effectively and reduce crime and ensure that our communities feel safer, we need to work with communities in both identifying and tackling issues. As the Local Authority moves towards a locality model, focus will be on embedding community safety into all locality working.
- **Cross cutting themes include:**
  - Education
  - Substance Misuse
  - Communications
  - Equality and Diversity

8. The Strategy will ensure that partners work together and share resources efficiently and effectively, reducing crime rates and improving the quality of life for communities in Herefordshire. It will also provide an important link to the Police and Crime Commissioner (PCC) when elected in November 2012. The Strategy and the key priorities will be used to draw funding into the county when the opportunity arises. Continued overall Council support for community safety will be reviewed as part of the Root and Branch review programme.
9. Herefordshire Community Safety Partnership is required to provide Overview and Scrutiny Committee with an annual progress report on the work of the community safety partnership. This was done on 19th March 2012, when the Committee received an update on the current priorities and issues for the Community Safety Partnership and noted the refreshed Community Safety Strategy. Issues raised by Committee members included the rise in rural crime, particularly the theft of metal and scrap, concerns about unlicensed taxis, anti-social behaviour, especially linked to alcohol misuse, as well as speeding through rural areas, cold calling, concerns on the pricing of alcohol and the need for supermarkets to be more responsible about the sale of alcohol and the need to get reassurance messages out into communities. Whilst some of these are primarily policing issues, it should be noted that the Community Safety Partnership is prioritising alcohol harm reduction, multi-tasking to support the most vulnerable, as well as working with communities to address speeding traffic issues.
10. Cabinet reviewed the Strategy at its meeting on 16 April 2012 and has recommended to Council that it be adopted. Cabinet noted that performance had been achieved against most targets in 2011/12. It also recognised the future role of the Police and Crime Panel which would add greater accountability across the West Mercia Police Force area.

## **Community Impact**

11. Herefordshire Community Safety Partnership is committed to effectively serving all members of the community and will ensure that actions and plans consider all groups and sections of Herefordshire's communities. All partners will work together to ensure that services are commissioned which do not disadvantage any members of the community and support the most vulnerable members of the community.

## **Equality and Human Rights**

12. This strategy pays regard to equality and human rights and will not negatively impact on any members of the community.

## **Financial Implications**

13. Delivery of the Strategy priorities will be undertaken within the constraints of available partnership funded budgets and carry no additional funding implications for Herefordshire Public Services.

## **Legal Implications**

14. None identified.

## **Risk Management**

15. Any risks identified within the Strategy will be managed through the Herefordshire Partnership Executive Group (HPEG).

## **Consultees**

16. Consultation has taken place over a period of 6 months, collating data and information to produce the annual strategic assessment which informs the Herefordshire Community Safety Strategy. Information is gathered from various sources such as survey results, data collection from partners such as police, probation, registered housing providers, local authority, courts, youth offending and third sector organisations.
17. The following consultation to identify the priorities has included:
  - Members of Herefordshire Partnership Executive Group including the responsible authorities.
  - Consultation was completed through the Strategic assessment which informs this Strategy and the priorities. This was completed between 1<sup>st</sup> July and 30<sup>th</sup> November 2011 and included the following:
    - Surveys sent to all Parish Councils.
    - Surveys sent to local businesses through the Chamber of Commerce.
    - Opportunity for people to fill out the survey was highlighted in First Press.
    - Herefordshire livestock market was visited 3 times to engage with rural communities during the summer months.
    - West Mercia Police complete a Crime Survey and results from their quarterly surveys completed during 2010-2011 were also used to inform the strategic assessment and the Community Safety Strategy.
18. All comments have been taken into consideration through the strategic assessment and have assisted in identifying the priorities for this financial year. Comments from partners have assisted in developing the Herefordshire Community Safety Strategy.

## **Appendices**

19. Herefordshire Community Safety Strategy 2011 – 2014

## **Background Papers**

None identified.

# Herefordshire Community Safety Strategy 2011 - 2014



## Year Two: 2012 - 2013

Working together to make Herefordshire an even safer place to live, work and visit

Item	Page
1) Executive summary	3
2) Introduction	4
3) National agenda	5 - 6
4) Local delivery	6 - 7
4.1 Herefordshire Partnership Executive Group membership	6
4.2 Herefordshire Partnership Executive Group's statutory duties	6 - 7
5) Review of activities for 2011 - 2012	7 - 9
6) Performance for 2011 - 2012	9 - 10
7) Strategic review 2011 - 2012	10 - 11
8) Priority 1: Integrated Offender Management (IOM)	12 - 13
9) Priority 2: Alcohol Harm Reduction	13 - 14
10) Priority 3: Empowered Localities	15 - 16
11) Cross cutting themes	16 - 17
11.1 Education programme	16
11.2 Substance misuse	16 - 17
11.3 Communications strategy	17
11.4 Equality and diversity	17
12) Review date	17
13) Appendices	18 - 23
13.1 Risk matrix	18 - 19
13.2 Achievements to date since the 2008 – 2011 strategy	20
13.3 Key successful projects since the 2008 – 2011 strategy	20 - 22
Specialist Domestic Violence Court (SDVC) accreditation and development	20 - 21
Multi Agency Risk Assessment Conference (MARAC)	21
Service user & carer involvement	21
Hereford Hospital A&E database	21
Targeted Action Against Graffiti (TAAG) campaign	22
Multi Agency Tasking And Coordination (MATAC)	22
Motorcycle rider skills day	22
13.4 An illustration of community safety development	23



## **The Community Safety Partnership aims to make Herefordshire an even safer place to live, work and visit**

Herefordshire remains a low crime rate area, and partners strive to work together to ensure it remains that way. The Community Safety Strategy for Herefordshire 2011-2014, lays out what has been achieved since the last strategy (2008-2011) by working in partnership. Nationally it is clear that the reduction of crime and disorder is a key priority for Central Government, and remains a priority for the local partnership in Herefordshire.

A review of local structures has resulted in changes to streamline Herefordshire's partnership delivery structure by amalgamating strategic boards to avoid duplication and improve efficiency and effectiveness. The duties of Herefordshire Community Safety Partnership (HCSP) are now delivered through the newly formed Herefordshire Partnership Executive Group (HPEG). This has been in effect for a year and clear benefits are being achieved through the involvement of a wider partnership approach.

Following the annual strategic assessment, Herefordshire Community Safety Partnership has identified the following priorities for 2012 - 2013:

- Integrated Offender Management (IOM)
- Alcohol Harm Reduction
- Empowered Localities
- Education (cross cutting theme)

This strategy provides detail for what we hope to achieve, whilst recognising that the challenges ahead have to be faced with less resources and reduced budgets.

HCSP is committed to working with Herefordshire's diverse communities in identifying and resolving issues that really matter to local people. Community engagement will be core to any work within community safety, as it is recognised that communities and the voluntary sector can contribute to not only identifying concerns but also to delivering long term solutions.

Herefordshire Community Safety Partnership (HCSP) is a statutory partnership committed to making Herefordshire an even safer place to live, work and visit. We have an excellent record of working in partnership and have seen continued reductions in crime and disorder; achieving a 13% reduction in recorded crime from 2007 / 2008 to 2010 / 2011. However, there is still more that can be achieved and with current budget and resource constraints, it is now more crucial than ever for partners to share resources, information and expertise.

The causes of crime, disorder and substance / alcohol misuse are complex and it is recognised that no one agency alone can tackle community safety. Whilst responsibility for commissioning adult substance misuse services will be officially transferred to Public Health in April 2012, HCSP will continue to have a key role in reducing drug / alcohol related harm. The group will continue to work across a wide range of agencies and partnerships and call on the support and commitment of all our communities to achieve this.

HCSP and Herefordshire Partnership have been restructured, which has led to an amalgamation of boards in order to streamline local business, avoid duplication, and reduce time spent attending meetings. The duties of HCSP are now delivered through the Herefordshire Partnership Executive Group (HPEG), and they will decide how to tackle crime and community safety issues that matter to local communities.

This document sets out key challenges and priorities for the future, and provides the strategic framework for members of HCSP. It is a statutory requirement for HCSP to produce and implement a strategic plan detailing how the partnership intends to reduce crime and disorder and work with communities to address their concerns. This plan which runs from 2011 - 2014 has been reviewed for 2012 / 2013, using evidence from the annual strategic assessment.

As a partnership, HCSP will see an exciting and challenging 2012 - 2013. Locally we will be preparing for the new Police and Crime Commissioner (PCC) who will be elected in November 2012. The Community Safety Duty specifies that the PCC must 'in exercising its functions, have regard to the relevant priorities of each responsible authority' referring to those named in the Crime and Disorder Act 1998 (Probation, Health, Local Authority, Police and Fire), further detail on the PCC and the priorities is provided later in the strategy.

HCSP will be working closely with Health on joint priorities and outcomes particularly around alcohol, substance misuse and education, ensuring services are joined up and resources are utilised effectively to support the most vulnerable people within our communities.

This strategy demonstrates our commitment to making a positive difference and ensuring Herefordshire remains one of the safest counties in the country.

### 3) National agenda

The reduction of crime, disorder and substance misuse continues to be a key priority for the Coalition Government. Due to Britain's current economic climate it is recognised that partners locally will face difficult decisions with reduced budgets and resources, whilst maintaining services to the most vulnerable members of society. The Coalition Government views Community Safety Partnerships (CSP's) as integral to ensuring resources and services meet the needs of the community at a local level. Effective CSP's can make a real difference, with partner agencies and members of the local community working together. HCSP is responding to this challenge in 2012 by ensuring the reduced community safety fund is focussed on activities and delivers on the priorities for HCSP and our local communities.

**Reducing re-offending:** In April 2010, it became a statutory requirement for CSP's to reduce re-offending, with clear guidance to ensure local partners are signed up to an Integrated Offender Management (IOM) model.

In the recent paper 'A New Approach to Fighting Crime' the Government clearly states the role of the CSP's in ensuring that offenders are properly targeted, victims are supported effectively, local public spaces are safe and that local operational partners on the ground are working together with Local Policing Teams.

The Government seeks to minimise bureaucracy by reducing the number of targets and promoting decision making at a local level. Performance measures should reflect this and be communicated to the community in a meaningful way.

**Police and Crime Commissioners:** Police and Crime Commissioners (PCC's) are due to be elected in November 2012. Each police force will have a PCC, with Herefordshire coming under the jurisdiction of West Mercia. Unlike Police Authorities, PCC's will not be responsible authorities under the Crime and Disorder Act, rather under the Police and Social Responsibility Act 2011, there will be placed a mutual duty on PCC's and the CSP's responsible authorities to cooperate to reduce crime, disorder and re-offending. The PCC will be responsible and accountable for tackling crime at a local level, working alongside local partners and the public who will be able to raise any concerns with them directly. It is intended that the PCC's will commission services locally, with Central Government funding for crime and community safety programmes being devolved to them. The PCC will be supported by a police and crime panel which will comprise representatives from each council. The role of the panel will be to hold to account, and assist the PCC in carrying out their duties. In the near future HCSP will work closely with the elected PCC to prioritise the issues that matter most to local residents.

**2010 National Drug Strategy:** The new strategy and impending models of care, 'Building Recovery in Communities' (BRIC), will ensure a holistic and multi agency approach to commissioned drug treatment in the county, promoting sustained recovery. Service user addiction problems should not be addressed in isolation, as it is necessary to consider other fundamental matters such as; general health, housing, employability matters, life skills, family support, lifestyle choices, education and training. One of the main challenges will be to ensure key local agencies provide this whole multi agency 'team around the service

user' approach to lead towards long term recovery. Recovery will be measured by the numbers leaving treatment free of their drug dependency and from 2012 / 2013, a proportion of funding will be allocated according to the number of successful treatments completed.

## 4) Local delivery

Herefordshire Partnership Executive Group (HPEG) is delivering on the responsibilities not only for HCSP, but for other partnership areas too.

This group is represented at a senior level, so they have a clear understanding of the issues facing the county and can deploy resources, shape future plans and influence resource allocation through joint evidence led commissioning.

### 4.1 Herefordshire Partnership Executive Group membership:

- Chief Executive of Herefordshire Public Services
- GP Consortium
- West Mercia Police
- Third Sector Board
- Hereford and Worcester Fire & Rescue Service
- West Mercia Probation Trust
- Business Board
- HALC (Herefordshire Association of Local Councils)
- DEFRA Agencies (DEFRA agencies are made up of the Environment Agency, Forestry Commission and Natural England)

### 4.2 Herefordshire Partnership Executive Group's statutory duties include:

- Convene a Community Safety Strategy Group with the responsible authorities working together to reduce crime and disorder (currently the role of HPEG). These will include:
  - 1) Local authority
  - 2) Police
  - 3) Police authority (represented by the police)
  - 4) Fire and rescue authority
  - 5) Primary Care Trusts
  - 6) Probation

- Prepare a strategic assessment on crime and disorder
- Produce a community safety partnership plan which lays out what the priorities are and how they will be addressed (reviewed annually)
- Consult and engage with the community
- Formulate and implement a strategy to reduce re-offending by both adult and young offenders (Section 108 of the Policing and Crime Act 2009)
- Prepare an information sharing protocol which must be signed by all responsible authorities. Amendments to the Crime and Disorder Act made through the Police and Justice Act 2006, introduced a duty on responsible authorities to disclose certain sets of depersonalised data at least quarterly
- Ensure that it has a committee with power to review or scrutinise decisions made; or other action taken and to make reports or recommendations (Section 19 - 21 of the Police and Justice Act 2006)
- Establish Domestic Homicide Reviews (DHR), as appropriate, (Section 9 of the Domestic Violence and Crimes Act 2004). This provision came into force on 13<sup>th</sup> April 2011

In addition to the above, Section 17 of the Crime and Disorder Act 1998 states that all “relevant authorities, which includes town and parish councils, have a duty to consider the impact of all their functions and decisions on crime and disorder in their local area”. All authorities must ensure that their organisation can show that crime and disorder issues have been fully considered in their strategic and implementation processes. The Crime and Disorder Act Review (2005) amended Section 17 (mainstreaming crime reduction) and made recommendations that ‘agencies must also take account of anti social behaviour and behaviour that adversely affects the environment and substance misuse’.

## 5) Review of activities for 2011 - 2012

In 2011 – 2012, HCSP has seen substantial reductions to the Community Safety Fund received from the Home Office. However, the HCSP has strived to ensure that funding is focussed upon activity and positive outcomes. Below are some of the activities achieved this year and which will be further developed into 2012 - 2013.

### 5.1 Alcohol Group

During this year the Herefordshire Alcohol Group has been developed to look at alcohol issues relating to the night time economy. Representation includes statutory organisations such as the local authority, police and public health but also representatives from the business sector, local colleges and the third sector. The group has recognised the need to ensure there is an educational programme available, in order to reduce long term alcohol related harm, which links into the Health and Wellbeing Board. HPEG has also recognised the need to develop and implement an education programme across the priority areas of community safety; therefore

education will be a key focus for the HCSP in 2012 - 2013. Alcohol harm reduction is seen as a key priority by both HPEG and the Health and Wellbeing Board with a joint action plan being developed.

## 5.2 Hereford Hospital A&E Database

The A&E Database continues to play an integral role in identifying trends and hotspots in the county and it has been utilised for the purpose of delivering needs led enforcement activity. Since April 2011, West Mercia Police (Herefordshire Territorial Policing Unit) has proactively used the A&E data to further promote the licensing objectives, develop patrol strategies and also target potential problem premises by early intervention with licence holders. Subsequently licence holders of several establishments have now reviewed their procedures. The database has also been expanded to incorporate additional fields; information on where the individual has spent the majority of their time is now recorded in order to establish incidents of pre loading behaviour.

## 5.3 Rogue Trader Awareness

HCSP, Herefordshire Council's Trading Standards, Community Protection Team and West Mercia Police ran a joint operation across the county in October 2011, targeting rogue traders and cold callers. The operation saw a number of different initiatives taking place throughout the month, which included community visits to hundreds of elderly and vulnerable residents to offer advice on rogue traders and cold callers.



## 5.4 Carer Handbook and Directory

Herefordshire Community Safety Partnership has developed a new Carer Handbook and Directory for carers of substance misuser's in Herefordshire. The comprehensive handbook, which was developed in partnership with carers from Family Drug Support, aims to support each carer by equipping them with up to date advice and information. It will help them to cope with and overcome some of the difficult situations they may be facing or which may arise in the future. It contains invaluable information on topics including the signs and symptoms of drug use, the different drug classifications, blood borne viruses, support services and harm reduction and overdose advice. The handbook is available from HCSP in an electronic format.

## 5.5 Belmont Pools

Belmont Pools is a good example of a project which has empowered a community to take responsibility. The project was developed in full partnership with the community, who helped to fund the purchase of Belmont Pools. The Pools, which were a venue for anti social behaviour, have been transformed into a fantastic green space which the community of South



Wye can use for recreational use, whether it's fishing, walking the dog or taking the family for a picnic. The project is managed by a steering group which works closely with the Friends of Belmont Haywood Country Park Group and Hereford and District Angling Association. Local communities are kept up to date with progress through regular newsletters and community meetings; the last meeting held in October 2011, saw over 70 people attend. The project has also utilised probation's Community Payback Team. This has meant offenders currently under probation supervision have been able to give something back to the community by working in the area; they also wish to do further work in the future.

## 6) Performance for 2011 - 2012

In March 2011, the HCSP, using evidence from the 2010 strategic assessment, identified new priorities for 2011 - 2012. The table below indicates the four priorities and strategic targets for Herefordshire, as well as the most up-to-date performance information on reaching these targets.

Priority and Performance Indicator	2011/12 Target	Data Source	Performance to 31/01/12
<b>Priority 1: Integrated Offender Management (IOM) - including domestic abuse</b>			
Reduce Prolific and Priority Offender (PPO) re-offending by 20% (was NI30)	To achieve a 20% reduction in offending from new PPO cohort identified on 01/04/11	Iquanta	Qtr 1 performance expected February 2012
Reduce repeat incidents of domestic violence to 30% by March 2012 (was NI32)	30%	MARAC Coordinator, West Mercia Police	82/200 = 41%
Increase the percentage of individuals exiting treatment drug free - opiate and/or crack users (OCU's)	30%	NTA/NDTMS	Qtr 1 outturn 41% (Qtr2 data awaited from public health)
Reduce all (total) recorded crime in Herefordshire by 1% in 2011 - 2012	9632	West Mercia Police HQ	8031
<b>Priority 2: Alcohol and the Night-Time Economy</b>			
Reduce number of assaults with less serious injury by 1% by March 2012 (NI20: proxy measure for alcohol related violent offences)	970 (Rate 5.41)	West Mercia Police HQ	798 (Rate = 4.45)
<b>Priority 3: Empowered Localities</b>			
Increase the number of people who feel safe in their local area	40%	WMP Crime and Safety Survey Q9	57%
<b>Priority 4: Road Safety</b>			
Reduce the number of people killed or seriously injured in road traffic accidents (recorded by calendar year)	100	West Mercia Police HQ	75

Note: There are additional local performance measures which will be monitored; some form the basis of baseline data which will be reviewed at the end of 2011 / 2012 with a view to becoming a strategic measure from April 2012. This information will be used to set new targets and performance measures for 2012 - 2013

## 7) Strategic review 2011 - 2012

### 7.1 Strategic assessment

It is a statutory requirement for HCSP to develop an annual strategic assessment, which has been used to inform this updated Community Safety Strategy. The strategic assessment is a large project in itself in order to provide a comprehensive evidence based document. Information is gathered from various sources such as survey results, data collection from partners such as police, probation, registered housing providers, local authority, courts, youth offending and third sector organisations. Desktop analysis brings together statistical data, local intelligence and community concerns. Consultation took place through surveys; Hereford and Worcester Chamber of Commerce sent them to local businesses; they were sent to parish councils, posted on the HCSP website and were completed with farmers at Hereford's livestock market. Survey information was also used from West Mercia Police as they complete quarterly surveys with residents. In the future it is envisaged that the community safety strategic assessment will be completed as part of the Joint Strategic Needs Assessment (JSNA) compiled for Herefordshire's Public Services, ensuring a more holistic approach is taken.

### 7.2 Emerging issues

The table below indicates the emerging issues identified through the strategic assessment with a summary of discussions that took place at the HPEG meeting in January 2012 in deciding the 2012 - 2013 priorities.

Emerging issues identified through the strategic assessment	Discussions and decisions on the priorities for 2012 – 2013
Integrated Offender Management (IOM)	As offending, crime rates and re-offending is a focus for HCSP, it was agreed that this needs to remain a priority for 2012 / 2013
Alcohol	It was agreed that alcohol should remain a priority but to change the wording from 'night-time economy' to 'alcohol harm reduction' in order to align closer working with public health
Empowered localities	It was agreed that this will remain a priority; the focus will be on moving the overall approach into locality working. It was also decided that this should include speeding, due to the number of concerns raised by communities through the strategic assessment



Road safety	Whilst it was recognised that this is important and a concern to many residents, the group felt that little value could be added to what is already in place. Partnership work in road safety is already being co-ordinated through the Safer Roads Partnership which oversees regional and local activity and delivery. The local authority's Transportation Team are currently developing the county's transportation plan which will also include road safety. The decision was taken to remove this as a priority although the monitoring of trends will continue to be reported to HPEG
Education / awareness	The need to educate people to raise their understanding of key community safety and related health issues which can impact on their quality of life, now and in the future was raised at the meeting. It was decided that this should be a new cross cutting theme for 2012 – 2013
Domestic abuse	Issues around domestic abuse were recognised as important; the group agreed that domestic abuse should continue to be reported through the IOM route

### 7.3 Priorities for 2012 - 2013 (year two)

It is therefore proposed that the priorities for 2012 – 2013 are:

Item	Priority	Lead Agency
Priority 1	Integrated Offender Management (IOM)	West Mercia Probation Trust
Priority 2	Alcohol Harm Reduction	West Mercia Police and Herefordshire Public Health
Priority 3	Empowered Localities	Herefordshire Council

## 8) Priority 1: Integrated Offender Management (IOM)

### 8.1 Why is it a priority?

In April 2010, Community Safety Partnerships were given a statutory duty to reduce re-offending. New maps, available online provide a local breakdown of re-offending. Over a 12 month period it measures the proven re-offending for all adult offenders who were released from custody, or who received a non-custodial conviction at court, a caution, a reprimand, a warning or who tested positive for opiates or cocaine.

The site shows that Herefordshire has a re-offending rate of 22.3% between April 2009 and March 2010. The number of MARAC cases heard in the 12 month rolling period to September 2011 was 197, 76 of which were repeats (39%). In the last 6 months alone (April to September 2011) this rose to a rate of 45% (101 cases reviewed with 45 repeats) which makes this the highest repeat rate compared to other areas within the West Mercia region.

### 8.2 Objectives:

- Reduce re-offending through effective partnership working
- Ensure that all offenders at high risk of causing serious harm and / or re-offending are 'in scope'
- Make better use of existing programmes and governance
- Ensure that repeat and vulnerable victims are adequately supported

### 8.3 How will we achieve this?

- Co-ordinate activity through the offending pathways:
  - Education, training, employment and voluntary work
  - Accommodation
  - Drugs and alcohol
  - Physical and mental health
  - Finance and debt
  - Children and families
  - Attitudes, thinking and behaviour
- Further develop a joint partnership approach to work with partners to target resources on those offenders most at risk of re-offending and / or causing harm to the community
- Establish a clear framework formulating the links between IOM and operational groups including, Domestic Abuse Forum, Multi Agency Public Protection Arrangements (MAPPA), Multi Agency Risk Assessment Conference (MARAC) and Prevent and Deter (P&D young people) in managing offenders and supporting victims
- Continue to work together to prevent young people from entering the Criminal Justice System by identifying issues at an early stage and offering appropriate support
- Work to reduce the number of repeat victims of domestic abuse

#### **8.4 Delivery:**

The lead for this priority is West Mercia Probation Service. The Integrated Offender Management Group (IOM) will bring together key partners responsible for delivering integrated offender management and reducing re-offending. This group will be accountable to HPEG.

#### **8.5 Outcomes:**

- A reduction in the prolific and priority offenders who re-offend
- An increase in offenders exiting treatment drug free
- A reduction in repeat incidents of domestic abuse cases reviewed at MARAC
- Maintain current low levels of overall recorded crime

### **9) Priority 2: Alcohol Harm Reduction**

#### **9.1 Why is it a priority?**

The link between alcohol use and violence forms much of the policing response in many parts of Herefordshire, generally in the evenings and weekends.

There were 683 violence against the person with injury crimes in Herefordshire from 1<sup>st</sup> April to 9<sup>th</sup> November 2011, compared with 721 for the same period in 2010 (down 5.3%). However, there was a very slight rise in numbers in North Herefordshire compared to the same period in 2010.

A higher proportion of Hereford A&E attendances are due to alcohol-related assaults than any other area in the West Midlands (where data sharing arrangements are in place). It is also worth noting that 39% of domestic abuse offences were alcohol related in 2010 and there has been a small but steady increase in alcohol related violent offences since 2008. This will be a shared priority between HPEG and the Health and Wellbeing Board with the development of a joint Alcohol Harm Reduction Strategy.

#### **9.2 Objectives:**

- Educate and raise awareness of sensible drinking
- Reduce violent crime linked to alcohol consumption
- Contribute to a reduction in alcohol related assaults presenting at A&E
- Intervene early to prevent potential violent crime and disorder

#### **9.3 How will we achieve this?**

- Work with partners to co-ordinate strategic direction, resources and activities by the development of an integrated Alcohol Harm Reduction Strategy
- Early police intervention to prevent potential violent crime and disorder, through the use of Section 27

notices and increased police visibility before peak drinking periods

- Ensure safe dispersal from pubs and clubs using designated taxi ranks
- Educate and promote sensible drinking
- Work with businesses to promote the responsible sale of alcohol
- Ensure that conditions attached to new licences are enforceable and where possible review current licences to ensure enforceable conditions
- Visit premises to ensure the promotion of the licence objectives in order to reduce alcohol related incidents and admissions to A&E
- Support the Herefordshire Against Night time Disorder (HAND) scheme to take action against those behaving inappropriately or committing criminal activity, whilst setting up and supporting similar schemes in town centres across the county
- Work in partnership to identify and tackle hotspot areas through Multi Agency Tasking and Co-ordination (MATAC) meetings
- Work in partnership to prevent the sale of alcohol to those under age through test purchase operations throughout the year
- Maximise existing resources such as CCTV in preventing and detecting alcohol related disorder
- Co-ordinate multi agency activity 'strike days' to prevent and deter alcohol related crime, disorder and anti social behaviour

#### **9.4 Delivery:**

The lead for this priority on behalf of HCSP is West Mercia Police, working closely with Herefordshire Public Health and health providers, to ensure strategic drive and co-ordination to reduce alcohol related harm. Partners will also work to support public health to develop an Alcohol Harm Reduction Strategy that covers education, prevention, treatment and crime to ensure a holistic approach is taken to tackle alcohol problems across the county. This will ensure close links with HPEG and the Health and Wellbeing Board. The Herefordshire Alcohol Group will bring together key partners responsible for delivering actions on the ground by sharing resources, information and expertise and will be accountable to HPEG and the Health and Wellbeing Board.

#### **9.5 Outcomes:**

- A reduction in violent crime
- An increase in the number of people in our communities better educated on the consequences of drinking alcohol
- A reduction in the number of alcohol related assaults recorded by A&E (baseline year)

### 10.1 Why is it a priority?

The strategic assessment highlighted that further work is required to improve engagement with communities around community safety issues. If the Herefordshire Community Safety Partnership (HCSP) is to deliver effectively, we need to work with members of our community in both identifying and tackling issues. It is clear that there needs to be a change in culture to encourage communities to get involved in addressing these issues, as well as on the part of agencies to allow them to become involved. In order for communities to become involved, they need support from partners to feel empowered and to gain confidence to tackle issues which affect their quality of life.

As the local authority moves towards a locality model, HCSP will focus on embedding community safety into all locality working.

### 10.2 Objectives:

- Build the capacity of practitioners and community leaders, to work in communities to identify and implement local solutions to community safety issues
- Adopt a multi agency approach, including involving communities, in priority areas where community safety is highlighted as a concern
- Encourage communities throughout Herefordshire to become involved in making their communities feel safer

### 10.3 How will we achieve this?

- Raise awareness on community safety issues and deliver targeted training to practitioners and community leaders
- Capture good practice and ensure it is shared across Herefordshire
- Explore community solutions to community safety issues
- Ensure correct and up to date information is available within communities
- Ensure that communities know where and how they can report issues
- Deliver reassurance messages to targeted areas where people say they feel unsafe
- Work with partner organisations, communities and the voluntary sector to identify problem areas and implement local solutions to resolve local issues

### 10.4 Delivery:

The co-ordination of this priority will be through Herefordshire Council's Sustainable Communities Team, who will be accountable to HPEG.

## **10.5 Outcome:**

- Improve the percentage of those who feel safe in their local area

## **11) Cross cutting themes**

### **11.1 Education programme**

When choosing priorities for 2012 / 2013, it was felt that education and prevention is crucial for long term success. Therefore it was agreed that partners will work together to develop a comprehensive education programme in relation to community safety. It is hoped that a sustainable educational programme which supports young people to make positive, informed decisions, will encourage them to look after themselves both physically and mentally, particularly the 18 - 24 age group who are at greater risk of being victims of crime. It is important that they understand topics such as substance misuse, alcohol related harm, sexual health, anti social behaviour, road safety issues for young drivers and even more widely the value of volunteering and environmental issues (Green Agenda). They need to know the potential impact these topics may have on not only their lives, but others too. In order to ensure long term sustainability, it is essential that professionals who are in contact with young people are also educated on these topics. Educating professionals will ensure they have a sufficient knowledge base to inform and educate young people on community safety issues. This will provide them with the confidence to challenge behaviour and attitudes and also sign post young people who are in need of further advice or specialist support.

It is envisaged that this programme will be delivered from primary schools through to further education establishments, in order to develop a cohesive and comprehensive education programme.

### **11.2 Substance misuse**

Whilst drugs are not a specific priority, it is recognised that it is a cross cutting issue as it impacts across all priorities. A change of adult drug treatment provider in Herefordshire, drug policy and new funding models are all key issues which need to be managed to ensure drug treatment in the county continues to provide better outcomes for service users and their families.

The funding for adult drug treatment from 2012 onwards will be based partly on a payment by results model. Herefordshire adult drug treatment providers will need to deliver planned discharges drug free (no return to treatment within 6 months), to trigger a proportion of future funding from the Department for Health. Recent Home Office and Department for Health value for money research has identified that for every £1 spent on drug treatment in the county over the past 3 years, it resulted in a £5.97 saving to the community. By increasing the number of planned discharges drug free, there will be a corresponding increase in this value for money figure.

The local Health and Wellbeing Board will drive the change and will work closely with Herefordshire Partnership Executive Group in delivering reductions in substance misuse and ultimately crime in Herefordshire.

### **11.3 Communications strategy**

We will use a variety of mediums to communicate our messages, including websites, regular email reports and media releases from statutory partners. HCSP continues to look at innovative ways to communicate for example using social networking sites.

Communities are consulted on key issues through questionnaires and community safety road show events across the county. The Empowered Locality Priority will encourage involvement from all members of the community including the voluntary sector and action will be focussed on areas of high concern. HCSP will consider fear of crime in all literature produced, offering reassurance that Herefordshire is a safe place to live, work and visit.

### **11.4 Equality and diversity**

HCSP is committed to effectively serving all members of the community and ensure that actions and plans consider all groups and sections of Herefordshire's communities. The partnership have signed up to the Herefordshire Equality and Human Rights Charter and recognise that some people may experience discrimination and be disadvantaged because of their individual characteristics or social identity, including (but not limited to) their race, disability, gender, age, religion or belief, sexual orientation, gender reassignment, marriage or civil partnership. Equality and diversity issues will be considered when commissioning services in order to ensure that no group is excluded and to make certain that those who are most vulnerable and in need of help and support, are taken into account.

Preventing people from becoming victims and offering support to those who are, will be fundamental to all HCSP Priority Groups. The Herefordshire Equality and Human Rights Charter is available at: [www.herefordshire.gov.uk/diversity](http://www.herefordshire.gov.uk/diversity).

For more information on community safety, please visit the Herefordshire Community Safety Partnership website: [www.herefordshire.gov.uk/communitysafety](http://www.herefordshire.gov.uk/communitysafety).

## **12) Review date**

HCSP will undertake regular reviews based on annual strategic assessments. This strategy will be refreshed in April 2013.

Assessment of risk						Mitigating actions			
Action Ref	Risk Description	Likelihood	Impact	Risk Score	Risk Owner	Action Description	Likelihood	Impact	Residual Risk Score
1	Limited performance improvement	3	2	6	HPEG	Regular performance reviews. Ensure tasking linked to performance and team activities.	2	2	4
2	Unable to deliver the plan due to reduced financial provision and / or reduction in staff	4	2	8	All partners	Proactively seek external funding and combine resources across partners. Regularly review budgets and prioritise actions accordingly. Up-skill existing staff to ensure they can cover.	3	2	6
3	Perception of crime different from actual crime figures	3	2	6	HPEG	Training, education and marketing campaigns. Empowered localities work with community leaders and representatives.	2	1	2
4	Duplication of effort on areas of community safety	3	2	6	HPEG	Ensure effective partnership approach to reducing crime, disorder and substance misuse.	2	1	2



5	Displacement crime affecting / impacting on areas of the county	2	2	4	All operational groups	Regularly monitor crime patterns / trends, prioritising resources.	1	1	1
6	Lack of community and / or partnership engagement	3	3	9	All partners	Ensure regular liaison and updating with partners.	2	2	4

**Note: Likelihood of risk / action occurring and the impact it may have (1 – 5 scale: 1 = low & 5 = high). Likelihood x impact = risk score / residual risk score.**

## Appendix 13.2 Achievements to date since the 2008 – 2011 strategy

Since the last strategy, partners have continued to work together to reduce crime, disorder and substance misuse. This table highlights key areas of success from the period of 2008 - 2011.

Target / Measures	Outcome
To increase the numbers of people (Problematic Drug Users) in effective drug treatment by 6% by 2011	Currently on course to exceed target set by the National Treatment Agency (NTA)
Reduce the number of anti social behaviour (ASB) incidents reported to the police by 10% by 2011	A 15% reduction in ASB since 2007 / 2008 has been achieved
Reduce incidents of criminal damage by 10% by 2011	A 31% reduction in criminal damage incidents since 2007 / 2008 has been achieved
To reduce the number of people killed or seriously injured in road traffic accidents on Herefordshire's roads	The number of people killed or seriously injured has more than halved since 2007 baseline figures
Reduce all recorded crime by 8% by 2011	A 13% reduction in all recorded crime since 2007 / 2008 has been achieved

## Appendix 13.3 Key successful projects since the 2008 – 2011 strategy

### Specialist Domestic Violence Court (SDVC) accreditation and development

Herefordshire has worked in partnership to achieve SDVC accreditation status in September 2009. The aim of the SDVC is to increase the effectiveness of the judicial system in providing:

- Protection and support to the victims and witnesses of domestic abuse
- Appropriate sanctions to perpetrators
- To further increase co-ordination of agencies, including the Crown Court, involved in supporting victims and witnesses and dealing with perpetrators

As a result, Herefordshire now has dedicated court time to hear domestic abuse cases and practitioners involved with domestic abuse have all received training, which ensures victims receive the support they need.

### **Multi Agency Risk Assessment Conference (MARAC)**

MARAC is held to ensure high risk victims of domestic abuse receive support from Independent Domestic Violence Advisors (IDVA) and other agencies such as police, health, registered social landlords, probation and many more as appropriate to the individual case.

This process offers support to the most vulnerable who are at risk of domestic abuse. Care plans are put in place to reduce the risks and dedicated support is given to the victim and their children.

### **Service User & Carer Involvement**

Herefordshire Community Safety Partnership undertakes monthly service user involvement sessions at DASH (Drug Advisory Service Herefordshire) and annual meetings with carers to obtain their views on adult drug treatment services. Feedback and recommendations from service users are collated and reported to treatment provider managers and commissioners on a quarterly basis to inform service delivery. Results from both users and carers are analysed and incorporated into Herefordshire Community Safety Partnership's Adult Drug Treatment Needs Assessment. This ensures that adult drug treatment services are needs led and that service users and carers are involved in key aspects of decision making.

The Voice! magazine is a key outcome of service user and carer involvement. The magazine is produced by HCSP with contributions from drug users, carers and service providers and two editions are produced per year, with nearly 1000 copies being distributed.

### **Hereford Hospital A&E database**

Hereford Hospital A&E department installed a new database during September 2010 which records information from individuals who present themselves into A&E with assaults and alcohol related injuries. The database also captures if the assailant was known to the victim and therefore has the ability to highlight issues of domestic abuse. A&E reception staff record this information in an anonymous format and include information about the incident, where it occurred, e.g. street, pub / club, home or school. The data produced has proved useful in tactical planning for partners, informing licensing decisions and identifying hotspots.

### **Targeted Action Against Graffiti (TAAG) campaign**

Between November 2009 and April 2010, the TAAG campaign took place involving Herefordshire Community Safety Partnership, Amey, Herefordshire Council's Community Protection Team and West Mercia Police, as part of a reassurance project to remove graffiti from across the county. Graffiti hotspots were identified across Herefordshire, using information from the public with these areas promptly being cleaned. Face to face surveys were carried out during the campaign, with positive feedback from local people. To date, all of the areas have remained clean.

### **Multi Agency Tasking and Co-ordination Group (MATAC)**

Through dynamic tasking and co-ordination of resources, the group aims to facilitate partners ability to work together to enable all organisations to achieve reductions in crime and anti social behaviour. This successful group tackles anti social behaviour by identifying emerging crime trends and issues that affect a community's quality of life and plan and deliver solutions. A wide range of partners attend monthly meetings and work together to resolve issues. This way of working has been highlighted as good practice and as a result the group is looking at how this model can inform work in localities, working closer with communities in identifying and resolving concerns that matter to them.

### **Motorcycle Rider Skills Day**

Over the last three years, Herefordshire Community Safety Partnership has supported WHAM! (Worcester and Hereford Advanced Motorcycling) in funding and organising motorcycle rider skills assessment days. Over these assessment days, a total of 119 riders have received a free session to educate and improve their standard of safe riding, helping to reduce the number of motorcyclists involved in road traffic accidents. As a result 39 riders also signed up to receive further training with WHAM!



143



**HEREFORDSHIRE COUNCIL****REPORT OF THE HEREFORD AND WORCESTER FIRE AND RESCUE  
AUTHORITY TO HEREFORDSHIRE COUNCIL 20 JULY 2012****Chief Fire Officer's Service Report****Operational Activity**

The total incident numbers for Quarter 3 in 2011/2012 showed a decrease on the same quarter last year. The number of special service incidents attended and the number of false alarms attended have both decreased compared with the same quarter last year. This has led to the lowest Quarter 3 total number of incidents attended in the last five years.

The total number of fires has increased from 516 in Quarter 3 2010-11 to 555 in Quarter 3 2011-12. The increase in the total number of fires is mainly due to a 57.8% increase in secondary fires in Quarter 3 2011-12 compared with Quarter 3 2010-11 which has outweighed a significant decrease in the number of chimney fires attended when compared with the same Quarter last year. The number of primary fires remained the same as for quarter 3 2010/11 namely 277.

There have been increases in the number of secondary fires in both October and December when compared with the same quarter last year. The summer increase in secondary fires has lasted longer into October than in the previous year and the number of secondary fires attended in October represents the highest monthly October figure in the last eight years.

The number of Special Service incidents has decreased in Quarter 3 2011-12 compared with the same quarter last year with 379 incidents attended in Quarter 3 2011-12 compared with 599 in Quarter 3 2010-2011.

**Please Note:**

**Primary Fires** – broadly those involving buildings and structures and other property such as vehicles, storage, plant and machinery, fires involving casualties, rescues or escape, fires where significant fire and rescue resources are employed.

**Secondary fires** – broadly those involving derelict buildings, or vehicles, single buildings under demolition, fires confined to chimneys, other outdoor fires such as those involving grassland, gardens and fences, refuse and refuse containers.

**Exercise Olympus**

On 17 and 18 March 2012 a major exercise was conducted at the Fire Service College at Moreton in Marsh. The exercise involved a simulated major building collapse and explosion with trapped casualties. This required the attendance of a number of

resources including fire appliances from across the Service and also the (USAR) Urban Search and Rescue Team and USAR teams from a number of other Fire and Rescue Services alongside other emergency services.

As in a genuine emergency, local fire crews were first to arrive at the scene, followed by ambulance crews, further fire crews and appliances and also Urban Search and Rescue Teams and equipment from both the local areas and South Wales and Merseyside. Shropshire and Gloucestershire Fire and Rescue Services also participated. The exercise was made as realistic as possible and the excellent facilities at the Fire College allowed for the creation of a building collapse and a series of fire and other incidents. This was a unique opportunity to experience first-hand a multi-agency response to a large scale emergency incident.

A team of our own observers evaluated the exercise whilst observers from the National Resilience Assurance Team also attended.

### **Appointment of Treasurer (Section 151 Officer)**

The Authority approved the appointment of Mr Martin Rehorn, Director of Finance and Assets as Treasurer to the Authority (Section 151 Officer).

### **Budget and Precept 2012/13 and Medium Term Financial Strategy**

The Authority approved the Capital Budget and Programme, the Statement of Prudential Code Indicators, the Minimum Revenue Provision (MRP) Policy for 2012/13, the Revenue Budget, the Council Tax Requirement and noted the Medium Term Financial Forecast.

### **Pay Policy Statement**

As required by Section 38(1) of the Localism Act 2011, (openness and accountability in local pay), the authority approved a pay policy statement and supporting information for publication on the Hereford and Worcester Fire and Rescue Service's website before 1 April 2012.

### **Draft Integrated Risk Management Plan – Action Plan 2012/13**

The Draft Integrated Risk Management Plan 2009/12 has now expired. Currently a National Framework is being consulted on and, in the absence of an adopted National Framework, it is considered pertinent to adopt a further one year Action Plan which will remain in place until the new National Framework was agreed.

The Authority agreed that the following areas would be covered by the proposed IRMP Action Plan:

- delivering the outcomes of the 2011/12 review of Community Safety which seeks to identify methods for targeting the Service's resources more effectively in this area;



- to implement the agreed changes that resulted from the review of the current operational training strategy and provision;
- the 2011/12 Action Plan identified specific elements of fire cover within the Service including resources, which would be reviewed in 2011/12. In 2012/13 fire cover would be reviewed across the remainder of the Service;
- to continue to develop further opportunities to consolidate the collaboration with Shropshire and Wrekin Fire & Rescue Authority; and
- to review the provision of road traffic collision equipment across the Service and seek to implement any appropriate changes in order to improve the service provided to the community.

### **Standards Report**

The Authority authorised the Clerk to liaise with Herefordshire and Worcestershire Councils and in consultation with the Standards Committee to develop a common Code of Conduct for approval at its meeting on 20 June 2012. It was also agreed that a new Standards Panel be established to replace the current Standards Committee and the Clerk was authorised to prepare the relevant draft terms of reference and framework for addressing future Code of Conduct Complaints and any necessary investigations for consideration at the Authority meeting on 20 June 2012. The Clerk was also authorised to commence the appointments process for a minimum of three independent members for resolving allegations of breaches of the new Code of Conduct. It was agreed that the current standards regime would remain in place until the commencement of the new regime under the Localism Act i.e. 1 July 2012.

**Brigadier Peter Jones, CBE**

**Vice-Chairman**

**Hereford and Worcester Fire and Rescue Authority**

### **FURTHER INFORMATION**

Any person wishing to seek further information on this report should contact: Corporate Support on 01905 368367. 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](http://www.hwfire.org.uk)).

### **BACKGROUND PAPERS**

Agenda and papers of the meeting of the Fire and Rescue Authority held 15 February 2012



## **HEREFORDSHIRE COUNCIL**

### **REPORT OF THE HEREFORD AND WORCESTER FIRE AND RESCUE AUTHORITY TO HEREFORDSHIRE COUNCIL 20 JULY 2012**

#### **Election of Chairman**

Councillor D Prodger MBE, was elected as Chairman of the Hereford and Worcester Fire Authority for 2012/13.

#### **Election of Vice-Chairman**

Brigadier P Jones CBE, was elected as Vice-Chairman of Hereford and Worcester Fire Authority for 2012/13.

#### **Appointment of Head of Legal Services (Monitoring Officer)**

The Authority ratified the appointment of Mr Nigel Snape as Head of Legal Services (Monitoring Officer). Mr Snape will commence in his post on 1 August 2012.

#### **Provisional Financial Results 2011/12**

The Treasurer presented a report which gave an overview on the provisional financial results for 2011/12.

The Authority had an underspend of approximately £800,000 however, there were three issues that required to be addressed namely:

- Retained Duty System Compensation
- Redundancy Costs
- Transfer to Pension Reserve to cover potential RDS pension issues

Once the above matters have been considered approximately £550,000 would be transferred to general reserves.

The Authority noted the provisional financial results and approved the rephasing of capital budgets from 2011-12 to 2012-13 and approved the use of revenue resources as suggest in the report. Furthermore it was noted that the Audit Committee would consider the Annual Statement of Accounts in detail.

#### **Members' Allowances Scheme**

In accordance with the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2033 (the regulations), the Authority considered the level of Members' Allowances.

It was agreed that there would be no increase in Members' Allowances for the financial year 2012/13.

## **Chief Fire Officer's Service Report**

A report was considered which informed the Authority of recent key developments and activities together with performance information for the period 2011/12.

The following was highlighted:

- Incidents had fallen by 3.4% overall. This was a continuing trend but there were some fluctuations within the figures. It was noted that most of the fluctuations related to the weather.
- The total number of fires had increased by 13.5%.
- There had been a significant increase in the number of secondary fires due to weather related incidents.
- There had been a significant decrease in chimney fires.
- Outdoor fires had increased by 52.7%.
- There had been a 10% decrease in vehicle fires.
- Grassland, Woodland and Crop fires had increased by 67.8%.
- Special Service Incidents had decreased by 15.2%.
- Flooding incidents had decreased by 73.5%.
- The number of road traffic collision incidents had remained static.
- The Service had dealt with 119 serious injuries caused as a result of road traffic collisions in 2011-12 compared with 113 serious injuries in 2010/11.
- There had been a 9% reduction in the number of false alarms.
- Malicious false alarms were down by 17.1% and this is one of the lowest figures per head of population recorded in the country.
- A total of 57 health and safety related incidents were reported this quarter of which 5 were or had the potential to be 'serious incidents.'
- There were 3 reported incidents of verbal abuse/obstruction to crews.

### **Please Note:**

**Primary Fires** – broadly those involving buildings and structures and other property such as vehicles, storage, plant and machinery, fires involving casualties, rescues or escape, fires where significant fire and rescue resources are employed.

**Secondary fires** – broadly those involving derelict buildings, or vehicles, single buildings under demolition, fires confined to chimneys, other outdoor fires such as those involving grassland, gardens and fences, refuse and refuse containers.

### **Items of Interest**

#### **Exercise Olympus**

Members watched a DVD recording of Exercise Olympus which had been held at the Fire Service College on 17 – 18 March 2012. The exercise had simulated an explosion at a university campus and involved a building collapse with a large number of casualties and many people unaccounted for.

The exercise had proved to be an invaluable training event and through multi-agency and Service debriefs had identified a number of key outcomes that can assist us to improve our operational response. Additionally, the opportunity to test the Service's resilience to undertake such a significant exercise whilst maintaining full fire cover across the Service area was extremely useful.

### **Fire Control Project Update**

The Fire Control Project continues to make good progress and preparations are now being made to move the Fire Control function into Service Headquarters during August 2012.

During May and June, new turnout systems that mobilise operational personnel were installed at all stations. New high performing and resilient Mobile Data Terminals (MDT) have also been installed on every fire appliance. The MDT will provide access to vital incident data en-route to and during an incident. This new technology also provides a search facility for any address in the two counties, which is vital for operational crews operating outside their normal areas. In addition, operational crews will be able to access data about water hydrant locations, commercial building floor plans and access routes to a building that is on fire.

Phase 2 of this project will address how we work with our neighbours at Shropshire Fire and Rescue Service to deliver a collaborative approach to the delivery of Control Room functions. A Memorandum of Understanding (MoU) has been signed and a Project Board has been established. This Board will meet on a monthly basis to consider progress made. The next key milestone will be the approval of the Programme Brief in September 2012.

In addition to the above, Officers from Hereford & Worcester and Shropshire Fire and Rescue Service are also exploring options for improved resilience beyond the West Mercia collaborative arrangement.

### **IRMP 2011/12 Fire Cover: Proposals and Results of Consultation**

A report was considered that informed the Authority of the Fire Cover consultation results and requested approval of the proposals.

As part of the current IRMP 2011/12 Action Plan, Recommendation 4 stated:

*"We will review our fire cover and response arrangements"* contained within this statement were three elements which were to be reviewed:

1. The current crewing arrangements at Bromsgrove;
2. The requirement for a third appliance at Hereford, Worcester and Redditch; and
3. The appropriate number of personnel on each watch at wholetime and day crewed stations.

The consultation responses did not contain anything that required the Authority to change its plans. Furthermore, the proposals did not change the emergency response provisions to the communities that the Authority served as there would be the same amount of fire fighters on the same fire engines giving the same response times as are currently the case but the proposals meant there would be savings through having less people off duty that on duty and no redundancies were required.

Approval was given for the following recommendations:

- to reduce the number of firefighting staff on each watch at the three existing day crewed fire stations (Malvern, Evesham and Droitwich) from 8 to 7;
- to reduce the number of firefighting staff on each watch at Hereford and Worcester fire stations from 14 to 12.5 (average between the two stations);
- to implement a new crewing pattern (Day Crewing Plus) at Bromsgrove, leading to a reduction in the establishment from 28 to 14; and
- there are no changes to the provision of the third Retained Duty System (RDS) appliance at Hereford, Worcester and Redditch.

### **Update on Delivery of the 2011/12 IRMP Action Plan**

Members considered a report that set out the outcomes and progress against the seven recommendations from the 2011/12 IRMP Action Plan.

Members endorsed the 2011/12 IRMP Action Plan as being complete.

### **Annual Report from the Standards Committee to the Fire and Rescue Authority**

A report was considered that informed the Authority of the proceedings of the Standards Committee since the last Annual General Meeting of the Authority.

The Authority was advised that since the report had been written further guidance had been received from the Government about disclosable personal interests. The Authority would therefore be considering adopting a new code of conduct at a Special Meeting which would be held at the beginning of July 2012.

**Brigadier Peter Jones CBE**

**Vice-Chairman**

**Hereford and Worcester Fire and Rescue Authority**

### **FURTHER INFORMATION**

Any person wishing to seek further information on this report should contact: Corporate Support on 01905 368367. 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](http://www.hwfire.org.uk)).

### **BACKGROUND PAPERS**

Agenda and papers of the meeting of the Fire and Rescue Authority held 20 June 2012.

## REPORT OF THE MEETING OF WEST MERCIA POLICE AUTHORITY HELD ON 14 FEBRUARY 2012

### ***Three Year Strategic Plan and Annual Joint Policing Plan***

1. The Authority has agreed the Three-Year Strategy and Policing Plan, which defines the purpose, aim, priorities and service standards for policing in West Mercia for the period 2012 – 2015. The Joint Policing Plan for 2012/13 is incorporated within the plan and gives particular emphasis to the planned outcomes and priorities for the forthcoming year. A copy of the plan is available on the Authority's website.

2. In developing the Policing Objectives the Police Authority had regard to issues raised at PACT (Partners and Communities Together) meetings, responses from the annual Crime and Safety Survey, feedback from victims of crime, Community Safety Partnerships, criminal justice partners' priorities and emerging national issues.

3. The consultation process included seeking the views of strategic partners, local communities and representative groups. A Webcast was held in January 2012 when a range of comments and questions on a diverse number of areas were raised and included:-

- A request that the Force engage more effectively with volunteers, including Neighbourhood Watch.
- Concerns on the possible impact of budget cuts on services and where further reductions will come from.
- Support and interest in the Alliance with Warwickshire.
- Questions as to how policing will evolve and be governed once a Police and Crime Commissioner was in place

4. The top three PACT priorities, from January to December 2011 were:

- speeding traffic
- cars parked illegally/inconveniently
- anti social behaviour

5. The Police Authority, in consultation with the Chief Constable have approved the following Policing Priorities for 2012/13 -

- Deliver an effective emergency response
- Protect people from crime and anti-social behaviour taking into account their needs and vulnerabilities
- Deliver a supportive and effective response to victims and witnesses taking into account their needs and vulnerabilities
- Plan and prepare to deliver our contribution to the Strategic Policing Requirement

- Proactively target organised crime groups, drug markets and individuals who cause most harm
- Disrupt the harm caused by alcohol misuse and intervene appropriately
- Work with partners to bring offenders to account and reduce re-offending
- Work with partners to prevent people being killed or seriously injured on our roads
- Plan and prepare to respond to any major and serious incidents
- Deliver an efficient and effective policing service which delivers value for money

6. The Police Authority will continue to monitor the performance of West Mercia Police against the Plan, including at a local level through the Territorial Policing Boards, prior to the introduction of Police and Crime Commissioners in November 2012.

### ***Budget 2012/2013***

7. The Police Authority has set a net budget of £202.9 million for the financial year 2012/2013. There will be no increase in the policing element of the Council Tax and the payment will remain at the same level as two years ago. Accordingly, the payment for a Band D household remains at £178.72.

8. West Mercia Police continues to face a funding gap which is being spread over a number of years. The gap has arisen primarily because Government grants are being reduced significantly, whilst costs continue to increase. In the current financial year (2011/12) this gap was addressed by making real terms budget reductions of £9.8m. In 2012/13 further reductions of £11m will be made.

9. The Police Authority has projected its funding and costs over the next three years to 2015/16 and estimates that a further £17.1m of reductions will need to be made by 2016. This will mean that of the total required reductions of £37.9m, £20.8m has already been identified.

### ***Strategic Alliance with Warwickshire***

10. In June 2011 Warwickshire and West Mercia Police Authority agreed to develop an alliance between the two forces so that, working together, they could better deliver high quality, value for money policing services while meeting the challenge of reducing policing budgets by producing greater operational and organisational efficiencies in the years ahead.

11. Both forces have retained their Chief and Deputy Chief Constables who remain accountable to their respective police authorities. Force identities have also been retained, as will separate governance and accountability arrangements, policing budgets, assets and financial accounting arrangements. Each force will after November have their own Police and Crime Commissioner.



12. Within the Alliance structure the following shared command posts have been established:-

- Assistant Chief Constable (Local Policing)
- Assistant Chief Constable (Protective Services)
- Director of Enabling Services
- Director of Finance

13. The Authority has received an update on progress, which included on-going work on designing the directorates and the finalisation of the Collaboration Agreement.

### ***Transition to Police and Crime and Commissioners***

14. The Authority continues to prepare for the transition to Police and Crime Commissioners in November 2012 and has noted the progress made by the local authorities in West Mercia in establishing a Police and Crime Panel for the area.

### ***2010/11 Audit Letter***

15. The Authority has welcomed a positive Audit Letter from the Audit Commission for the year 2010/11, which highlighted that the accounts were very well produced in compliance with International Financial Reporting Standards. The opinion was the first to be issued in the country for the year by the Commission, which was again a credit to the staff of the Finance Department.

16. The Auditor had issued an unqualified conclusion on Value for Money and had confirmed that proper arrangements were in place to secure financial resilience and for challenging how economy, efficiency and effectiveness would continue to be secured.

### ***Public Service Counters in West Mercia***

17. The Police Authority has approved changes to the opening times of public service counters at stations across the force area. The changes followed an extensive review of opening hours designed to provide a more consistent service across the whole area.

18. The alterations, which come into effect between March and May 2012, will not reduce the availability of police officers when required and are being introduced to provide service matched to demand and policing need, while seeking best value for money in the current economic climate.

19. The changes were agreed following extensive research, including recent footfall surveys at public service counters and analysis of the purpose behind each visit. Where opening hours have been reduced, alternative services are being provided including telephone links outside police stations and information stands providing crime prevention materials. West Mercia Police remain contactable at any time of the day or night through the 101 non-emergency number or by calling 999 in the case of emergency.

## ***Firearms Licensing***

20. The Authority has received a report on Firearms Licensing and noted that the backlog in issuing licenses was being addressed. Nationally, discussions were continuing regarding future funding issues and the costs of a licence.

## ***Significant Cases and Court Results***

21. The Police Authority has been updated on significant cases and court results where successful convictions were secured for a variety of offences including murder, sex offences, violent robbery, drugs and fraud.

## ***Retirements***

22. The Police Authority has placed on record its appreciation of the service given to West Mercia by three key and long standing officers who will be retiring at the end of March 2012. They were Mr Stephen Howarth, Director of Finance, Mr Ian Savage, Head of Information Management and Technology and Head of Personnel, Mr Jim Spence.

Signed on behalf of the  
West Mercia Police Authority

Sheila Blagg  
Chairman

## ***Further Information***

*Any person wishing to seek further information on the subject matter of this report should contact David Brierley or Ian Payne on Shrewsbury (01743) 264690.*

*Further information on the West Mercia Police Authority can also be found on the Internet at [www.westmerciapoliceauthority.gov.uk](http://www.westmerciapoliceauthority.gov.uk).*

### ***Questions on the functions of the Police Authority***

*The Authority has nominated the following members to answer questions on the discharge of the functions of the Police Authority at meetings of the relevant councils:*

<i>Herefordshire Council</i>	<i>Mr S Bowen</i>
<i>Shropshire County Council</i>	<i>Mr M Wood</i>
<i>Telford and Wrekin Council</i>	<i>Mr K Austin</i>
<i>Worcestershire County Council</i>	<i>Mrs S Blagg</i>

### ***List of Background Papers***

*In the opinion of the proper officer (in this case the Chief Executive of the Police Authority) the following are the background papers relating to the subject matter of this report:*

*Agenda papers for the meeting of the West Mercia Police Authority held on 14 February 2012.*

# **REPORT OF THE ANNUAL MEETING OF WEST MERCIA POLICE AUTHORITY HELD ON 19 JUNE 2012**

## ***Chair and Vice Chair***

1. Mrs Sheila Blagg (Bromsgrove, Worcestershire) has been appointed Chairman of the Police Authority until the abolition of the Police Authority on 21 November 2012.
2. Mr Robin Durham (Shrewsbury, Shropshire) and Mr Zad Padda (Evesham, Worcestershire) have been appointed as Vice Chairs.

## ***Assistant Chief Constable Posts***

3. The Police Authority placed on record its appreciation of the service given to West Mercia by Assistant Chief Constable (ACC), Simon Edens, who has been appointed Deputy Chief Constable for Leicestershire Police
4. Mr Edens joined West Mercia Police as an Assistant Chief Constable (Territorial Policing) in 2008 and in December 2011 was appointed ACC for both Warwickshire and West Mercia Police as part of the strategic alliance between the two forces. Mr Edens continues to hold the position of national lead on anti-social behaviour for the Association of Chief Police Officers.
5. Following a selection process, which included members of West Mercia Police Authority, the Chief Constables of Warwickshire and West Mercia Police and the Vice Chair of Warwickshire Police Authority, Gareth Morgan has been appointed to the position of Assistant Chief Constable (Local Policing) for the Strategic Alliance. Mr Morgan joins West Mercia from West Midland Police.
6. Warwickshire Police Authority has also appointed an Assistant Chief Constable using a similar selection process, which involved their members, both Chief Constables and the Chairman of West Mercia Police Authority. Karen Manners has been appointed to the position of Assistant Chief Constable (Protective Services) for the Strategic Alliance. Ms Manners was previously with the Hampshire Constabulary.

## ***Deputy Chief Executive***

7. As part of a staffing restructure to prepare for the transition to the Police and Crime Commissioner, Mr Ian Payne, Deputy Chief Executive Officer will retire in July 2012 after 19 years service to the West Mercia Police Authority.
8. Mr Payne has led the Police Authority's work in relation to Independent Custody Visitors and Diversity issues. He has made an outstanding contribution to the work of the Police Authority and his professionalism and experience will be sadly missed.
9. The Police Authority paid tribute to Mr Paynes contribution and service.

## **Annual Report 2011/2012**

10. The Police Authority has a statutory duty to ensure the provision of an efficient and effective police force in its area. It does so by appointing senior police officers including the Chief Constable, by setting policing priorities annually, by reviewing and approving the overall policing budget and by setting the element of Council Tax. It has a responsibility to keep informed of public opinion on policing issues and to monitor the delivery of services to the public. The Authority has agreed the Joint Annual Report for 2011/2012, a copy of which is available on the Internet at [www.westmerciapoliceauthority.gov.uk](http://www.westmerciapoliceauthority.gov.uk).

11. Overall, West Mercia Police has continued to maintain a high level of performance and the end of year figures show that the number of recorded crimes was 69,582, compared to 72,023 as at March 2011. The number of domestic burglaries has also continued to fall with 3,027 recorded in the end of year figures, which was 177 less than the previous year. Performance against agreed targets, or when comparing to the previous year is strong in many areas, including improved detection rates for overall crime where 31.5% of crimes were solved.

12. The Force has also maintained good levels of satisfaction from service users, with 85.1% of victims surveyed saying they were satisfied with the overall service they had received from West Mercia Police. In addition, the latest residents' survey results show that 70.2% of people agree that the police are doing a 'good' or 'excellent' job in their local area.

13. Focusing resources on the priorities is important, but the force has to adapt to any national, regional or local needs as they arise. For example, in the last year metal theft emerged as a major problem for forces up and down the country and West Mercia was no exception. Over 500 drain covers were stolen from in and around Redditch in a five month period, but following intelligence gathering from the public and a successful police operation a man was arrested and charged, in early March, with stealing 628 drain covers worth over £155,000 from roads in North Worcestershire, Warwickshire and the West Midlands.

14. The Authority has been working with the force to effectively implement the Government's Comprehensive Spending Review whilst maintaining front line service delivery and during 2011/12 real term budget reductions of £9.8 million were achieved, which demonstrate good financial management and planning. This was recognised by Her Majesty's Inspectorate of Constabulary (HMIC) in its July 2011 report on preparedness (in meeting the financial challenge) which stated that the 'force has displayed a clear understanding of the challenges ahead and has considered many options on how to meet them'.

15. In January 2012 HMIC issued a further report on West Mercia which looked at its management of crime and incident data. This inspection found that the force had a positive culture around focusing on the needs of the victim.

16. Overall the Police Authority is confident that West Mercia Police continues to be well placed to address all the challenges ahead and is capable of sustaining a cost effective high standard of policing.

## ***Strategic Alliance with Warwickshire Police***

17. The Police Authority has agreed the four-year plan to deliver high-quality, value for money, policing services to communities across Warwickshire and West Mercia police force areas and which has also been agreed with Warwickshire Police Authority.
18. Each force will continue to be led by a Chief Constable and Deputy Chief Constable and retain its own identity. A total of four Assistant Chief Constables and Directors are now responsible for the delivery of policing services across both force areas. Police Authorities will continue to govern forces until Police and Crime Commissioners are elected in November this year.
19. The Alliance plan will enable both forces to maximise the protection delivered by building resilience within local policing and protective services directorates and streamlining support services that enable policing to take place, as well as reducing the total number of management and supervisory posts.
20. West Mercia Police needs to reduce its operating costs by £20.1 million by the end of 2015/16 and Warwickshire by £10.2 million, a total of £30.3 million.
21. The four-year plan will see:
- Policing delivered across seven geographic areas, each led by a local Superintendent working with local partners. The areas are Herefordshire, North Warwickshire, North Worcestershire, Shropshire, South Warwickshire, South Worcestershire and Telford & Wrekin.
  - Local Policing Teams will be reorganised to concentrate on harm reduction in their communities by focusing on communications, local engagement, problem solving and offender management. Teams will remain fundamental to serving the public and will operate across all four counties. The Chief Constables will work with the Police Authorities and then elected Police and Crime Commissioners to determine how to best utilise them.
  - Local Policing Teams will be supported by other officers and staff working in the community performing functions such as patrol, crime investigation and forensics.
  - There will be fewer people employed in supporting functions, fewer managers and fewer police supervisors.
  - A new strategy will be developed to reduce the costs of police buildings, safeguarding money to ensure as many officers and staff as possible continue to be employed to deliver protection. Buildings, while providing a level of 'visible reassurance', do not deliver any protection.
  - Any potential changes to individual police buildings, stations or front-counter arrangements will be discussed with the Police Authorities and then elected Police and Crime Commissioners, local communities and partners to decide how they can best be used to support local policing.
  - Other services, such as police-only front counters, will also be reviewed as the service improves its use of technology, multi-agency 'one-stop' shops and mobile police stations to engage with local people.
22. Both Police Authorities have asked their Chief Constables to 'drive forward future design and implementation work as quickly as professionally possible', in

consultation with them and the elected Police and Crime Commissioners from November 2012.

### ***Youth Crime and Substance Misuse Prevention Work***

23. The Home Office announced in March 2012 that funding for youth crime and substance misuse would be split between the Youth Justice Board (YJB) and individual police authorities.

24. The YJB will continue to fund local Youth Offending Teams (YOT), however, an element of the grant will now be at the discretion of the Police Authority / Police and Crime Commissioner. The aim of the change is to enable a transition of partnership working to commission community safety services from 2013/14 onwards.

25. The amount allocated to West Mercia was £99,128 across the two local YOTs who had planned for this money to be available to them in 2012/13, unaware of the late diversion of funds.

26. The Police Authority has, therefore, agreed the pass-portioning of £99,128 to the YOTs to be shared as follows:

Worcester / Herefordshire	£56,525
Shropshire / Telford & Wrekin	£42,603

27. The Police Authority also agreed:

- That the arrangement would last for twelve months pending a full understanding of the new model and how outcomes can be improved.
- That the Youth Offending Teams report performance quarterly to the Police Authority / PCC (based on existing performance management frameworks) but to include:
  - Preventing the onset of offending/substance misuse
  - Tackling the escalation of offending/substance misuse
  - Clear progression towards the integration of offender management across West Mercia, with a new model for Youth Offending Teams and their contribution to the local youth crime prevention agenda beyond 2012/13.

### ***Rape Investigation and Prosecution***

28. The Police Authority has received a report on West Mercia Police's current position on the continuous improvement approach in respect of the recording and investigation of rape offences and the support to victims of rape offences.

28. The Police Authority was also advised of the outcome of a recent national review of rape related processes by Her Majesty's Inspectorate of Constabulary and Her Majesty's Crown Prosecution Service Inspectorate.

30. In the light of the recommendations arising from the national review the Police Authority has agreed that these be formally adopted in West Mercia Police's Rape Action Plan and that West Mercia Police had responded appropriately and professionally to the contents of the thematic review.

### ***Independent Custody Visiting Scheme***

31. The Independent Custody Visiting Scheme provides a check on the conditions under which people are detained in police custody and provides an independent check on the way police officers and detention officers carry out their duties.

32. There are over 60 Independent Custody Visitors (ICVs) in West Mercia and they are drawn from members of the community from all parts of the force area. During 2011/12 five new visitors were appointed and one training session was arranged. Visitors met regularly in their area panels to discuss their visits and received reports from the national Independent Custody Visiting Association. In addition they had the opportunity to attend a regional seminar held in Stafford and the Panels were represented at the national conference held in Belfast.

33. A total of 328 visits were made to the custody units at Hereford, Leominster, Kidderminster, Malinsgate (Telford), Redditch, Shrewsbury and Worcester during the year. This also included visits to Wellington which was used whilst the unit at Malinsgate was refurbished. This ensured that in line with the Police Authority's target the custody facilities in each area were visited on average once a week, which continues to be an exceptional achievement by the volunteer ICVs.

34. 1,398 people were in custody at the time of the visits out of which 88% of the detainees who were available consented to a visit. Reasons for detainees not being available included being interviewed, in consultation with their solicitor, asleep or visitors being advised not to see the detainee where there were health and safety concerns.

35. No particular issues were raised in relation to nearly two thirds of all visits and the remaining third raised issues around medical matters, bedding, drinks and telephone calls. Any issues that were raised by the visitors were rectified as soon as possible, dealt with in correspondence with the local Police Liaison Officer and/or discussed at the Panel meetings.

36. Of particular note during the year was the successful implementation of the MEDACs service, which had ensured the better provision of medical care than previously in Shropshire and North Worcestershire.

37. The responsibility for ensuring an effective Independent Custody Visiting Scheme will transfer from the Police Authority to the Police and Crime Commissioner on 22 November 2012. The ICVs have been assured that the Police Authority has put in place arrangements to ensure a smooth handover of the Scheme so that ICVs continue to receive support and are able to raise issues arising out of their visits and Panel meetings. The Chief Constable has also confirmed his commitment to the Scheme and the valuable feedback and reassurance ICVs provide.

## ***Commendations and Awards***

38. Chief Constable Commendations have recently been awarded to Sergeant Daren Hayes, Sergeant Andrew Jackson, Sergeant Stuart Wells and PC David Williams for their utmost professionalism, calm and brave actions when dealing with a life threatening situation. Each put their own safety in danger in order to save members of the public at the scene of a fatal Road Traffic Collision and subsequent double fire.

## ***Significant Cases and Court Results***

39. The Police Authority has been updated on significant cases and court results including a brutal beating that led to a death, manslaughter, sexual offences and burglary.

## ***Questions on Police Matters at Council Meetings***

40. The Authority is required to nominate a member to answer questions on the discharge of the functions of the Police Authority at meetings of the relevant councils and the following members were appointed for the remainder 2012:

Herefordshire Council	Mr S Bowen
Shropshire Council	Mr M Wood
Telford and Wrekin Council	Mr K Austin
Worcestershire County Council	Mrs S Blagg

Signed on behalf of the  
West Mercia Police Authority

Sheila Blagg  
Chairman

### *Further Information*

Any person wishing to seek further information on the subject matter of this report should contact David Brierley or Ian Payne on Shrewsbury (01743) 264690.

Further information on the West Mercia Police Authority can also be found on the Internet at [www.westmerciapoliceauthority.gov.uk](http://www.westmerciapoliceauthority.gov.uk).

### *List of Background Papers*

In the opinion of the proper officer (in this case the Chief Executive of the Police Authority) the following are the background papers relating to the subject matter of this report:

Agenda papers for the Annual Meeting of the West Mercia Police Authority held on 19 June 2012.