

Economy, Communities and Corporate

Geoff Hughes - Director

TO: ALL MEMBERS OF THE COUNCIL

Our Ref: Council - 18 October 2013

Please ask for: Governance Services

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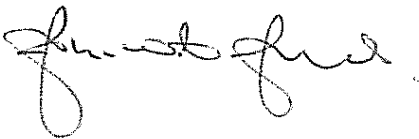
10 October 2013

Dear Councillor

YOU ARE HEREBY SUMMONED to attend the meeting of the Herefordshire Council to be held on **Friday 18 October 2013** at the Council Chamber - Brockington at **10.00 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 Brockington for elected Members.

Yours sincerely



J JONES
HEAD OF GOVERNANCE AND MONITORING OFFICER

AGENDA

Council

Date: **Friday 18 October 2013**

Time: **10.00 am**

Place: **Council Chamber - Brockington**

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

For any further information please contact:

Governance Services

Tel: 01432 260249

Email: councillorservices@herefordshire.gov.uk

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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 J Hardwick
Councillor JW Hope MBE
Councillor RC Hunt
Councillor TM James
Councillor AW Johnson
Councillor JLV Kenyon
Councillor JG Lester
Councillor RI Matthews
Councillor PJ McCaull
Councillor JW Millar
Councillor NP Nenadich
Councillor FM Norman
Councillor GJ Powell
Councillor R Preece
Councillor SJ Robertson
Councillor A Seldon
Councillor J Stone
Councillor DC Taylor
Councillor PJ Watts

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 EPJ Harvey
Councillor MAF Hubbard
Councillor JA Hyde
Councillor JG Jarvis
Councillor Brig P Jones CBE
Councillor JF Knipe
Councillor MD Lloyd-Hayes
Councillor RL Mayo
Councillor SM Michael
Councillor PM Morgan
Councillor C Nicholls
Councillor RJ Phillips
Councillor AJW Powers
Councillor PD Price
Councillor P Rone
Councillor P Sinclair-Knipe
Councillor GR Swinford
Councillor GA Vaughan-Powell
Councillor DB Wilcox

Vacancies (2)

AGENDA

		Pages
1.	PRAYERS	
2.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
3.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	MINUTES To approve and sign the Minutes of the extraordinary meeting and the ordinary meeting held on 19 July 2013.	13 - 52
5.	CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	
6.	QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	53 - 56
7.	NOTICES OF MOTION UNDER STANDING ORDERS There is one Notice of Motion for consideration by Council. NOTICE OF MOTION Proposed by Councillor MD Lloyd-Hayes and seconded by Councillor RI Matthews. Potential Combination of the Hereford and Worcester Fire and Rescue Service and Warwickshire Fire and Rescue Service/Resource at Hereford Fire Station On 3 October 2013 the Hereford and Worcester Fire and Rescue Authority considered a report that sought approval for the Chief Fire Officer to progress discussions with Warwickshire Fire and Rescue Service regarding future options for combination. The Authority resolved that the matter be deferred until the next meeting of the Fire and Rescue Authority. This motion proposes that this Council does not support a merger of the Hereford and Worcester Fire and Rescue Service with Warwickshire Fire and Rescue Service. A combined organisation would stretch from the Welsh Borders to Northamptonshire, resulting in Herefordshire having even less influence than it does at present – an unwelcome democratic deficit. This Council therefore resolves to inform Hereford and Worcester Fire and Rescue Authority that, whilst we would welcome closer collaboration with any neighbouring Fire and Rescue Service, we totally oppose any merger because of the obvious deleterious impact on the people we represent.	

Also on 3 October 2013 the Hereford and Worcester Fire and Rescue Authority agreed that the draft Community Risk Management Plan 2014-2020 be approved for consultation.

This motion proposes that this Council does not support the proposed reduction of staff or vehicles at the Hereford Fire Station for the following reasons: Hereford City is the only 24 hour station in the County; as a standalone station it is isolated from any other 24 hour support. Herefordshire covers an area larger than Worcestershire but relies on part time or retained fire fighters.

Worcester Fire Station, however, is supported by Kidderminster, Redditch, Bromsgrove whole time cover with additional back up from Droitwich, Evesham and Malvern.

Herefordshire is further disadvantaged by the poor road infrastructure and lack of motorways. Any reduction in personnel would seriously affect the response times to the life threatening road traffic accidents and call outs to flooding incidents in this County.

This Council therefore resolves to inform Hereford and Worcester Fire and Rescue Authority that it opposes the reduction in staff, pumps or equipment at Hereford Fire Station.

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| 8. LEADER'S REPORT | 57 - 70 |
| To receive the Leader's report, which provides an overview of the Executive's activity since the last Council meeting. | |
| 9. YOUTH JUSTICE PLAN | 71 - 120 |
| To approve the Youth Justice Plan as recommended by Cabinet on 25 July 2013. | |
| 10. CHIEF FINANCE OFFICER AND SECTION 151 OFFICER DESIGNATION | 121 - 122 |
| To designate the post of Chief Finance Officer as the authority's Section 151 officer. | |
| 11. APPOINTMENT OF VICE-CHAIRMEN - AUDIT AND GOVERNANCE COMMITTEE AND HEALTH AND SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE | |
| To consider the following appointments where vacancies have arisen: | |
| (a) Vice-Chairman of the Audit and Governance Committee; and | |
| (b) Vice-Chairman of the Health and Social Care Overview and Scrutiny Committee. | |
| 12. MONITORING OFFICER'S ANNUAL REPORT 2012/13 | 123 - 126 |
| To inform the council about the matters within the responsibility of the monitoring officer and the council's performance for 2012-2013 with regard to the complaints under the standards framework. | |
| 13. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY | 127 - 130 |
| To receive a supplementary annual report of the Hereford & Worcester Fire and Rescue Authority. | |
| 14. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS | |
| To receive any written questions from Councillors. | |

15. DATES OF MEETINGS

The following meetings of Council are scheduled:

Friday 13 December 2013 (10 am)

Friday 7 February 2013 (10 am)

Friday 7 March 2013 (10 am)

Friday 23 May 2013 (10 am)

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 Cabinet and 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, Cabinet, 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.

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- The nearest bus stop to Brockington is located in Vineyard Road near to its junction with Old Eign Hill. The return journey can be made from the same bus stop.

HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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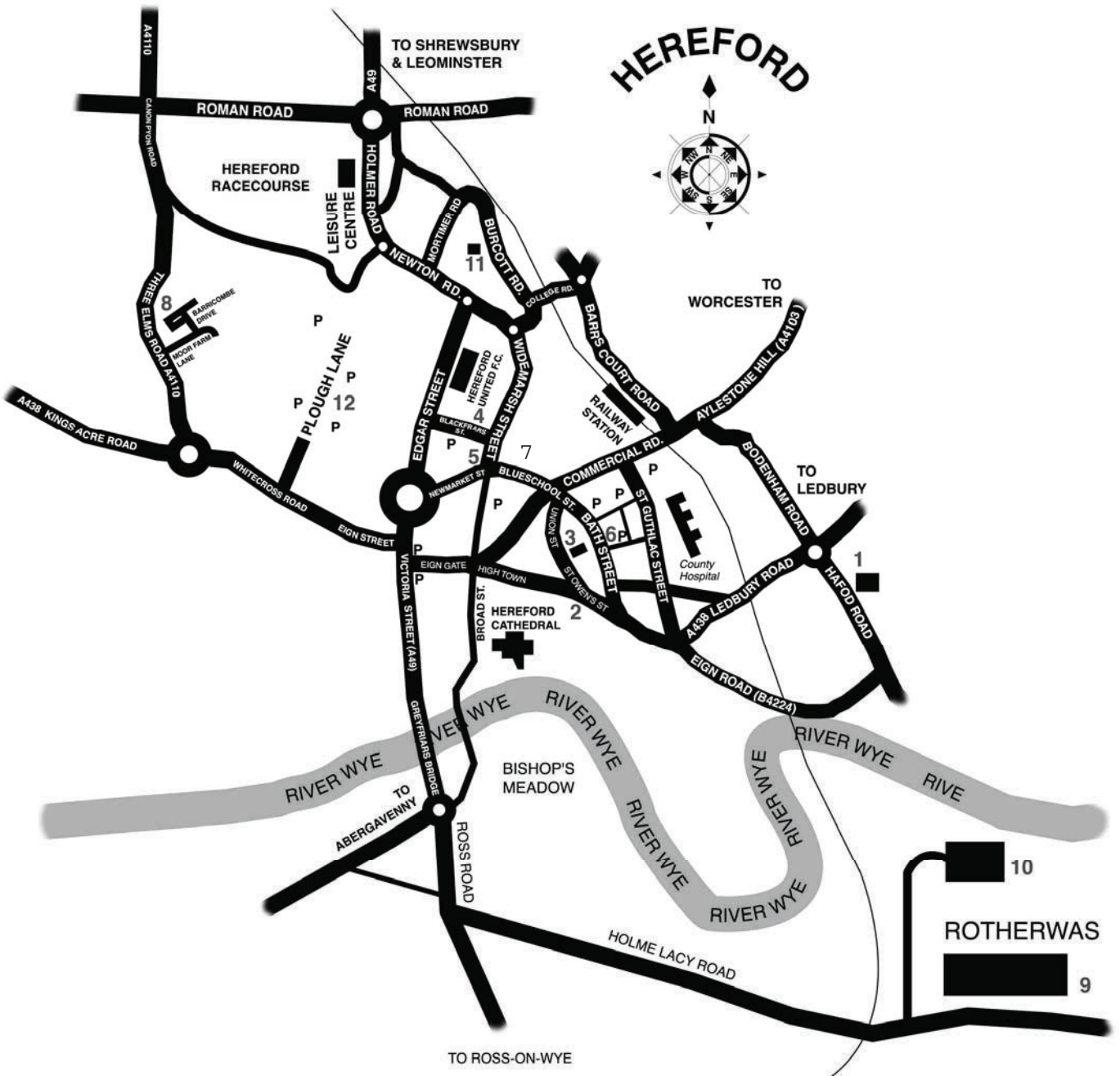
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|---|--------------------------|----|-----------------------------|
| 1 | Brockington | 7 | Blueschool House (Planning) |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre (ICT) |
| 4 | Blackfriars (inc. Legal) | 10 | Amey |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of the Extraordinary Council held at the Council Chamber - Brockington on Friday 19 July 2013 at 10.00 am

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

Councillors: PA Andrews, AM Atkinson, CNH Attwood, CM Bartrum, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, PGH Cutter, BA Durkin, DW Greenow, KS Guthrie, RB Hamilton, J Hardwick, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, RI Matthews, PJ McCaull, JW Millar, PM Morgan, 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

17. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor PJ Edwards	Councillor RC Hunt
Councillor RL Mayo	Councillor SM Michael
Councillor NP Nenadich	Councillor AJW Powers
Councillor GA Vaughan-Powell	

18. DECLARATIONS OF INTEREST

Councillor AN Bridges declared a non-pecuniary interest in agenda item 4: Local Development Framework. Network Rail was referred to in the report and Councillor Bridges is an employee of the company.

19. 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, is attached to the Minutes at Appendix I.

20. LOCAL DEVELOPMENT FRAMEWORK

The Leader addressed Council and made the following comments in his opening remarks on the Herefordshire Local Plan/Core Strategy:

- It was a credible strategic plan addressing key issues for the city and rural areas setting out the future economic growth.
- The plan has been considered by the General Overview and Scrutiny Committee (GOSC) and Cabinet had held detailed discussions with the Cabinet Member.
- When considering the plan Members should take a strategic and not local view.

The Cabinet Member Environment, Housing and Planning presented the report of the Assistant Director Economic, Environment and Cultural Services on the Herefordshire Local Plan / Core Strategy and made the following comments.

- The plan is part of an on-going process since 2007, which will eventually replace the Unitary Development Plan and take the County through to 2031.
- The plan is essential for the economic, social and environmental wellbeing of the County.
- The plan will be reinforced by the Council's Area Action Plans and by town and parish council Neighbourhood Plans.
- Seven public consultations have been carried out over six years between 2007/13. The Plan has matured and therefore options proposed in earlier versions have now been removed.
- Subject to Council's approval this plan will be submitted to the Secretary of State for independent inspection.

Next Stages:

- Autumn 2013, publication and submission of the plan.
- Winter 2013/Spring 2014, Inspection of the plan.
- Summer 2014, adoption of the plan.

The Cabinet Member thanked all those who had taken part in the process of developing the plan and thanked officers for their hard work and support. He added that the proposed Local Plan / Core Strategy 2011/31 provided a framework for the future prosperity of Herefordshire.

Group Leaders and the Chairman of the GOSC addressed Council and made the following comments on the plan:

- Some town and parish councils felt they had not been consulted properly.
- A large building programme of homes was proposed but it was felt there was not the employment to sustain families.
- It was felt that both the Enterprise Park at Leominster and the industrial estate at Rotherwas were under used.
- Not having an eastern road option showed a major gap in the plan.
- It was felt that the plan was not viable, sustainable and reliable and it was suggested that a three month delay, to review and re-evaluate, would produce a better plan.
- It was felt Council was being asked to approve a plan that had no economic strategy and a core strategy that was not sustainable.
- It was felt that the responses of the public had been ignored.
- The administration needs to ensure that it has got the process correct.
- After reviewing the plan the GOSC had made the recommendation to defer until October 2013.

Councillor A Seldon moved that consideration of the Herefordshire Local Plan/Core Strategy be deferred for three months to allow for further consultation. The motion was seconded by Councillor WLS Bowen.

The following comments were made in discussing the proposed Notice of Motion:

- Town councils want to receive legal advice on the core strategy and believe public examination of the core strategy is needed. Believe there has been an overreliance on ward members for consultation.
- Bromyard area has been asked to accept the building of 500 homes in area without having any designated employment land included.

- Some Members did not believe a delay would have a detrimental effect. Other felt that a delay for further consultation would take longer than three months. Council was reminded that the plan had been deferred in June 2012 to date to allow for further consultation.
- Council was reminded that over 60 public meetings had been held for consultation resulting in amendments being made to the plan. There was concern that the results from the consultation could be manipulated.
- It was stated there was an assumption that the north west expansion would fund the proposed western relief road by way of the community infrastructure levy, but it was felt that the construction of this road would have its own complications.
- It was pointed out that some parish councils were keen for the plan to be approved as communities were vulnerable to developers whilst it was not and any delay would not change the outcome.
- Council was reminded that the outcome to the consultation was published on the web. With regard to the letter from the market towns and the proposed amendment, the Cabinet Member advised that Legal Counsel advice had been sought.

Councillor RI Matthews moved that the motion be put which was seconded by Councillor WLS Bowen. The meeting agreed that the question be put. A named vote was taken and the motion was lost.

For: Councillors PA Andrews, CNH Attwood, CM Bartrum, WLS Bowen, EMK Chave, J Hardwick, EPJ Harvey, AJ Hempton-Smith, MAF Hubbard, TM James, JLV Kenyon, MD Lloyd-Hayes, RI Matthews, PJ McCaull, C Nicholls, FM Norman, R Preece, SJ Robertson, A Seldon, and GR Swinford.

Against: Councillors AM Atkinson, LO Barnett, , PL Bettington, AJM Blackshaw, H Bramer, AN Bridges, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, DW Greenow, KS Guthrie, RB Hamilton, JW Hope MBE, JA Hyde, JG Jarvis, AW Johnson, Brig P Jones CBE, JF Knipe, JG Lester, JW Millar, PM Morgan, RJ Phillips, GJ Powell, PD Price, P Rone; P Sinclair-Knipe, J Stone, DC Taylor, PJ Watts and DB Wilcox.

FOR	20
AGAINST	31
ABSTAIN	0

Following the vote Councillor MAF Hubbard proposed an amendment to the recommendations which was seconded by Councillor RI Matthews.

That full Council be required to approve the versions of the Infrastructure Delivery Plan; the Economic Viability Assessment and the Nutrient Management Plan before these are released to examination in public.

The Cabinet Member reminded Council that the timetable for the Core Strategy had been agreed by GOSC and had been adhered to. Some Members felt that all key documents should be seen by full Council prior to submission.

Councillor GJ Powell moved that the motion be put which was seconded by Councillor BA Durkin. The meeting agreed that the question be put.

Councillor Hubbard clarified that in putting the amendment forward it was not intended to delay, merely to ensure the final evidence was put before full Council. A named vote was taken and the amendment was lost.

For: Councillors PA Andrews, CNH Attwood, WLS Bowen, EMK Chave, J Hardwick, EPJ Harvey, AJ Hempton-Smith, MAF Hubbard, TM James, JLV Kenyon, RI Matthews, PJ McCaull, C Nicholls, FM Norman, R Preece, SJ Robertson, A Seldon, and GR Swinford.

Against: Councillors AM Atkinson, LO Barnett, CM Bartrum, PL Bettington, AJM Blackshaw, H Bramer, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, DW Greenow, KS Guthrie, RB Hamilton, JW Hope MBE, JA Hyde, JG Jarvis, AW Johnson, Brig P Jones CBE, JG Lester, JW Millar, PM Morgan, RJ Phillips, GJ Powell, PD Price, P Rone, P Sinclair-Knipe, J Stone, DC Taylor, PJ Watts and DB Wilcox.

Abstain: AN Bridges and JF Knipe.

FOR	18
AGAINST	30
ABSTAIN	2

Members went on to discuss the recommendations outlined in the report to Council. The following comments were made in discussion:

- Councillor Bettington stated that in supporting the recommendations he requested his reservations about the Herefordshire Local Plan were noted.
- Councillor Phillips, as a member of the Local Enterprise Partnership (LEP), stated his support for the Herefordshire Local Plan and its importance for growth. He added that employment land for Bromyard needed to be addressed.
- Councillor Powell asked for a minor textual amendment to be made to the first sentence of the third paragraph on Agenda page 130 to read:

'The indicative rural HMA target will assist in informing the scale of development in the villages identified in each HMA'

Instead of:

'In addition to the indicative rural HMA target, a further set of targets will assist in informing the scale of development in the villages identified in each HMA'

- Concern was raised that the plan did not acknowledge the biggest employers in the County were the self employed.
- Councillor Matthews stated his support for growth and a reasonable number of new homes, but that it should be economy led. The western route for the road was unaffordable and not supported by the local MPs. The eastern route was cheaper and in the view of local people was the preferred route.
- In response to the 'east v west' route it was stated that the administration was not allowed to use the eastern route.
- Members expressed concern at the scale of development for Leominster, the lack of employment in the area and the additional high level of traffic. There was not the infrastructure to support additional housing and transport sustainably.
- Councillor Harvey stated Ledbury residents objected to the scale of housing for the area and were seeking legal advice on challenging the strategy.
- Council was reminded that the recommendations only allowed for minor changes to be made.

Comments made by Group Leaders in their summing up were:

- Appreciate the efforts of both officers and Members.
- Need a core strategy that does not leave the County open to developers.
- Do not believe the plan is sustainable, viable or deliverable.
- Not confident the Council has the technical ability to deliver current core strategy.

The Leader's comments in summing up were:

- When speaking with Jessie Norman MP he stated he had no problem in supporting the western route, he merely wanted to know if the administration had a closed mind to the eastern route.
- Understood that Members had concerns but there was a process for concerns to be addressed, which was through the planning inspectorate. Approving the plan was only the start of the process.

Councillor Powell spoke as the seconder of the recommendations and reminded Council that the same arguments had been made 25 years earlier when discussing a relief road. He stated a clear direction of travel was needed and the plan provided it.

The Cabinet Member thanked everyone for their contribution to the debate. He informed Council that the Highways Agency had stated that the relief road was necessary to the core strategy. The Environment Agency and Natural England had made a commitment to work together to support the core strategy.

A named vote was taken.

For: Councillors AM Atkinson, LO Barnett, CM Bartrum, PL Bettington, AJM Blackshaw, H Bramer, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, DW Greenow, KS Guthrie, RB Hamilton, JW Hope MBE, JA Hyde, JG Jarvis, AW Johnson, Brig P Jones CBE, JF Knipe, JW Millar, PM Morgan, RJ Phillips, GJ Powell, R Preece, PD Price, P Rone, P Sinclair-Knipe, J Stone, DC Taylor, PJ Watts and DB Wilcox.

Against: CNH Attwood, EMK Chave, J Hardwick, EPJ Harvey, AJ Hempton-Smith, MAF Hubbard, JLV Kenyon, RI Matthews, PJ McCaull, C Nicholls, FM Norman, SJ Robertson, A Seldon, and GR Swinford.

Abstain: Councillors PA Andrews, WLS Bowen, AN Bridges, TM James, and JG Lester.

FOR	31
AGAINST	14
ABSTAIN	5

RESOLVED

THAT COUNCIL:

- a) approve the Herefordshire Local Plan – Core Strategy 2011-2031 (draft) as the preferred strategic planning document for Herefordshire pre-submission consultation;**
- b) delegate authority to the Assistant Director Economic, Environment and Cultural Services, in consultation with the Cabinet Member Environment, Housing and Planning, in the event that technical and typographical amendments are required to the Herefordshire Local Plan Core Strategy 2011-2031 and supporting documents, resulting from the completion of on-going technical work;**
- c) following the completion of the pre-submission publication of the Herefordshire Local Plan Core Strategy 2011-2031 and its supporting documents the documents be submitted to the Secretary of State for an Examination in Public; and**

- d) **delegate authority to the Assistant Director Economic, Environment and Cultural Services in consultation with the Cabinet Member Environment, Housing and Planning to make any minor textual, typographical amendments, that does not affect the overall strategy of the Plan, prior to the submission to the Secretary of State.**

The meeting ended at 1.15 pm

CHAIRMAN

PUBLIC QUESTIONS TO EXTRAORDINARY COUNCIL – 19 JULY 2013**Question from Mr P McKay, Herefordshire**

Question 1

May I ask if Council has accepted my representation that having complete and correct highway records is a fundamental requirement for a Local Development Framework and incorporated policies to identify the shortfalls with actions to address them to achieve this?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing & Planning

Answer to question 1

The representation received from Mr McKay has been recorded and responded to under Q38 in the schedules of responses. The policies in the document are based upon a robust evidence base and therefore no changes are required to the Core Strategy. It is not appropriate to include within the Core Strategy a policy relating to Highways records as this is outside the remit of the development plan.

Question from Mrs E Morawiecka, Breinton, Hereford

Question 2

The draft Core Strategy stated “Local authorities should have clear evidence about planned infrastructure, its cost, timing and other likely sources of funding to underpin their development strategies. This will be provided through an Infrastructure Delivery Plan (IDP) which will sit alongside the Core Strategy”. The IDP presented as background evidence for the consultation on the draft Core Strategy omitted many cost figures; had no schedule of timings of delivery and did not identify likely sources of funding, where shortfalls were indicated. No infrastructure was included in the IDP to underpin the housing growth planned for rural areas in the draft Core Strategy.

As a result of the consultation on the draft Core Strategy and the responses received, what amendments have been made to correct the omissions identified in the Infrastructure Delivery Plan?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing & Planning

Answer to question 2

The Infrastructure Delivery Plan (IDP) is not intended as a one-off document rather is a living plan and it is misleading to suggest there are omissions requiring correction. The information contained in the IDP schedule will be kept under review and updated.

The IDP schedule isn't required to specify the entire infrastructure to be provided, when it is to be delivered, or how it is to be funded in the county to 2031.

PUBLIC QUESTIONS TO EXTRAORDINARY COUNCIL – 19 JULY 2013

In response to the consultation, I will continue to review the IDP to include the prioritisation of identified infrastructure, projected timescales for delivery and potential funding mechanisms.

Supplementary Question

I resent that my question is referred to as 'misleading' when the Cabinet Member just this week provided me with a written answer stating that he has invited Cabinet colleagues to review the IDP priorities, funding and delivery before it goes to independent examination. If there are no omissions, what is the cost and phasing of the NMP, phasing of delivery of infra structure identified as 'fundamental'. Where is the funding for the minimum £560m cost of infrastructure? Please note that today Detroit City filed for bankruptcy, is this Herefordshire in 20 years?

Cabinet Member Response

The Cabinet Member stated he was not aware of the cost, but added that this was a living document.

Question from Mr F Clark, Bromyard and Winslow Town Council, Herefordshire

Question 3

With all your planned development for Bromyard, how will you manage to get all the extra volume and size of road vehicles over Petite Bridge? It is not wide enough now, for two lanes of HGV and pedestrians at the same time, and when flooded will close the bypass to all.

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing & Planning

Answer to question 3

Core Strategy policy MT1 is designed to ensure that development proposals demonstrate that the strategic and local highway network can absorb the traffic impacts, or employ mitigation measures where appropriate. The level of planned development for Bromyard is not expected to impact upon the capacity of the A44 and the bridge through increased volumes of traffic.

Question from Mr R Oliver, Leominster

Question 4

Why was there the assumption that everyone uses the Herefordshire Council website to get information about the Core Strategy?

PUBLIC QUESTIONS TO EXTRAORDINARY COUNCIL – 19 JULY 2013

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 4

Thank you for your question.

There was no assumption that everyone uses the Herefordshire Council website to get information about the Core Strategy. There were a range of methods used to distribute information on the Core Strategy in the most cost effective way. These were outlined in the report to General Overview & Scrutiny Committee on 18 June 2013.

Question from Professor A Fisher, Hereford

Question 5

What current and emerging plans of Herefordshire Council would be treated or are being treated as material considerations at planning inquiries in the County?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 5

The current adopted plan used in decision making upon planning applications in Herefordshire is the Herefordshire Unitary Development Plan. Should the Herefordshire Local Plan – Core Strategy be approved by Council on 19th July then its policies can be given weight. Uncontested policies within the Core Strategy can be given greater weight.

Question from Mr J Verity, Leominster

Question 6

Residential growth can only be achieved if new well paid employment can be generated. Leominster is at a disadvantage compared with Ledbury and Ross -on-Wye being further from motorways. Granted Leominster has a railway station but the services are limited - no direct connection to London or Birmingham and there is no freight facility. Earmarking 10 hectares of employment land will not bring jobs to Leominster. How do you propose to overcome this problem?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 6

The housing requirements study produced for the Core Strategy provides evidence to support the housing targets over the plan period. The availability of a good supply of

PUBLIC QUESTIONS TO EXTRAORDINARY COUNCIL – 19 JULY 2013

employment land is a key element in attracting new businesses into the county and Leominster is well placed to attract employers. Leominster Enterprise Park is one of the best quality enterprise parks in the county, relatively little of the estate remains unsold and the remaining land does not provide sufficient flexibility for employers to meet anticipated needs over the next 20 years. The release of additional land will be phased depending upon the rate which the existing Enterprise Park is developed.

Supplementary Comment

Councillor Hamilton's answer is not satisfactory. I drove through the Enterprise Park and was dismayed to see how much land was unoccupied. It is too far from the motorway. Barons Cross brown field site has permission for 425 houses granted in 2005 but not a single brick has been laid to date.

Question from Mrs M Burns, Hereford

Question 7

According to the most recent sustainability appraisal of the draft Local Plan, the only wholly negative impacts of the Spatial Strategy arise from Policy SS4, 'Movement and Transportation'.

What changes to the Plan does the Council propose, to address this finding of unsustainability?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 7

The sustainability appraisal of the draft Local Plan: Core Strategy is not "wholly negative" in respect of Policy SS4: Movement and Transportation. As with a number of policies there are both negative and positive impacts of the policy identified. Individual scores for policies need to be considered within the context of the sustainability of the all the scores for the policy and the plan as a whole and in this regard the Sustainability Appraisal Report is clear that the plan "is generally well equipped to balance the level, type and location of growth with the maintenance and enhancement of Herefordshire's natural environment and social well-being"; there is therefore no 'finding of unsustainability'.

Question from Ms M Albright, Herefordshire

Question 8

Please reconsider the Affordable Housing contributions starting at 1 dwelling in rural areas - most plots will be unviable with this, on top of the CIL and s106 obligations. Is it better to look at primarily using exception sites for Affordable Housing (which Housing Associations and communities prefer) such as recent schemes in Lyonshall, Leintwardine, Orleton

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Weobley etc , and then to start contributions on schemes of 6 or more dwellings. This would be more acceptable to Housing Association, developers and communities. Please also reconsider the wide ranging and punishing commercial practicalities (by speaking to those actively involved in the provision of Affordable Housing such as developers and Housing Associations) of policy H1. It is so unworkable that it puts the provision of both market housing and affordable housing in serious jeopardy and doesn't reflect the wishes of rural communities. The whole issue and complexities of Affordable/Social Housing in Herefordshire needs much more discussion from all sectors.

Do other local plans from other areas have this much emphasis on Affordable Housing above all other housing types?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 8

This is a standard policy and approach, particularly in rural areas, and in Herefordshire is supported by strong evidence of need.

Evidence from studies such as the Local Housing Market Assessment and from analysis of the housing waiting list, demonstrates that the need for additional affordable housing is a key issue in Herefordshire and is correctly emphasised as a requirement in the Core Strategy. The policies in the plan are aimed at increasing the supply of affordable housing. The vast majority (73%) of new housing in rural areas come forward on sites of less than 6 dwellings, therefore, to set a threshold of 6 units or more would result in relatively few rural sites making any contribution to meeting affordable housing needs. Rural exception sites provide a valuable source of affordable housing but only resulted in 40 new dwellings completed over the 10 years up to 2012.

Question from Mr J Farrar, Leominster

Question 9

Residential growth can only be achieved if new employment (in the region of at least 5000 new jobs) can be generated. Unless, of course, the new occupants are all retired people for which there are very limited resources in terms of social care.

Leominster is at a disadvantage compared with Ledbury and Ross-on-Wye in being further from motorways which is a critical factor in generating new business. The A49 and A44 are both roads with considerable problems for commercial transport. Although Leominster is on the railway, there are no freight facilities and the services are limited.

Acquiring 10 hectares of employment land is no incentive to create the necessary employment.

How do you propose to overcome this problem?

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Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 9

I refer to my answer to public question 6 above

Question from Mrs P Churchward, Breinton

Question 10

Monitoring Reports

The monitoring of the Core Strategy is to be via the Annual Monitoring Report.

The last report published by the Council became available in June, 2012...for the year ended 31st March, 2011.

As you know, for monitoring to be effective, reports must timely and up to date.

What improvements are being put in place to ensure Annual Monitoring Reports are not published more than a year in arrears?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 10

The council is improving its methods of data collection in order to speed up the process of monitoring. In order to establish an up to date position with regards to the 5 year housing land supply it is expected that housing statistics for the year ending in March 2012 will be published in August. The position for all other monitored development types will be published by October 2013.

Supplementary Question

The Cabinet Member's answer is not satisfactory. I asked what improvements, not will there be improvements. This is another fatuous response designed to allay further questioning.

Cabinet Member Response

A written response will be provided.

PUBLIC QUESTIONS TO EXTRAORDINARY COUNCIL – 19 JULY 2013**Written Response**

Since the last Annual Monitoring Report was published the functionality of the Council's monitoring software and hardware has been improved therefore the data collection process is now more efficient.

Question from Ms S Bound, Herefordshire

Question 11

Why do Affordable Housing obligations start at 1 dwelling in rural areas but 15 units in urban areas? This seems unfair considering most Housing Associations feel urban areas best meet the needs of their clients and are most in demand.

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 11

Affordability is an issue in Herefordshire due to the relationship between house prices and incomes. In rural areas this is further exacerbated by an existing housing mix which is heavily skewed towards higher value properties. Few rural sites come forward for more than 15 dwellings (around 18%) and to set the threshold at the same level would significantly limit the delivery of affordable housing. Urban areas include strategic housing sites which provide the opportunity to deliver significant numbers of affordable housing.

Question from Mr B Albright, Herefordshire

Question 12

The high percentage provision (35- 40%) of Affordable Housing in rural areas will definitely negatively impact upon the viability and end cost of all open market housing - artificially widening the gap between social housing and market housing. The cost of providing AH, paying s106 and the high cost of CIL will render most rural sites impossible to develop. What provision to the council have in place to adapt these targets if it is shown that the external obligations are too costly?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 12

There is no evidence to suggest that the viability and end cost of all open market housing will be negatively impacted; the council accepts that there are may be occasions where development proposals are unable to meet all the relevant policy requirements and still

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remain viable. The council's Planning Obligations Supplementary Planning Document already facilitates this at paragraph 12;

If a developer considers that the level of obligations would render their proposal unviable, the Council will expect the detailed finances of the proposal to be shared with the Council in a financial appraisal. For the Council to consider such an argument, it will be essential that the developer shares information substantiating this on an "open book" basis. Any deviation from the standard obligations will need to be an unusual exception and the developer will be required to demonstrate the exceptional circumstances that give rise to the case made. If the Council agrees that a scheme cannot reasonably afford to meet all the normal requirements, these may be prioritised through negotiation with the developer and consultation with other parties, subject to the scheme being acceptable in all other respects.

This is also set out in the Local Plan – Core Strategy 2011 – 2031 (draft) Infrastructure Delivery policy where it states;

Where the council is satisfied that an otherwise desirable development cannot be fully compliant and remain viable, a reduced package of planning obligations may be recommended.

In order to enable the council to assess the viability of a proposal, the applicant will be required to provide any necessary cost and income figures to the council and pay the council's full costs in appointing an independent assessment of the viability proposal.

Question from Mr S Robinson, Herefordshire

Question 13

Replacement dwellings represent an excellent opportunity to upgrade the existing housing stock and so would it be more sensible to offer a percentage size increase (30 - 50%?) and ask a developer to justify changes in location, scale, orientation and appearance rather than try to force the dwelling to remain in the small, low cost sector.

Replacement dwellings are rarely a low cost option and could offer a wide range of benefits. Surely this should be encouraged?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 13

Replacement dwellings are one of the circumstances where new dwellings can be permitted in the countryside. Rural areas have an existing housing mix which is heavily skewed towards larger, higher value properties. Policy RA3 and accompanying text includes reference to the need to maintain a supply of smaller and less expensive properties in rural areas.

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In addition, in order to safeguard the character and appearance of the rural landscape from the visual impact of large buildings, the policy continues to require the size of any replacement dwelling to be of a comparable size to the existing dwelling.

Question from Ms C Speke, Eardisland

Question 14

Can the council provide actual figures (or approximate guidelines) for 'Affordable Housing contributions' per dwelling? Does the council accept that single or small rural schemes cannot afford to pay AH contributions, provision, s106 agreements and the wildly excessive CIL on top of locally distinctive, sustainable and high quality construction?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 14

Work on determining the “off-site” affordable housing contributions will be part of the on-going work upon the viability of the plan. The full evidence will be considered by an independent inspector at Examination in order to ensure that the final plan is sound.

Question from Ms N Eyles, Breinton

Question 15

The Draft Core Strategy that went to Cabinet stated (page 200) “A list of prioritised Infrastructure Projects, which the Council have committed to, will be advertised on the Council’s website in the form of a Regulation 123 list. This list will have been verified in terms of achievability and phasing of delivery through the Economic Viability Study which will ensure that a balance is struck between the required infrastructure projects and the ability of the strategic sites to be delivered by the development industry”. Where is the Regulation 123 List which full council have prioritised and committed to and which needs to accompany the Core Strategy for the EIP?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 15

The Regulation 123 List will accompany the Core Strategy for Examination in Public.

Question from Mr S Wegg-Prosser, Herefordshire

Question 16

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The debate on the Core Strategy has been removed from the agreed timetable of ordinary Council meetings, and rescheduled as an Extraordinary meeting. Supplementary questions from members of the public are not being allowed, apparently to shorten proceedings. The Core Strategy is being pushed through Council with unseemly haste. Work on the Nutrient Management Plan, transport modelling and realistic infrastructure proposals has been delayed. These vital elements of the Core Strategy will not now be ready until the autumn. The implementation of the CIL Charging Schedule has been delayed to April 2015, giving the Council valuable further planning time. Given all these circumstances, why was the debate on the Core Strategy not postponed to the autumn as well?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question

The Core Strategy has been in preparation since 2007, in addition the timetable agreed at Cabinet in July 2012 following considering by the then Overview & Scrutiny Committee anticipated that Cabinet and Council would consider the Core Strategy in July 2013, it cannot therefore be said that it is being progressed with unseemly haste and this timetable has been adhered to.

The importance of the subject has resulted in the arrangement of a dedicated meeting in order to enable a full debate on 19th July. The council's constitution does not normally provide for public questions at Extraordinary Council meetings but, due to the interest in the subject, the Chairman has allowed the submission of written questions and answers on this occasion.

Areas of on-going work will be complete for Submission and for consideration at the Examination in Public and therefore the consideration of the Core Strategy by Council is appropriate and does not need to be postponed; this is in line with standard practice.

Question from Ms L Lewis, Breinton

Question 17

With the current financial pressures on Herefordshire Council, the low level of reserves, cuts to public services and the need to raise in excess of £500 million to fund the necessary infrastructure to support the Core Strategy, how much is Herefordshire Council planning to borrow to make up the funding shortfall?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 17

As part of the annual budget Council sets a Treasury Management Strategy that covers capital financing requirements for the forthcoming year. This covers one year only and is based on agreed schemes.

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It is important to note that capital expenditure can be financed in a number of ways including government grant, capital receipts and borrowing. Until specific schemes are brought forward for agreement through the capital budget process it is not possible to indicate funding sources.

Question from Mr F Ware, Leominster

Question 18

How can it be possible for developers to progress the Leominster strategic urban expansion without exacerbating the air pollution at Bargates, unless the proposed link road is first constructed to a sufficient extent to provide new accesses to the site for builders' supplies and equipment, so that they can be delivered without going through Bargates, Ryelands Road or Barons Cross?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 18

The long term benefits of the southern link road to Leominster will reduce the air pollution at Bargates which is predominantly caused by HGV's. It is anticipated that the link road will be delivered during the early phases of the urban extension. Although in the short term, air pollution and traffic in the Bargates area may increase, the longer term benefits once the road is complete will outweigh any short term impacts.

Question from Mr T Geeson, Hereford

Question 19

The Core Strategy includes policies on movement in Hereford City. One of the arguments for relocating the cattle market to the edge of Hereford was to make it more easily accessible for the majority of farmers and reduce city centre congestion, particularly around the Edgar Street roundabout. Was any work of any sort carried out before and after the re-location to assess its impact on congestion, when was this work done and what were the results?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 19

The new livestock market was constructed to provide fit for purpose market facilities, which included better and more convenient access arrangements, and to enable the re-development of the existing market with new retail and leisure facilities. The planning application for the new livestock market submitted in 2008 was supported by a Transport Assessment which examined existing and proposed traffic flows. The planning application

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for the new development on the former livestock market submitted in 2010 was also supported by a Transport Assessment and considered traffic conditions post closure of the livestock market. No comparative assessment has been carried out.

Supplementary Question

Why not?

Since no comparative assessment has been carried out, one of the claimed benefits of the cattle market relocation remains unsubstantiated.

Will both the transport assessments mentioned in your written reply be made available to me so I can do the assessment?

Cabinet Member Response

A written response will be provided.

Written Response

The primary reason for the new market was not to relieve traffic congestion in the city although it was anticipated that this could be a short term benefit of relocating the market. An assessment of the current traffic conditions in the city would not reveal what benefits the relocation of the market have brought in this regard as traffic levels and movement patterns have already changed as a result of the downturn in the economy, closure of the multi storey car park and construction activities at the new retail development. As such, if a comparative assessment were carried out, it would be impossible to attribute traffic growth or reduction specifically to the market re-location.

The Transport Assessments for the new livestock market and retail development can be viewed on the Councils web-site using the following planning reference numbers:

New livestock market – 080344/F

Retail development 103136/O

Question from Mr M Bound, Herefordshire

Question 20

Why is there so much emphasis on Affordable Housing which is an important but minority need? We all understand the need to provide social housing, but the point is over stressed in the Core Strategy, at the expense of other housing types. Over allocating or over prioritising Affordable Housing cannot sustain a vibrant, diverse and economically prosperous county, especially if private market housing has to pay for social housing, therefore making an open market housing/development more expensive?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

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Answer to question 20

Evidence from studies such as the Local Housing Market Assessment and from analysis of the housing waiting list, demonstrates that the need for additional affordable housing is a key issue in Herefordshire and is correctly emphasised as a requirement in the Core Strategy. The policies in the plan are aimed at increasing the supply of affordable housing.

Question from Ms R Roseff, Herefordshire

Question 21

In developing the Core Strategy, what modelling of sustainable transport modes for Hereford was carried out in the initial 2009 Multi-Modal Model Forecasting Report by JMP and what were the results?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 21

The 2009 Hereford Multi Modal Modelling study was commissioned to consider the traffic impacts of the four strategic housing options which were being developed as a result of the Regional Spatial Strategy growth proposals. This work followed the 2003 Hereford Transport Review which had considered the future transport requirements for Herefordshire recommending an outer distributor road and blended package of sustainable transport measures. As such, it did not include detailed modelling of sustainable measures but was seeking to assess the traffic impacts of the housing options and how the transport network would perform with a western or eastern distributor road or no road. The findings of this study was that an outer distributor (east or west) would provide relief from the adverse effects of traffic growth resulting from housing and employment land use proposals.

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Question from Mr B Kuegler, Herefordshire

Question 22

Can self build be more explicitly supported? Herefordshire has an excellent history of self built houses and a wide range of nationally renowned self build providers and experts but the passing mention of Self build in the Core Strategy doesn't actually 'support' this sector - merely states it can be facilitated. Self build often provides homes that are:

- *Better build quality*
- *More ecological/sustainable*
- *Built to meet an identified need*
- *More acceptable/desirable to communities*
- *Less expensive/more cost effective*
- *More likely to be locally produced and using local skills and materials*
- *Locally distinctive*

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 22

The value of self-build projects is noted within the Core Strategy and the policies of the plan support new housing which meet the criteria listed above. However, in general terms the plan cannot specify "who" can build and more detailed support for types of housing schemes which are best able to meet specific locally defined needs are best advanced through Neighbourhood Development Plans.

Question from Ms P Mitchell, Herefordshire

Question 23

Sustainability appraisal of sustainable transport measures without relief road for Hereford

Figure 3.2 of the Local Plan Core Strategy indicates that a 'no relief road' alternative to a western relief road was considered either at the Preferred Option or the Revised Preferred Option stage of Core Strategy production and refers to p17 of the Preferred Option SA/SEA Note for Hereford and to p13 of the Revised preferred Option SA Note.

P17 of the Preferred Option Final Sustainability Appraisal shows Table 5: Appraisal Findings for Relief Road Options. The table compares Western relief road (favoured inner corridor) and Eastern relief road (favoured inner corridor). There is no sustainability appraisal of a discounted 'No Road' alternative.

P13 of the Revised Preferred Options SA Note discusses only the option to 'Build a partial eastern relief road' (para 7), under 'Discounted options for overall spatial strategy'.

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Where is the sustainability appraisal of an option of sustainable transport measures without a relief road for Hereford which justified discounting this option in the development of the Core Strategy?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 23

Early work on the Plan included Sustainability Appraisal work on options including consideration of developing a strategy with an enhanced package of public transport measures to enable growth without the provision of an outer distributor road (see Core Strategy Developing Options Paper: Sustainability Appraisal Addendum, March 2009). Evidence developed subsequently indicated that the scale of development at Hereford would cause significant detrimental effect on the operation of Hereford's highways network and the development of a preferred strategy for Hereford with a no-road scenario was therefore discounted as not providing a reasonable alternative. This position has continued to be tested through subsequent iterations of the plan, with the preparation of further evidence and consultation with the Highways Agency.

Supplementary Question

Why was there no sustainable appraisal?

Cabinet Member Response

There were not two to take forward.

Question from Mr R Stow, Rowlestone

Question 24

The Council is being asked to approve the Core Strategy without proper information on the requirements, costs and funding of necessary and major infrastructure. Does the Council accept that making such a strategic decision, with wholly inadequate information, may be in breach of the authority's fiduciary duty to its taxpayers and potentially unlawful?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 24

Areas of on-going work in relation to the Infrastructure Delivery Plan will be complete for Submission and for consideration at the Examination in Public; therefore consideration of the draft Core Strategy by Council at this stage is supported by adequate information; there is no breach of duty or statute.

I also refer to my answer to public question 2.

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Question from Mr D Neades, Herefordshire

Question 25

Isn't it fairer and more viable to suggest that Affordable Housing contributions only start at 6 units in rural areas, providing an exception site for Affordable Housing has been identified by a Neighbourhood development Plan?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 25

I refer to my answer to public question 8

Question from Mr E Brechtmann, Hereford

Question 26

Why are the RA villages restricted by size and occupancy? This is unfair to local people, especially young families which will need more space than 100m²? Why are Herefordshire Council encouraging 'rabbit hutch' sized homes when we could be fostering good quality housing and we don't have a shortage of land? Value can be capped in other ways.

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 26

In the rural settlements identified by policy RA2 the Core Strategy will not impose any occupancy controls or size restrictions. This represents greater opportunity for house building in a broader range of villages than under previous plans.

The Plan also enables housing development in a further 97 smaller villages. In order to help with the general affordability of housing and ensure local needs are met, development in these villages will be restricted to smaller market homes for people with an identified local housing need.

The introduction of this option further increases the range of housing options available to local people whilst the size restriction will keep build costs down and maintain house values at the lower end of the house price range. The size allowances do not restrict the provision of good quality housing. They represent comfortable, functional and adaptable space allowances that are more generous those used by the Homes & Communities Agency.

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Question from Ms S Bell, Rowlestone

Question 27

The results of the March-April 2013 consultation show significant public opposition to all 6 of the county-wide over-arching policies, which constitute the “spatial strategy”. For three of these 6 policies – Housing Land, Housing Distribution and Transportation - the percentage disagreeing was over 50%. Even after seven “consultations” the strategy does not have public support. Will the Council now admit that their Core Strategy is not acceptable to the people of Herefordshire, because it consists only of massive house building and massive road building, with no imagination or compelling vision for the future of the County?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 27

The Core Strategy is far more than proposals for new housing and road infrastructure. The Plan contains a clear vision for the county up to 2031. However, a plan of this complexity is always likely to generate a degree of unresolved objections. The legislation anticipates this situation by requiring an independent examination of the Plan.

Question from Mrs V Wegg-Prosser, Breinton

Question 28

Cabinet members claim to be concerned about the vulnerable in our society. They have endorsed proposals to increase charges for community services such as school transport and care home occupancy, and reduce services such as public libraries and public conveniences. Is it not time now for this Administration to reconsider its priorities and explain how it can contemplate funding through public borrowing (involving payback over many years out of ordinary income) an Outer Distributor Road round Hereford whose offered savings in journey time (if at all) are only about two minutes, at the expense of using money from this same income to help the vulnerable and economically disadvantaged, many of whom cannot afford private car usage and rely on community assistance to maintain a meaningful quality of life and seek to improve their life chances?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 28

Without investment in key infrastructure to support economic growth, the local economy and the council will not be in a position to support vulnerable people. The Core Strategy does not determine the funding or borrowing requirements of the council.

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The main function of the relief road and the complementary package of sustainable transport measures is to enable the long term growth of Herefordshire. The planned increase in housing and employment land will help support a more sustainable local economy.

Supplementary Question

From the reply I received to my question, surely I am not supposed to think that the Council will not be in a position to support vulnerable people without investment in key infrastructure. What if the investment is delayed - does that mean the support for the vulnerable will cease? I am sorry to say that the given answer to my question does not answer my question - the point is that the Council can choose to prioritise its expenditure with regard to the vulnerable, as opposed to appeasing those who argue that another road will boost the economy and promising something which under the current economic circumstances is not going to be deliverable in any case.

Written Response

The point made in the original answer was in relation to the wider objectives contained in the Core Strategy. The development of the growth agenda and the delivery of the policies and proposals in the Core Strategy are critical to the future well-being of the economy and demography of the County. Clearly particular work will need to be undertaken to tackle the adult social care issues in the County in both the short and medium term. However the implementation of the Core Strategy proposals will improve economic prosperity in the County, will change its demography and will provide a sounder and more resilient basis by which to address adult social care issues.

Question from Mr T Smith, Bromyard

Question 29

Please explain the contradiction between p.193 of the Core Strategy where you state "no primary or secondary shop frontages are included for Bromyard and Kington" and figures 4.7 on p104 and figure 4.9 on p.110 which show all shopping frontage in Bromyard as secondary and all shopping frontage in Kington as primary?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 29

With regard to frontages in Bromyard and Kington, the Town Centres Study Update 2012 recommends that there is only a need for the designation of primary shopping areas in these two towns and this is stated in the supporting text to Policy E6. The Primary Shopping Areas will be defined in Neighbourhood Development plans, as is the case for Hereford and the other market towns. However, rather than leave a policy vacuum in the draft core strategy it is considered appropriate to carry forward the delineations from the UDP until the neighbourhood plans are adopted. These, together with the

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recommendations of the Town Centres Study Update, will be the starting point for the consideration of the where the boundaries of the primary shopping areas should be drawn.

Supplementary Question

My question is about the clear contradiction within The Draft Core Strategy. It is no answer to suggest that this will be resolved in future Neighbourhood Plans unless he wipes out all references to Primary and Secondary shopping areas in all the Market Towns. Please ask him to answer my question and not to obfuscate.

Written Response

There are two separate issues in your letter. The first is the Council's proposals for retail frontages in market towns. The second is the progressive roll-out of the neighbourhood plan agenda. In some cases these issues will overlap and in some cases they will not do so. The point made in the original answer is that the neighbourhood planning process allows local communities to have the opportunity to provide further detail and local clarity to policies and proposals contained in the LDF Core Strategy.

Question from Mrs TA Macklin

Question 30

What makes housing generally affordable is a large increase in the number of houses built. We have, over the past few years, seen sites with planning for hundreds of houses mothballed as developments are considered not economically viable. This Core Strategy continues to add excessive costs to development. Land prices and build costs will only rise, so please can the council advise what the "Plan B" is if the Core Strategy fails to deliver the housing numbers required? and the housing shortage we are currently experience continues. The identified 20% variation in targets over 3-5 years as suggested doesn't allow enough scope for responsive measures.

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning

Answer to question 30

The need to increase housing supply in the county in order to meet the requirements for the county over the next twenty years is acknowledged. National economic conditions have resulted in a downturn in the housing market which is beyond the control of Herefordshire Council. The Core Strategy will help in significantly increasing housing land supply in the county, and includes triggers which would result in a review of key policy areas should the plan not deliver the expected housing numbers.

MINUTES of the meeting of Council held at Council Chamber - Brockington on Friday 19 July 2013 at 2.00 pm

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

Councillors: PA Andrews, AM Atkinson, CNH Attwood, CM Bartrum, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, PGH Cutter, BA Durkin, DW Greenow, KS Guthrie, RB Hamilton, J Hardwick, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JG Lester, RI Matthews, PJ McCaull, JW Millar, PM Morgan, C Nicholls, FM Norman, RJ Phillips, GJ Powell, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, J Stone, GR Swinford and DB Wilcox

21. PRAYERS

Councillor the Reverend Prebendary Carl Attwood, led the Council in prayers.

22. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillor PJ Edwards	Councillor J Knipe
Councillor MD Lloyd-Hayes	Councillor RL Mayo
Councillor SM Michael	Councillor NP Nenadich
Councillor P Sinclair-Knipe	Councillor AJW Powers
Councillor GA Vaughan-Powell	Councillor D Taylor

23. DECLARATIONS OF INTEREST

Councillor EMK Chave declared a non-pecuniary interest in agenda item 10: Appointment Of Independent Persons To The Council's Standards Panel because she was acquainted with David Williams through Herefordshire Advanced Motorists.

24. MINUTES

RESOLVED: That the Minutes of the ordinary and the extraordinary meetings of Council held on 24 May 2013 be confirmed as a correct record and signed by the Chairman, subject to the following point of clarification on the minutes of the extraordinary meeting: Minute number 15, agenda page 18, bullet point 11 should be amended to state that, "a 1p council tax rise would give £642.60 and a 12.5p rise would give £8,032. This is based on a council tax base of 64,260".

25. CHAIRMAN'S ANNOUNCEMENTS

In the Chairman's announcements the Chairman:

- Informed Council of the retirement of Mike Toney, Head of Benefits and Revenue Performance.

- Informed Council of the commemorative service held at the Cathedral for the coronation of Her Majesty The Queen.
- Informed Council of the ceremony for the Herefordshire Volunteer of the Year Awards won by Richard Johnston.
- Informed Council of the Chairman and Vice-Chairman's attendance at the Royal Three Counties Agricultural Society's Award Ceremony.
- Advised of Chairman and Vice-Chairman's attendance at the Armed Forces Flag raising ceremony held at the Shire Hall.
- Advised of the Chairman and Vice-Chairman's attendance at the Whitecross Summer Sports Events.
- Reported the Vice-Chairman's attendance at a special ceremony granting The Rifles Regiment freedom of Ross-on-Wye.
- Informed Council of the annual Historical Hereford Day, which was opened by Councillor Graham Powell.
- Informed Council of Councillor Sally Robertson being nominated a 'Shining Light' in celebration of one year on from London 2012 and the Olympic Games.
- Informed Council that members of the Brimfield bowling club, whilst bowling at Windsor Castle, had had the honour of speaking to Her Majesty the Queen.

There were no petitions from members of the public.

26. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the public questions and written answers is attached to the Minutes as Appendix 1. There were no supplementary questions asked.

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

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

28. NOTICES OF MOTION UNDER STANDING ORDERS

NOTICE OF MOTION ONE – VOLUNTARY REDUCTION IN MEMBERS' ATTENDANCE ALLOWANCE

Moved by Councillor AM Atkinson and seconded by Councillor P Rone.

Councillor AM Atkinson addressed Council and made the following points:

- The motion was not a gesture, but a question of morality and fairness.
- He accepted some Members did not claim allowances and that the basic allowance for Councillors was not excessive.
- Councillors could not allow staff to be made redundant and not give up anything in Members' allowances.
- Members were allowed to claim out of pocket expenses, but if a Member was not out of pocket then they shouldn't make a claim.
- It was accepted no one wanted anyone to think they couldn't stand to be a Councillor as they couldn't afford to, but Members didn't have to claim for everything.
- Councillors should lead by example, especially at times of hardship.

Councillor P Rone made the following comments:

- He did not believe that any Councillor stood to be elected as a Councillor based on the allowance they would receive.
- These were extraordinary times with the number of redundancy notices being sent out.
- He accepted that some Members didn't claim or claimed and gave their allowance to charity.
- He asked Members to consider the Notice of Motion in the manner in which it was proposed.

The following comments were made in debate:

- Members were asked to reject the Notice of Motion as grandstanding.
- Members were not forced to claim their allowance.
- The Independent Remuneration Panel set the allowance for Councillors, not Members themselves. People's circumstances were very different and the allowances in Herefordshire were modest compared to other authorities. Members had the right not to claim their allowance.
- Not all Members were wealthy enough to give up their allowance; people could decide for themselves.
- The Notice of Motion would make it impossible for less well off members of the public to become Councillors.
- It could be expensive for Members travelling around a rural ward.
- The Notice of Motion could discourage women, mothers and people with a disability from becoming Councillors.
- Some Members had given up work to stand as a Councillor and lost money for each Council meeting they attended.
- There was a need to encourage a good cross section of society to stand as a Councillor. There was concern that Herefordshire's current system was ageist and sexist.
- The Notice of Motion was proposed with the best of intentions but it was wrong for people to feel coerced into giving up their allowance.
- Herefordshire Councillors had decided against joining the local government pension scheme, which some other authorities had done and which was a loss to Members.

A named vote was taken:

For: Councillors: AM Atkinson and P Rone.

Against: Councillors PA Andrews, CNH Attwood, CM Bartrum, LO Barnett, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, ACR Chappell, MJK Cooper, PGH Cutter, BA Durkin, KS Guthrie, RB Hamilton, J Hardwick, JW Hope MBE, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JG Lester, JW Millar, FM Norman, GJ Powell, R Preece, PD Price, A Seldon, J Stone, GR Swinford and DB Wilcox.

Abstain: Councillors EMK Chave, EPJ Harvey, AJ Hempton-Smith, MAF Hubbard, RI Matthews PJ McCaull, PM Morgan, C Nicholls, RJ Phillips and SJ Robertson.

The Motion was lost with:

FOR	2
AGAINST	33
ABSTAIN	10

NOTICE OF MOTION 2 – NON PROCEDURAL VOTES TAKEN AT ALL MEETINGS OF COUNCIL COMMITTEES.

The Notice of Motion proposed by Councillor Hamilton and seconded by Councillor Powell was withdrawn by the proposer and seconder, to be presented at a later date.

29. LEADER'S REPORT

The Leader of the Council presented his report.

A Member requested that the format of the Leader's report should be reviewed. Members had already been informed of decisions that had been taken. It would be more useful if the report commented on what had happened but also looked ahead to the key issues that would be under consideration before the next council meeting.

RESOLVED: That the report be noted.

30. APPOINTMENT OF INDEPENDENT PERSONS TO THE COUNCIL'S STANDARDS PANEL

The Chairman of the Audit and Governance Committee, presented the report of the Head of Governance and Monitoring Officer on the appointment of independent persons to the Council's Standards Panel.

Councillor Stone thanked Jake Bharier and David Stevens for their service to the Panel, both of whom had to step down from their positions because of the provisions of the Localism Act 2011. He welcomed the new members: David Williams and John Sharman.

RESOLVED: That the appointment of John Sharman and David Williams as Independent persons to the Standards Panel, be approved.

31. APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER

(The Head of Governance left the room during consideration of this item.)

The Leader of the Council presented the report of the Chief Executive on the appointment of Electoral Registration Officer and Returning Officer and moved the recommendation, which was seconded by Councillor A Seldon.

RESOLVED: That the post of Head of Governance be designated Electoral Registration Officer and Returning Officer.

32. ELECTORAL REVIEW OF HEREFORDSHIRE - FINAL RECOMMENDATIONS

The Leader of the Council presented the report of the Head of Governance on the Electoral Review of Herefordshire Final Recommendations.

RESOLVED: That the Local Government Boundary Commission for England's final recommendations for Council size and warding arrangements, and the timetable for implementation, be noted.

33. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY

Councillor Brigadier P Jones CBE presented the annual report of the Hereford & Worcester Fire and Rescue Authority.

He noted concern expressed by a Member about proposals relating to fire cover for Hereford City.

RESOLVED: That the annual report of the Hereford & Worcester Fire and Rescue Authority be received.

The meeting ended at 3.35 pm

CHAIRMAN

PUBLIC QUESTIONS TO COUNCIL – 19 JULY 2013

Question from Mr P McKay, Herefordshire

Question 1

At present Council has its rights of way data viewable on one web page, with its roads data viewable on another web page overlaid with waste collection data, all viewable though when looking at road data have to keep switching from waste collection data to road data.

At Full Council meeting of March 2011 I was advised that it is Councils objective to have complete and correct highway records and when I asked Full Council meeting May 2012 if the objective of getting the Highway Records online could now be given priority, and the date this could be expected I was advised that positional accuracy checks are currently being undertaken before the information is converted for uploading to the website; I am pleased to advise that this should be completed by the autumn.

I am now advised via Freedom of Information that The Statutory Street Register, also known as the Local Street Gazetteer, is in a format that is ready to be published, but discrepancies between the Local Street Gazetteer and the highways extents have been found, with Herefordshire Council currently reviewing the two data sets to establish the full extent of the work required and have commenced corrective work.

So may I now ask when this information is now expected to be published online, and with a significant number of Definitive Map Modification Order Applications on the register if completing and correcting the highway records with them being published online could be covered by this years, and future years, annually published Authority Monitoring Reports ?

Answer from Councillor PD Price Cabinet Member Highways & Transportation

Answer to question 1

I appreciate Mr McKay's patience in awaiting this information.

We continue to work towards making the Local Street Gazetteer available online. This involves a considerable amount of manual checking to ensure the accuracy of the data provide, due to the need to bring together separate existing data sets. Whilst this work is ongoing, we have to prioritise our limited resources; this has meant that the process is taking longer than was originally anticipated. It is hoped to complete this process in the coming months and make the data available on-line. Once published, we will endeavour, within the resources available, to update it as necessary to reflect changes over time.

PUBLIC QUESTIONS TO COUNCIL – 19 JULY 2013

Question from Ms A Sheppard, Herefordshire

Question 2

Learners with learning difficulties and disabilities (LDD) aged 19-25 years have always had a right to further education, but the historical lack of relevant specialist provision in Herefordshire has prevented all but the most able of these young people from accessing further education locally. These rights have recently been strengthened by statute and the county's only OFSTED graded outstanding provision for learning disability (Barrs Court Specialist School and College) has offered to make specialist provision available to young people aged up to 25 years. Barrs Court is prepared to make this provision available either:

- As a college of further education with funding secured via the Education Funding Agency;

and/or

- As a day care provider with funding secured via personalized budgets and Direct Payments.

Both of these examples have been successfully facilitated by special schools in other local authorities and could be implemented just as well by Barrs Court in Herefordshire.

Although some 5,000 Herefordshire citizens have signed a petition to indicate their support for this proposal, Herefordshire local authority (LA) has never been supportive.

In a press release released in November 2012, an elected member declared that the LA had commenced a review of LDD provision in October, but the terms of reference for such a review had never been shared. The performance indicators on the proposed timeline for this review have not been met either, suggesting that the LA might be struggling to shape a strategic plan that can facilitate LDD provision that will be of an equally outstanding quality as that which is already offered by Barrs Court. Barrs Court already operates a 16-19 years LDD provision at The Hub (formerly St Owens) and with a little re-structuring of the day care services on offer at The Hub, more, or all of the building, could be dedicated to delivering outstanding LDD provision at minimal cost. However, once again the LA has resisted such a proposal out of hand, despite the financial gains this would bring to Herefordshire Council.

My question today is to ask the elected members of Herefordshire Council how the local authority is planning to meet its statutory obligation to make LDD provision available locally that will be of the same outstanding quality as that which can be made so readily available by Barrs Court?

Answer from Councillor JW Millar Cabinet Member Children's Services

Answer to question 2

We are committed to increasing choice, giving more control to young people and their families in planning for their future, and improving the outcomes for young people.

PUBLIC QUESTIONS TO COUNCIL – 19 JULY 2013

Herefordshire Council is undertaking a review to develop and ensure suitable, sufficient and high quality education and training provision is available to meet the needs of Herefordshire resident young people aged 16-25 with learning disabilities. While the excellence of Barrs Court is recognised, we are working collaboratively with other providers including Westfield School, which also has outstanding provision for post 16 provision, health services and social care to develop what is collectively the best for these young people.

As a member of the review focus group, Mrs Sheppard will of course be aware of this review and its timetable, and I welcome the contribution being made by all members of that group. Cabinet expects to consider the overall findings of that review at its meeting on 19 September 2013. Meanwhile, building on the early findings of that review, pilot activity is starting in October

Question from Ms L Williams, Herefordshire

Question 3

Public Toilets

Do the council really believe that the withdrawal of the above services will not be detrimental to Hereford citizens and the tourist industry as a whole?

Answer from Councillor RB Hamilton Cabinet Member Environment, Housing & Planning

Answer to question 3

The council is not intending to end access to public toilets; rather it remains committed to ensuring the availability of toilets across the county for the benefit of local people and tourists. However as public funding decreases, council resources cannot continue to support all services to the levels we have enjoyed previously and therefore other ways of delivering services must be explored.

We have established a successful Community Toilet scheme in partnership with local businesses which is improving both the quality and availability of toilet provision. Where this scheme has successfully secured the availability of better quality provision, the council has and will continue to review the need to provide council maintained public toilets and close those that are no longer needed.

PUBLIC QUESTIONS TO COUNCIL – 19 JULY 2013

Question from Mr P Newman, Herefordshire

Question 4

Public Footpath KY27 – KINNERSLEY

In September 2006 I received a Consultation re the possible Diversion of this path. In January 2007 I contacted Herefordshire Council Rights of Way Manager advising him that the path was obstructed by a pile of earth and that development appeared to be taking place on the site - in addition the Footpath Sign was missing. In February of this year I discovered that the path had a building and garden totally blocking the path. This type of problem used to occur in Herefordshire, but assurance was received from the Council that it was a thing of the past.

What procedures are now in place to prevent development occurring on Public Rights of Way and can the Cabinet member please ensure the existing processes are in place and being adhered to, and look at an overhaul and strengthening of these procedures which involve more than one Council department?

Answer from Councillor PD Price Cabinet Member Highways & Transportation

Answer to question 4

I can confirm that when a planning application is received which affects the line of a Public Right of Way (PROW) then it is given the statutory publicity and the council's PROW service are consulted. In the event that a planning permission is granted which affects the line of a PROW the developer is advised that work should not be commenced until the PROW has been properly diverted.

If Mr Newman would care to forward to me the details of the site in question I will ensure a more detailed explanation is provided regarding that site.

**MEMBERS' QUESTIONS TO COUNCIL – 19 JULY 2013
ORDINARY MEETING**

Question from Councillor WLS Bowen

Parking Meters at Brockington

1 *As new parking charges have been brought in at a time when Council staff are feeling demotivated, could answers be provided to the following points:*

- *How much has it cost to install the parking meters and signage at Brockington?*
- *How much does it cost to monitor and enforce the new parking regulations at Brockington?*
- *Are you aware that the new parking regulations at Brockington have led to neighbouring streets becoming cluttered with Council officers' cars, much to the annoyance and discomfort of the local residents?*
- *How much cash has the parking meters collected so far?*
- *Do you really think that the new parking regulations are either a good or worthwhile innovation?*

Answer from Councillor PD Price, Cabinet Member Highways and Transportation.

Answer to question 1

The cost of meters and signs at Brockington was £3,640.

It isn't possible to give meaningful income figures specifically in relation to the Brockington site as the introduction of parking regulations at council office car parks affects a number of sites, day tickets are transferable between those sites, and some staff have taken up the option to purchase season tickets. With that caveat in mind I can confirm that actual cash taken from the meters during the first full month of operation was £793; income to date in respect of season ticket sales (covering all council office car parks) totals £11,400.

There are no additional costs of enforcement as the additional car parking sites have been incorporated into existing officer patrols.

We are aware of reports from two local residents with regard to parking on nearby streets, and staff have been reminded of the need to park considerately. Whilst this does not appear to be as significant an issue as the question may suggest, we continue to monitor the situation and will take action where appropriate.

Whilst it is acknowledged that the introduction of charges is not popular with many staff, and that there is no 'perfect solution' to the sensitive issue of parking, as a council we must ensure as best we can equality for staff and residents alike. As with charges in public car parks for commuters, it is felt that

**MEMBERS' QUESTIONS TO COUNCIL – 19 JULY 2013
ORDINARY MEETING**

this principle of equality can be supported in part by implementing parking charges at council buildings where it is sensible and cost effective to do so. Not to have included the Brockington site, where senior managers are based, would not have been equitable.

The policy is also in keeping with the council's commitment to supporting and promoting increased sustainable travel across Herefordshire and enables Herefordshire Council to reflect an exemplar approach to local businesses. The Local Transport Plan has identified that 10,000 car journeys of less than three miles are made every morning in Hereford during peak times. It is hoped that parking charges will encourage more staff to consider alternative means of travel such as walking, cycling or public transport, which will help to reduce congestion and CO2 emissions.

Supplementary Question

It was questioned how the cost of enforcement could not have increased. Concern about the discomfort to local residents as a result of officers parking on nearby streets was reiterated.

Cabinet Member Response

The Cabinet Member replied that it was too early to assess the full impact of introducing charges. He would, however, monitor the situation and report back in due course.

Question from Councillor TM James

Payments to Third Party Agents/Organisations

- 2 *Can the Cabinet Member responsible for Economic Development inform Members whether any fees or monies will be paid by the Council to any third party agents or organisations relating to the collapse of the deal to locate hi-tech aerospace jobs to Hereford and Ross-on-Wye and if so, how much?*

Answer from Councillor RJ Phillips Cabinet Member Enterprise & Culture

Answer to question 2

I am happy to confirm that no fees or monies will be paid by the council to any third party agents or organisations in respect of this matter.

**MEMBERS' QUESTIONS TO COUNCIL – 19 JULY 2013
ORDINARY MEETING**

I would also like to correct the suggestion that a 'deal' has 'collapsed'. It is perfectly normal for potential investors to explore development opportunities; it would be exceptional if all came to fruition. As you would expect from a prudent authority, we have made no financial or other assumptions based on speculative interest, and continue to work with other potential investors interested in these sites and as such are continuing with site infrastructure and servicing work.

Supplementary Question

It was asked whether the due diligence had been undertaken, suggesting that greater caution should have been exercised.

Cabinet Member Response

The Cabinet Member replied that due diligence had been undertaken. The Council had shown appropriate caution. As Cabinet Member it had been incumbent upon him to meet a Trade Minister offering potential investment in the County. He expected to be able to make an announcement soon about local companies investing in the Enterprise Zone.



MEETING:	COUNCIL
MEETING DATE:	18 OCTOBER 2013
TITLE OF REPORT:	QUESTIONS FROM MEMBERS OF THE PUBLIC
REPORT BY:	HEAD OF GOVERNANCE

1. Classification

Open

2. Purpose

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

3. Introduction and Background

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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;

Further information on the subject of this Report is available from
Governance Services on Tel (01432) 260249

- 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.

3.5 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.

4. Questions

4.1 Two questions have been received by the deadline and are attached at Appendix 1.

PUBLIC QUESTIONS TO COUNCIL – 18 OCTOBER 2013

Question from Mr G Perkins, Herefordshire

Question 1

I would like to raise the question of the amount of money spent on floral decorations, grass cutting and similar activities most of which are purely cosmetic and could be scrapped given the parlous financial situation. In Bromyard we see flower beds being re-planted and verges cut where there is no road safety justification. Driving round Hereford one sees the same. Not least in the city itself. This sort of thing could be devolved to the local Town /Parish Councils - if residents really want this - perhaps to compete in pointless "In Bloom" competitions they can pay through the local precept or volunteer to do it themselves.

Is Herefordshire Council going to cut this non-essential activity?

PUBLIC QUESTIONS TO COUNCIL – 18 OCTOBER 2013

Question from Mrs E Morawiecka, Breinton

Question 2

Herefordshire Council was awarded significant funding from the Department of Transport for their "Destination Hereford" bid. In the bid to the Government Department, Herefordshire Council made the commitment that:-

"Political engagement will be delivered through weekly briefings to the Cabinet Member for Highways and Transportation and briefings to the Council's Environment Scrutiny Committee".

A large element of this funding bid was for improvements to Broad Street, Hereford. However, the decision to revise the programme and focus on cycle network development and sustainable transport improvements across Hereford was agreed by the Cabinet Member and discussed directly with the Department for Transport.

I am not aware of any briefings to any Scrutiny Meeting since the "Destination Hereford" bid was successful over 2 years ago. Would the Cabinet member please explain how the funding allocated for the Broad Street works is now being utilised to promote sustainable transport and best value for money for the County's taxpayers?"



MEETING:	COUNCIL
MEETING DATE:	18 OCTOBER 2013
TITLE OF REPORT:	LEADER'S REPORT
REPORT BY:	LEADER OF THE COUNCIL

1. Classification

Open.

2. Key Decision

This is not an executive decision.

3. Wards Affected

County-wide.

4. Purpose

To receive a report from the Leader on the activities of Cabinet since the meeting of Council in July.

5. Recommendation(s)

THAT: the report be noted.

6. Alternative Options

6.1 There are no alternative options; it is a requirement of the council's constitution.

7. Reasons for Recommendations

7.1 To ensure members are aware of the activities of Cabinet.

8. Key Considerations

8.1 A list of the decisions taken by the executive since the last report to Council 19 July is provided at Appendix A; none were dealt with under the urgency provisions within the constitution.

8.2 As I outlined in my report to Council in July we, like councils across the country, have to manage unprecedented financial challenges in the coming months and years together with increasing demand for services, and will be faced with making decisions to reduce funding and service levels which many of us find unpalatable. It remains the fact that those decisions, however difficult, must be made. Since the last meeting of Council, members from all groups have been working together to achieve a consensus on our future priorities to inform our future budget setting and provide greater clarity to the communities of Herefordshire about the role of the Council in

Further information on the subject of this report is available from
Cllr AW Johnson, Leader of the Council, on Tel (01432) 260494

the future. I am immensely grateful to colleagues who have participated in this process and very much hope that all members will continue to engage fully in this debate moving forward.

- 8.3 As is apparent from Appendix A, as a Cabinet we have already started to take decisions on the future of some services; we will continue to bring forward detailed proposals for delivering further necessary service reductions and/or changes during the coming months, and will continue to update the executive rolling programme regarding the anticipated timing of those decisions. “Star Chambers” have also been held to challenge budget and savings proposals both for in year and future budget setting purposes; Cabinet will, at its meeting on 24 October, consider the proposed arrangements for wider consultation on these budget proposals, and briefings are being arranged for all members through Group Leaders.
- 8.4 Members will be aware that a decision on the Waste Management Contract had been scheduled for Cabinet consideration on 4 October. At the end of September, and following detailed discussions between the two councils involved (Herefordshire Council and Worcestershire County Council) and central government, an additional funding option was suggested. As a prudent and responsible council we remain committed to finding the most cost effective waste disposal solution for the residents of Herefordshire and therefore, to ensure this further proposal could be developed to the level of detail required for proper consideration, the report was postponed to allow for this further work to be completed. A new timeline is being developed and will be reported as soon as it is available.
- 8.5 Following Cllr Russell Hamilton’s recent resignation I place on record my thanks to him for the dedication and commitment he has shown in the Pontrillas ward and to the people of Herefordshire during his time as an elected member. As a consequence of his resignation there have been some temporary adjustments to Cabinet Member portfolios pending a substantive appointment and these are reflected, in italics, in Appendix B.

9. Community Impact

- 9.1 The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

10. Equality and Human Rights

- 10.1 Cabinet have paid due regard to the public sector equality duty in their decision-making as set out in the relevant decision reports.

11. Financial Implications

- 11.1 The financial implications of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

12. Legal Implications

- 12.1 The legal implications of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

13. Risk Management

- 13.1 The risks associated with any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

14. Consultees

14.1 None

15. Appendices

15.1 Appendix A – Executive Decisions.
Appendix B – Cabinet Member Portfolios

16. Background Papers

16.1 None identified.

Decision	Date	Taken By
<i>Halo Prudential Borrowing</i> – the allocation of Capital Expenditure, funded by prudential borrowing, for purchase of air handling units at Ledbury Swimming Pool, and to develop an outdoor café area at Hereford Leisure Pool by Halo Leisure was approved.	12/07/13 29/08/13	Cabinet Member Corporate Strategy & Finance
<i>Budget Monitoring Reports</i> – Cabinet received a monthly report to monitor projected revenue and capital out-turn position for 2012/13 including Treasury Management activities.	25/07/13 16/09/13	Cabinet
<i>Post 16 Special Education Needs Transport</i> – a decision was taken to undertake a full consultation on options relating to the reduction in subsidy currently provided for non-statutory Post 16 SEN (Special Educational Needs) transport, and taking account of the consultation responses, decide any policy changes in December 2013 for implementation from September 2014	25/07/13	Cabinet Member Children's Services
<i>CCTV</i> – a decision was taken to maintain the current in year level of service and to commit to providing core support to CCTV in future years, through hosting and strategic overview, whilst engaging in dialogue with the Police and Crime Commissioner and other organisations, to seek the funding required to support a sustainable service delivery model.	25/07/13	Cabinet Member Enterprise & Culture
<i>Free Mainstream Education Transport</i> – a decision was taken to start formal consultation in September 2013 on an amendment to the home to school transport policy such that entitlement is associated with nearest school only as opposed to nearest and catchment area, and taking account of the consultation responses, to implement revised arrangements from January 2014	25/07/13	Cabinet Member Children's Services
<i>Integrated Performance Report</i> – Cabinet reviewed performance for the first quarter of 2013/14	25/07/13	Cabinet
<i>West Mercia Youth Justice Plan</i> – Cabinet recommended the plan for adoption by Council.	25/07/13	Cabinet
<i>Highways Infrastructure</i> - Cabinet agreed the need for additional investment in improvement in county road conditions and delegated approval of the detailed case and programme for such investment to officers.	25/07/13	Cabinet
<i>County Network Renewal</i> – Cabinet agreed the approach to renewal of the wide area network service contract and delegated authority to the Assistant Director People Policy & Partnership to finalise the preferred option.	25/07/13	Cabinet

Decision	Date	Taken By
<i>Next Stage Integration</i> – Cabinet agreed the proposed operational model and organisational structure for those functions which were then part of the Wye Valley NHS Trust section 75 agreement.	25/07/13	Cabinet
<i>Community Protection</i> – a decision was taken on options to deliver savings within the service whilst maintaining the necessary minimum level of statutory services, plus a level of investigative and enforcement work.	08/08/13	Cabinet Member Environment Housing & Planning
<i>Home & Community Support</i> - a decision was taken to extend the current contracts for adult social care home and community support until 31st March 2014 and to concurrently issue notice to end all contracts from 31st March 2014; arrangements and plans for ensuring service users, carers and providers participate in securing new contracts for the provision of Home and Community support within Herefordshire were approved.	16/09/13	Cabinet Member Health & Wellbeing
<i>Public Conveniences</i> - a decision was taken to approve the countywide roll out of the Community Toilet Scheme as an element of the council's overall approach to the future provision of public conveniences and to approve a number of activities to secure savings through reduced public subsidy of this service.	16/09/13	Cabinet Member Environment Housing & Planning
<i>Resident Parking Scheme</i> - a decision was taken to approve a revised resident parking scheme policy to apply to any new scheme, for the review of Traffic Regulation Orders in respect of existing schemes, and to approve revised charges for permits associated with the schemes.	19/09/13	Cabinet Member Highways & Transportation
<i>Madley Traveller Transit Site</i> - a decision was taken to amend a non-key decision made on the 11th April 2013, to enable disposal of the existing Madley Traveller Transit site pending identification of a suitable alternative site.	19/09/13	Cabinet Member Corporate Strategy & Finance
<i>Museums, Customer Services and Libraries</i> – Cabinet agreed options for the future operation of Museums, Customer Services and Libraries in the light of budget pressures and changing trends in accessing services. it was noted that further changes to the services would need to be considered in the context of future financial pressures across the local authority, and having due regard to the impact on service users and local people.	19/09/13	Cabinet
<i>Devolved Services</i> – Cabinet agreed the process of local management of services by Herefordshire's town and city councils through a programme of devolved services, noting priority areas and related asset transfers.	19/09/13	Cabinet

Decision	Date	Taken By
<i>Buttermarket</i> – Cabinet agreed to negotiate with Hereford City Council and/or other interested parties to transfer the ownership, operation and future redevelopment of the Buttermarket, to help secure its long term future within High Town.	19/09/13	Cabinet
<i>Post 16 Learners with Learning Difficulties and Disabilities</i> – Cabinet received the findings of a recent review into young people aged over 16 years with Learning Difficulties and/or Disabilities and agreed a small pilot be undertaken to test and develop multi-agency joint commissioning and provider collaboration.	19/09/13	Cabinet
<i>Safeguarding Children</i> – Cabinet received a report detailing the progress of improvement planning in children’s safeguarding resulting from the self-evaluation undertaken and reported to the Department of Education in July 2013 in relation to the Herefordshire Safeguarding and Protecting Children Improvement Plan. Cabinet also received the annual report of the Herefordshire Safeguarding Children Board (HSCB) and the proposed business plan of the HSCB; the priorities of the HSCB in relation to specific safeguarding issues in Herefordshire were acknowledged and it was agreed that consideration be given to how Herefordshire Council is contributing to service improvement through commissioning within Herefordshire with regard to these safeguarding issues.	19/09/13	Cabinet
<i>Adoption</i> – Cabinet delegated authority to the Director for Children’s Wellbeing to explore the opportunity to establish a shared adoption service across Herefordshire, Telford and Wrekin, Worcestershire and Shropshire.	19/09/13	Cabinet

CABINET MEMBER PORTFOLIOS

LEADER (CORPORATE STRATEGY AND FINANCE): COUNCILLOR AW 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
- Financial policy and financial control
- 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 Local Strategic Partnership (Herefordshire Partnership) and the Hereford Futures Board
- Policy development, quality assurance, external liaison, localities development, performance improvement and risk assurance relevant to the portfolio
- Any initiative not specifically allocated to any other portfolio

ENTERPRISE & CULTURE: COUNCILLOR RJ PHILLIPS

- Cultural Services
- Heritage Services
- Archive Services (public records office)
- Library Services
- Tourism
- Voluntary/Community Sector Support (strategy)
- Economic Development
- Regeneration Strategy & Projects
- Rural issues including access to services
- Enterprise Zone Programme
- Markets
- Community Safety
- Hereford Futures Programme
- *Environment Sustainability*
- *Fair trade and local produce and products*
- *Animal Health & Welfare*
- *Trading Standards*
- *Licensing*
- *Environmental Health*
- *Environmental promotion and protection*
- *Conservation*
- 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

HIGHWAYS & TRANSPORTATION: COUNCILLOR PD PRICE (DEPUTY LEADER)

- Highways policy
- Streetscene design & policy
- Streetscene delivery
- Highways maintenance
- Transportation planning and traffic management
- Parking policy and services
- ICT and e-government
- Shared Services Programme
- Information Governance (including security & data sharing)
- *Land drainage and flood alleviation*
- *Rivers and waterways*
- *Public Conveniences*
- *Core Strategy*
- 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

MAJOR CONTRACTS: COUNCILLOR H BRAMER

- Waste Disposal
- Waste Collection
- Parks and Countryside
- Public Rights of Way
- Leisure
- Corporate Transformation Programmes (Rising to the Challenge, Root & Branch reviews)
- Efficiency & Value for Money
- Procurement (strategic)
- Co-ordination and overview of major contracts (e.g. Amey, HALO) as directed by the Leader
- *Gypsies & Travellers*
- 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

HEALTH & WELLBEING: COUNCILLOR GJ POWELL

- Homelessness, housing allocation and housing condition
- Leadership re Health & Wellbeing Board
- To provide leadership and ensure coordination 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
- Broadband
- Lead member for Health and Social Care in accordance with the Health & Social Care Act 2012
- *Planning and land use policy*
- *Housing (strategic)*
- 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

CHILDREN'S WELLBEING: COUNCILLOR JW MILLAR

Support Team Member: Councillor J Hyde

- To provide leadership and ensure coordination 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
- 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
- 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

CORPORATE & ASSETS: COUNCILLOR PM MORGAN

- Audit
- Legal and Democratic Services
- Land Charges
- Emergency Planning and Business Continuity
- External and Internal Communications implementation and delivery
- Research
- Customer services (including quality assurance, INFO, Insight and feedback)
- Community engagement
- Registration Services (life events)
- Modern Records
- Human Resources & Organisational Development
- Asset management (strategic)
- Property (strategic)
- Risk Management
- Smallholdings Estates
- Performance Management & Improvement framework
- Equalities & Human Rights
- Coroners Service
- *Common Land*
- *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



MEETING:	COUNCIL
MEETING DATE:	18 OCTOBER 2013
TITLE OF REPORT:	YOUTH JUSTICE PLAN
REPORT BY:	DIRECTOR FOR CHILDREN'S WELLBEING

1. Classification

Open

2. Key Decision

This is not an executive decision.

3. Wards Affected

County-wide

4. Purpose

To approve the Youth Justice Plan as recommended by Cabinet on 25 July 2013.

5. Recommendation

THAT: the Youth Justice Plan as prepared be approved.

6. Alternative Options

6.1 There are no alternative options as a Youth Justice Plan is required to be produced on an annual basis

7. Reasons for Recommendations

7.1 The Youth Justice Plan is prepared on an annual basis on behalf of Herefordshire Council, Shropshire Council, Telford and Wrekin Council and Worcestershire County Council. The basic plan preparation is undertaken by the West Mercia Youth Offending Service according to the deadlines and guidance from the Youth Justice Board for England and Wales (YJB).

7.2 The Youth Justice Plan sets out how youth justice services across West Mercia are structured and identifies key actions to address identified risks to service delivery and improvement.

7.3 Under section 40 of the Crime and Disorder Act 1998 each Local Authority has a duty to produce a Youth Justice Plan setting out how Youth Justice Services in their area are provided and funded and how the Youth Offending Service for the area is funded and composed, the plan is submitted to the Youth Justice Board for England and Wales.

Further information on the subject of this Report is available from
Jo Davidson, Director for Children's Wellbeing on Tel (01432) 260039

- 7.4 The Youth Justice Plan for 2013/14 was prepared in April 2013 in line with the guidance issued by the YJB, agreed at the West Mercia Youth Offending Management Board on 1st May 2013 and submitted to the YJB at the end of June 2013. Cabinet endorsed the Plan on 25 July 2013.

8. Key Considerations

- 8.1 The Youth Offending Service is subject to three national indicators. Performance against the indicators is outlined in the plan and actions identified to address risks to performance improvement. The Herefordshire specific information is set out on pages 21-26 of the plan.
- 8.2 Whilst it is pleasing to note that over time there has been a successful reduction of first-time youth offenders it is of concern that Herefordshire has the highest offending rate of the West Mercia authorities. This is being further analysed to ensure the reasons for this are understood, and appropriate interventions can be targeted.
- 8.3 In common with Shropshire, Herefordshire has a large number of children's residential units used by other Local Authorities. This creates pressures for the Youth Offending Service, as no additional funding is made available to meet the increased offending issues caused by some of these placements.
- 8.4 Gaps in commissioned services have also been identified. These include appropriate intervention for older adolescents with challenging histories and treatment needs for complex mental health, drug and alcohol misuse and sexual offending. The new arrangement for the West Mercia YOS enables the four authorities with other partners, to pool expertise and resource to meet need on a sub-regional basis.

9. Community Impact

- 9.1 The principal aim of the Youth Justice System is the prevention of offending and re-offending by children and young people. The Youth Justice Plan set out an action plan to address the significant risks identified to future service delivery and improvement.

10. Equality and Human Rights

The Youth Justice Plan does pay due regard to equality and human rights.

11. Financial Implications

- 11.1 The current financial contribution to the YOS is £256,675, comprising £160,085 in cash and £91,366 in staff related resources for 2 FTE, a further £19,475 funding will be contributed from reserves to make the overall contribution £276,150. This represents a 11% reduction since 2011/12 (on the council element), as part of a planned reduction created by the successful reduction in the number of offenders and efficiencies created by a West Mercia YOS.

The contributions for 2013/14 have been calculated based upon activity information across all four partners and it was agreed that Herefordshire's contribution would be "topped up" from reserves so that the contribution by the authority would remain constant from 2012/13 to 2013/14.

12. Legal Implications

- 12.1 Section 40 of the Crime and Disorder Act 1998 imposes a statutory duty on the Council, after consulting with the Police, Probation and Health, to formulate and

implement for each year a Youth Justice Plan. The plan must set out: how youth justice services in Herefordshire are to be provided and funded; how the youth offending service is to be composed, how it is to operate, and what functions it will carry out. The Council must submit its Youth Justice Plan to the Youth Justice Board for England and Wales in a form and by a date set by the Secretary of State

13. Risk Management

- 13.1 The risks are identified in the Plan, together with the actions to mitigate them.
- 13.2 During 2013/14, the four local authorities will be reviewing the management arrangement for the YOS, in light of the changes to the local Probation Trusts set out by the Government.

14. Consultees

- 14.1 As detailed in the Youth Justice Plan

15. Appendices

- 15.1 Youth Justice Plan
- 15.2 Governance Structure

16. Background Papers

- 16.1 None identified.

WEST MERCIA YOUTH OFFENDING SERVICE



YOUTH JUSTICE PLAN 2013/14



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1. INTRODUCTION

West Mercia Youth Offending Service was established on the 1st October 2012 and replaced the previous Shropshire, Telford and Wrekin Youth Offending Service and the Worcestershire and Herefordshire Youth Offending Service following a review of how youth justice services were provided across the West Mercia area.

The result of the review, the West Mercia model, is fundamentally more than a simple merger of the two previous services to bring about a single service. The new service is based on a core Youth Offending Service, hosted by West Mercia Probation Trust on behalf of the four Local Authorities, supported by commissioned non-core activities.

The core services are basically court facing services and the assessment, planning interventions, monitoring and review functions, along with victim liaison and support of Community Panel Members. All other services, previously delivered by the Youth Offending Services have been defined as non-core and are subject to a commissioning process. The commissioning process is ongoing and the new delivery arrangements for the non-core activities are due to be identified by October 2013. Until then the non-core activities are being delivered by an interim provider services arm of the West Mercia Youth Offending Service.

The hosting arrangement by the Probation Trust opens the opportunity for developing a flexible and more integrated approach to work with young adult offenders between the two services. The current arbitrary change of agency at 18 coincides with the peak age of offending, and often young people at this transition point are in need of greater support than has been traditionally able to be offered by the Probation Trust.

Although established on 1st October 2012, the service is still in transition from the previous structural arrangements to the single service with moves to new accommodation, implementation of a single ICT system and the adoption of a new and single case management system being progressed into 2013/14. This year, will, therefore be one in which the transition is completed and the benefits from the new arrangement are realised.

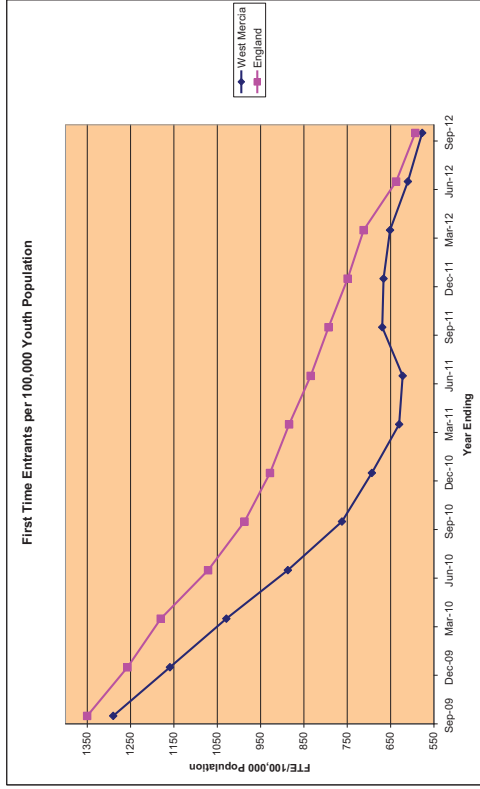
2. PERFORMANCE REVIEW

Youth Justice Partnerships are subject to three national indicators;

- First Time Entrants (FTE) to the Youth Justice System
- Use of Custody
- Re-Offending

1 First Time Entrants to the Youth Justice System (FTEs)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.

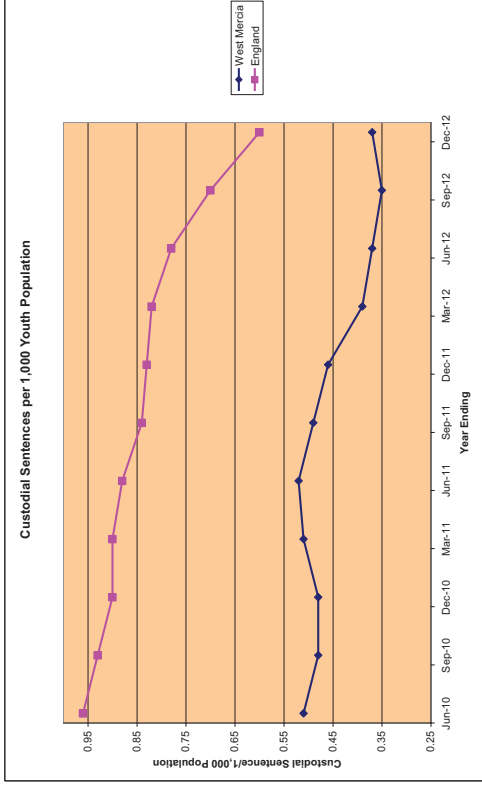


The number of FTEs across West Mercia for the year ending September 2012 was 577, which was lower than for England (593) and compares favourably with the two previous Youth Offending Services YOT family groups (statistical neighbour groups), where the Shropshire, Telford and Wrekin (STW) family group performance was 610 and the Worcestershire and Herefordshire (W&H) family group performance was 580.

The percentage reduction in FTEs in West Mercia over the three year period between the year ending September 2009 and the year ending September 2012 was -55.3% compared to -56.1% for England. The three year reduction for West Mercia compares favourably with the reductions for the two family groups, where the reduction for the STW family group was -52.7% and the W&H family group was -48.7%.

2. Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. West Mercia has, historically, had a low rate of custodial sentences. A lower figure denotes good performance.



For the year ending December 2012 the use of custody rate for West Mercia was 0.37 against the rate for England of 0.60, West Mercia performance is, therefore significantly better than the national performance and in line with the YOS family groups performance of 0.39 for the STW group and 0.35 for the W&H group.

Over the two year period of the year ending December 2012 and the year ending December 2010 the rate has reduced from 0.48 to 0.37, a reduction of -22.9% compared to a reduction of -20.4% over the same period for both YOS family groups.

The fall in custodial sentences was from 57 in the year ending December 2010 to 43 in the year ending December 2012, a reduction of -24.6%.

3. Re-Offending

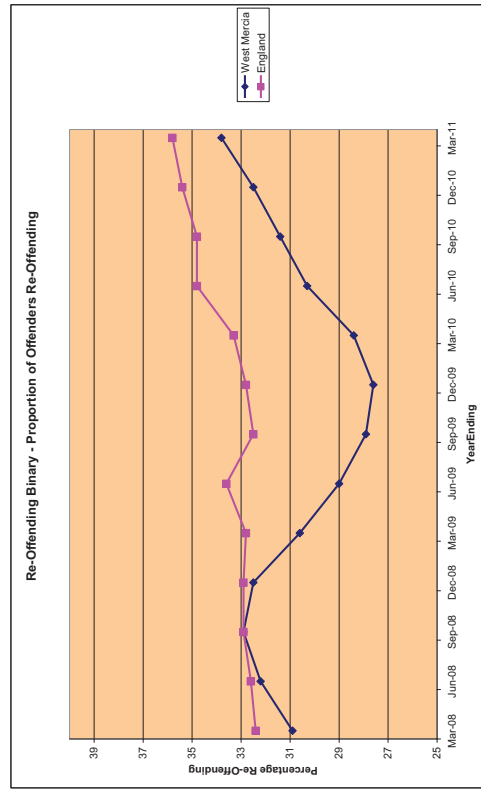
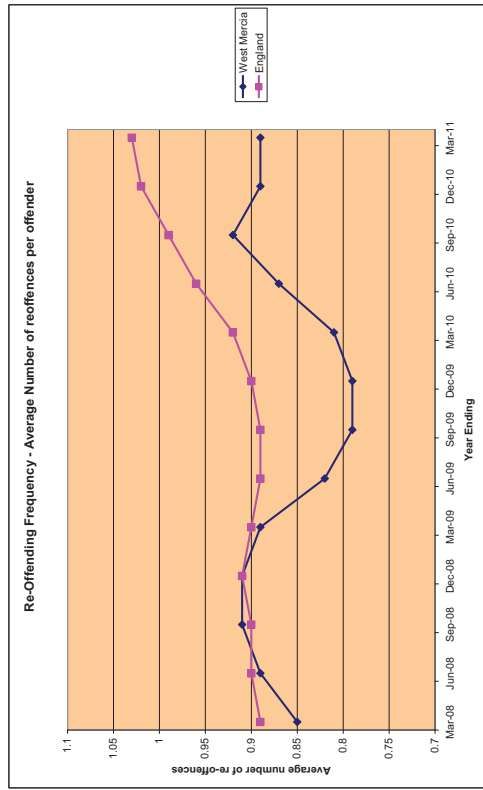
There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011. In both measures a lower figure denotes good performance.

For the year ending March 2011 the frequency measure performance for West Mercia was 0.89, compared to national performance 1.03. The range of performance across YOTs in England for the same period is 0.55 to 1.83. The West Mercia performance compares favourably with the performance of the family groups of the previous services where the STW family group performance is 0.96 and the W&H family group performance is 0.94.

A comparison over the three year period of the year ending March 2008 and the year ending March 2011, shows a small increase in the rate from 0.85 to 0.89 an increase of 4.4%, however the graph shows an increase in the 2011 rate to 0.91 in the year ending Dec 2008 followed by a decrease until the year ending December 2009, then a increase peaking at 0.92 in the year ending September 2010.

The increase in the frequency rate for England over the same period is more significant from 0.89 to 1.03, an increase of 15.7%. The West Mercia increase is also less significant than for the family groups over the same period, with an increase of 11.4% in the STW family group and an 11.9% increase in the W&H family group.

The binary measure performance for the year ending March 2011 for West Mercia is 33.8% compared with national performance of 35.8%. The West Mercia performance for this period is in line with the performance for the family groups of 33.9% for the STW family group and 33.6% for the W&H family group. The range of performance for YOTs across England is 24.2% to 52.2%.



A comparison over the three year period of the year ending March 2008 and the year ending March 2011, shows increase in the rate from 30.9% to 33.8% an increase of 2.9 percentage points. The graph reveals a similar pattern of performance over time as for the frequency measure. An increase over this three year period is reflected both nationally, an increase of 3.4 percentage points, and within the family groups with a 2.8 percentage point increase for the STW family group and a 3.0 percentage point increase for the W&H family group.

It has been recognised by the Youth Justice Board (YJB) that although significant progress, nationally, has been made for reducing first time entrants and reducing custody, the re-offending measure remains an area of concern. There is, currently, little research into the reasons for the decreases in the performance but it is thought that a large part of this may be down to the differences in the characteristics of more recent cohorts to the previous cohorts due to very significant decreases in first time entrants and the development of informal disposals for minor offences.

The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in re-offending performance and look at how YOTs can be supported in addressing reducing re-offending. Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

3. RESOURCES

The Youth Offending Service has a complex budget structure comprising of partner agency cash, seconded staff and in kind contributions and the Youth Justice Grant from the Youth Justice Board for England and Wales. The table below outlines the agreed contributions for 2013/14. The figures in the table are the total contribution, which include cash contributions, the cost of seconded staff and any costed services provided in kind.

Agency	Contribution £
West Mercia Police	361,291
West Mercia Probation Trust	310,115
Worcestershire County Council	799,943
Herefordshire Council ¹	276,150
Telford and Wrekin Council	375,920
Shropshire Council	329,598
Health – Worcestershire	98,060
Health – Herefordshire	38,554
Health – Shropshire and Telford and Wrekin	78,578
Youth Justice Board	1,526,822
Police and Crime Commissioner ²	179,100
Total Youth Offending Service Income	4,374,131
Worcestershire County Council Early Help ³	180,000
Total Income	4,554,131

As part of the YOS review and establishment of the West Mercia service a target was set of achieving an overall saving of 20%, from a 2011/12 baseline, by 2015. The draft budget for 13/14 of £4,374,131 represents a 9% saving from 12/13 and a 16% saving from 11/12 baseline. These figures include the Youth Justice Grant.

Further savings are to be achieved through the commissioning process, to be completed during 13/14 and from non-pay costs, in particular from the rationalising of the use of buildings, with plans for the co-location of YOS teams with other services being progressed early on in 2013/14.

¹ Includes a £19,475 contribution from the reserves account

² Two ring fenced time limited (13/14) grants to provide substance misuse services and for the development of the revised out of court disposal framework

³ Ring fenced grant for the provision of Worcestershire YISP, currently managed by the Youth Offending Service

4. STRUCTURE AND GOVERNANCE

The West Mercia Youth Offending Service comprises five multi-agency service delivery teams, aligned to the Local Authority areas (two teams in Worcestershire) to deliver the core service. The core service has been defined as court facing services including the preparation of pre-sentence reports and remand management, and case management which includes assessment, planning interventions, the management of risk, monitoring and review of intervention plans and where necessary the enforcement of court orders. A central services team supports the service providing data management, quality assurance and commissioning support functions. The co-ordination of Referral Order work, including the recruitment, training and support of Community Panel Members is also a function of the core service as well as the co-ordination of work with victims and the service's engagement with partnerships and other agencies.

There are 60 full time equivalent posts in the core service, and the area based teams include Advanced Case Managers, Case Managers, Assistant Case Managers, Probation Officers, Health Workers, Police Officers, Victim Liaison Officers and Administrators.

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Activities that have been previously delivered from within the previous two Youth Offending Services but which do not have to be directly delivered by a YOS have been defined as non-core services. These activities include reparation, intensive supervision and surveillance, bail supervision, programmes and activities, substance misuse interventions, ETE support and parenting interventions. These services are subject to a commissioning process which is due to be completed by October 2013. Until the commissioning process has been concluded these services are being provided by the YOS from an interim provider services team.

The YOS is managed on behalf of the Local Authorities and the YOS partnership by West Mercia Probation Trust. Day to day management of the Head of Service is provided by the Chief Executive of the Probation Trust and the Youth Offending Service is accountable to the YOS Management Board.

The Board is currently chaired by the Director of Children Services for Worcestershire County Council and this is initially for a two year period, until October 2014.

The Membership of the Board at 1st April 2013 is outlined in the table below:

Agency	Representative	Role
Worcestershire County Council	Gail Quinton	Director for Children Services
Shropshire Council	Karen Bradshaw	Director for Children Services
Telford and Wrekin Council	Laura Johnston	Director for Children Services
Herefordshire Council	Jo Davidson	Director for People Services
West Mercia Probation Trust	David Chantler	Chief Executive
West Mercia Police	Gareth Morgan	Assistant Chief Constable
Local Area Team – NHS England	Becki Hipkins	Project Manager

In addition to the members a Youth Justice Board regional representative attends meetings in an advisory capacity

The Board has adopted the following purpose and underlying principles:

Purpose

- To focus collaborative multi-agency effort on work to improve outcomes for Young Offenders by offering an exemplary service, with timely interventions and strong links and partnership across all local services including Children's Services, criminal justice and community safety sectors.
- To set strategic direction for the Youth Offending Service across West Mercia and agree and review local youth justice planning
- To provide support and challenge to the West Mercia YOS on operational performance.

Underpinning Principles

- To demonstrate effective leadership, support and challenge to the West Mercia YOS.
- To ensure that the YOS is compliant with relevant national standards, including Youth Justice Board and local arrangements, and deals with exceptions/risks appropriately
- To ensure available resources are used efficiently to run an effective YOS.
- To ensure that Local Authorities jointly and singly manage the agreement with the host agency (WMPT).
- To provide the necessary governance to effectively steer the delivery of the service

The changes to the health commissioning landscape that were implemented on 1st April 2013 have complicated health representation in the governance arrangements, and it is not feasible for a representative from each commissioning body to sit as a member of the YOS Management Board. To ensure adequate representation the Board has established a health sub-group comprising of health commissioners for each of the local areas. The chair of the group is the Management Board health representative, a manager from a Local Area Team of NHS England, with responsibility for offender health.

NHS England are currently reviewing mental health diversion schemes for both adult and youth offenders and during 2013 will be developing a service specification for schemes to be operationalised during 2014 as part of a cross governmental programme.

For 2013/14 the Board has established a reference group to analyse issues relating to Looked After Children and Care Leavers who are in the Youth Justice System.

The Management Board will ensure that, where relevant, commissioning across partner agencies take account of the needs of young people in or at risk of entering the youth justice system, and where appropriate explore joint commissioning arrangements.

Priorities for 2013/14

The Management Board have agreed five main service priorities with three key areas of focus for each of the priorities for 2013/14.

In setting the priorities for 13/14 the Management Board has ensured that these support three of the four strategic aims of the West Mercia Police and Crime Plan. The YOS will directly contribute to objective 5 of the Police and Crime Plan, to reduce re-offending and bring offenders to account, under which two of the success measures are the YOS First Time Entrant and Re-offending Indicators.

The priorities and key areas of focus are outlined in the table below.

Priority		Key Areas of Focus
1	Reduce Youth Offending and Protecting Communities from Harm	1a Looked After Children and Care Leavers 1b Diversion 1c Restorative Processes
2	Finishing the Job	2a Commissioning 2b Facilities and Enabling Services 2c Transitions
3	Get Connected, Stay Connected	3a Pathways and Protocols 3b Information Sharing 3c How we become more included
4	Enabling staff to deliver now and into the future	4a Training Strategy and Plan 4b Communication and Engagement 4c Management oversight
5	Know the Right Thing	5a Performance and Quality Assurance Frameworks 5b Using intelligence to inform our and others service delivery 5c Putting the right policies, procedures and guidance in place

The priorities are outlined in more detail in section 5 of this plan

5. PRIORITIES FOR 2013/14

1 Reduce Youth Offending and Protecting Communities from Harm

The YOS is committed to ensuring that the risks posed by and to young people in the youth justice system are minimised through robust assessment and risk management. The service has adopted new safeguarding and management of risk policies and revised case management guidance is due for implementation in the first quarter of 2013/14. Key areas of focus under this priority for 2013/14 are looked after children and care leavers, diversion and restorative approaches.

1a Looked after children and care leavers

Looked after children (LAC) and care leavers who are in the youth justice system have been identified as a particularly vulnerable subset of both the LAC population and the youth offending population. LAC form a significant proportion of young people on YOS case loads across the West Mercia area teams. There is also a significant proportion of LAC from other Local Authorities who are temporarily placed in Shropshire and in Herefordshire and managed by the YOS. An operational reference group, as a sub-group of the Management Board, is being established in 13/14, comprising of representatives of the social care services and the YOS to analyse the joint issues and develop joint working in relation to LAC and care leavers.

1b Diversion

On the 1st April 2013 a new out of court disposal framework was implemented replacing the previous reprimand and final warning system. A priority will be the establishing the joint decision making process required under the new framework and ensuring the delivery of intervention programmes in support of Youth Cautions and Conditional Cautions. Diversion from custody is another area of focus particularly in respect of remands to the secure estate. The commissioning process will ensure the development of robust and credible community based alternatives to secure remands.

1c Restorative Approaches

The YOS has good reparation services and victim liaison arrangements. Despite this the proportion of victims participating in direct restorative processes remains low. In 13/14 the YOS will develop a new victim and restorative justice strategy,

continue to implement the restorative justice training for Panel Members and staff and develop restorative approaches within the new out of court disposal framework.

2 Finishing the Job

Although West Mercia YOS was established on 1st October 2012, at 1st April 2013 the service is still in transition from the previous YOS arrangements across West Mercia to the single service. In order to complete the transition the three key areas of focus identified are commissioning, facilities and enabling services and transitions.

2a Commissioning

The evaluation of specifications and service re-design stages of the commissioning process for non-core activities will be completed in the first two quarters of 13/14, with implementation of any new arrangements for service delivery completed by the end of the year.

2b Facilities and Enabling Services

There are three main outstanding areas of implementation under this area of focus to be progressed in 13/14, firstly accommodation moves from current premises into co-location arrangements with other services, secondly implementing a single ICT system for West Mercia YOS and thirdly merging the two case management system data sets and upgrading the case management system.

2c Transitions

West Mercia Probation Trust hosting the YOS provides an opportunity to develop a flexible and more integrated approach to work with young adult offenders between the two services. In 13/14, working with YSS, a third sector organisation who have been managing a Barrow Cadbury Trust funded T2A (Transition to Adulthood) project in West Mercia, and the Probation Trust a plan for more integrated working across the 15 to 20 year age group will be developed.

3. Get Connected, Stay Connected

One of the aims of the service review was to ensure that there is greater integrated working between the YOS and other children and family services with the shared aim of improving outcomes for young people in the youth justice system. Key areas of focus for this priority in 13/14 are pathways and protocols, information sharing and how the YOS becomes more included.

3a Pathways and Protocols

In 13/14 defined pathways will be agreed for young offenders to obtain timely and appropriate services with key agencies. These pathways will be underpinned by joint protocols.

3b Information Sharing

Ensuring that relevant information is shared between agencies is essential for undertaking accurate assessments, managing risk and ensuring that young people receive the right services. In 13/14 the information sharing agreements with key agencies will be reviewed. The first agreement to be reviewed will be with West Mercia Police in relation to the information exchanges required for the new out of court disposal joint decision arrangements.

3c How we become more included

Promoting greater integrated and joint working between the YOS and other services is a key area of focus. Initially in 13/14 this will be focused, in particular, on the work to be undertaken on joint issues with LAC and care leavers and also in ensuring linkages with the Troubled Families and Early Help developments in each of the Local Authorities.

4. Enabling staff to deliver now and into the future

This priority is concerned with ensuring that staff have the right training, knowledge and support to deliver quality services for children and young people. Key areas of focus for 13/14 are training, communication and engagement and management oversight.

4a Training Strategy and Plan

During the re-structuring that took place during quarters 3 and 4 of 2012/13, some staff changed roles, and a priority for 13/14 is to develop a service training strategy and plan, and to bring together the two previous service's training records into a single database.

4b Communication and Engagement

In 13/14 the service will put in place a staff communication and engagement strategy to ensure that staff are regularly provided with information they need to undertake their work and ensure their involvement in developing the service.

4c Management Oversight

As part of the planning for inspections the service will define those activities where management oversight is required, and how that management oversight is achieved, ensuring this is consistent across the service.

8

5. Know the Right Thing

Knowing the right thing is about ensuring that the YOS, the Management Board and other agencies have the information required to develop services and improve the outcomes for children and young people in the youth justice system and those at risk of entering the youth justice system.

5a Performance and Quality Assurance Frameworks

The service will, in 13/14 develop a performance framework which will measure outcomes and outputs that are identified as priorities across West Mercia, in addition to the national indicators. A single quality assurance framework will be developed to ensure consistency across the service, and drive improvements in service delivery.

5b Using intelligence to inform ours and others service delivery

A priority for 13/14 will be trying to understand what is driving the downward trend in the re-offending performance and planning to improve this area of performance and improving the outcomes for young people in the youth justice system.

5c Putting the right policies, procedures and guidance in place

In the first two quarters of 13/14 there will be a systematic review of YOS policies and procedures to ensure that these reflect the revised national standards, recent legislation and policy changes and are consistent across the service.

6. ACTION PLAN


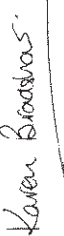





Action	Key Priority & Area of Focus	Owner	Timescale
Establishment of and agreement of work plan for the LAC and Care Leavers operational reference group	1a & 3c	HS	Q1
Develop of OoCD framework which addresses needs of young people and their families	1b	TM (T)	Q1
Agreeing data sharing arrangements with early help services to enable FTE monitoring	1b & 5b	CM/TM (PS)	Q3
Agree pathways into services to support young people subject to the OoCD framework	1b & 3a	CM/TM (PS)	Q3
Development of a YOS RJ Strategy and Plan	1c	TM (H)	Q2
Agreeing process of victim liaison at the pre-court stage of the YJS	1c & 1b	TM (H)	Q1
Complete the evaluation and services redesign stages of the commissioning process for non core activities	2a	CM	Q1 & Q2
Implementation of commissioning process decisions	2a	CM	Q3 & Q4
Movement of Shropshire and Telford Teams to new accommodation arrangements	2b	CM	Q1
Agree accommodation arrangements for Worcestershire Teams	2b	CM	Q1
Agree co-location arrangements for Herefordshire Team	2b	CM	Q2
Agreement and implementation of ICT hosting arrangements for WM YOS	2b	CM/HS	Q1 & Q2
Implementation of ChildView Youth Justice (Case Management System)	2b	CM/HS	Q3
Agreeing plan for transition to adulthood arrangements	2c	HS	Q2
Review and revise pathways into universal and targeted services	3a	CM/TM (S)	Q3
Underpin pathways into universal and targeted services with joint protocols	3a	CM/TM (S)	Q3
Review process of receiving victim details	3b & 1c	CM (H)	Q2
Putting an information sharing agreement in place with WMP in respect of the OoCD framework	3b & 1b	HS	Q1
Review of how governance structure can include other key stakeholders	3c	HS	Q4
Ensure links between local teams and the authorities troubled families programmes	3c	CM	Q4
Development of training strategy and plan	4a	CM/HS	Q2

Action	Key Priority & Area of Focus	Owner	Timescale
Training to be commissioned on intervention planning to include sequencing and inclusion of protective factors	4a	HS	Q2
Training to be commissioned for risk assessment and planning	4a	HS	Q2
Audit of staff understanding and training in safeguarding and addressing deficits	4a	TM (SW)	Q2
Complete the RJ training for staff and volunteers	4a	CM	Q1 & Q2
Development of a service wide RJ/Victims service development group	4b & 1c	TM (H)	Q2
Implementation of regular auditing of Assets and timeliness of reviews	4c & 5a	HS	Q1
Implementation of detailed risk management guidance	4c & 5c	TM (NW)/TM (T)	Q2
Implementation of regular auditing of risk assessment and risk plan	4c & 5c	CM	Q2
Develop and agree a performance framework	5a	CM	Q2
Develop and agree a quality assurance framework	5a	CM	Q2
Monitor completion and results of young peoples feedback	5a & 5b	HS	Q2
Develop QA process for MAPPA L1 meetings	5a	CM	Q2
Agree a tool and process for evaluating programmes of intervention	5a	CM	Q3
Identify data schedule and develop mechanisms to share key information with stakeholders	5b	HS/CM	Q3
Undertake analysis into the characteristics of the re-offending cohort	5b	TM (T)	Q1
Review and revise remand management guidance	5c	HS	Q2
Review and revise current DYO processes	5c	TM (T)/TM (H)	Q1
Implement revised case management guidance	5c	TM (T)/TM (NW)	Q1
Develop of recording guidance to support implementation of ChildView YJ and ensure outcome data is recorded	5b & 4b	CM	Q3

Key to owners:

- HS Head of Service
- CM Commissioning, Performance and QA Manager
- TM (H) Team Manager, Herefordshire
- TM (S) Team Manager, Shropshire
- TM (T) Team Manager, Telford
- TM (NW) Team Manager, North Worcs
- TM (SW) Team Manager, South Worcs
- TM (PS) Team Manager, Provider Services

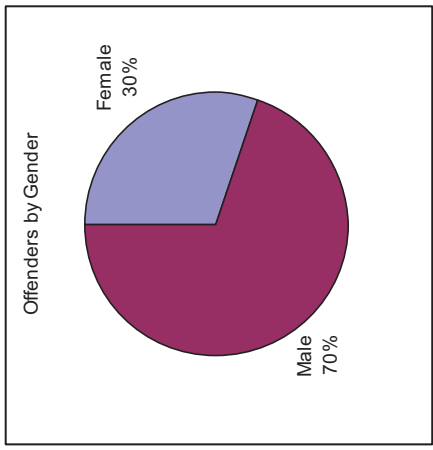
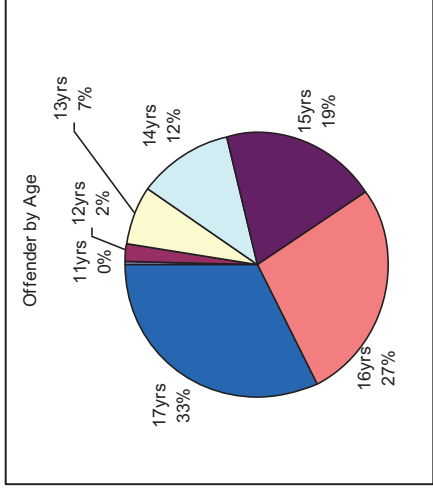
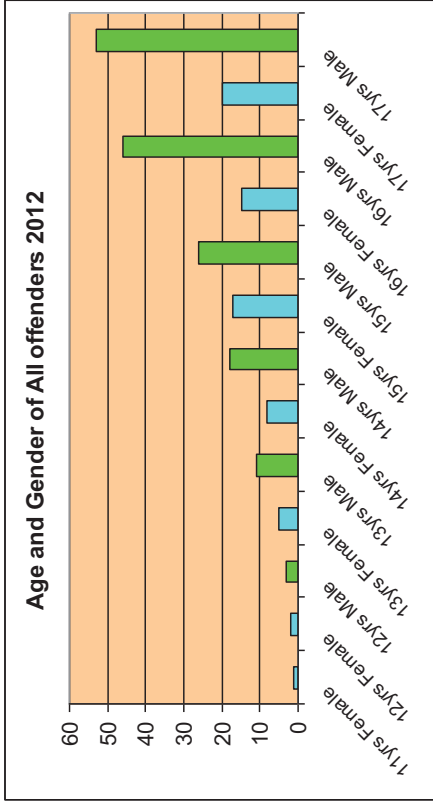
7 MANAGEMENT BOARD APPROVAL

Agency	Agency	Signature	Date
Gail Quinton	Worcestershire County Council		01.05.13
Karen Bradshaw	Shropshire Council		01.05.13
Laura Johnston	Telford and Wrekin Council		01.05.13
Jo Davidson	Herefordshire Council		01.05.13
David Chantler	West Mercia Probation Trust		01.05.13
Gareth Morgan	West Mercia Police		01.05.13
Becki Hipkins	NHS England		01.05.13

APPENDIX 1 - AREA PROFILE – HEREFORDSHIRE

Youth Offending Population – all Young People

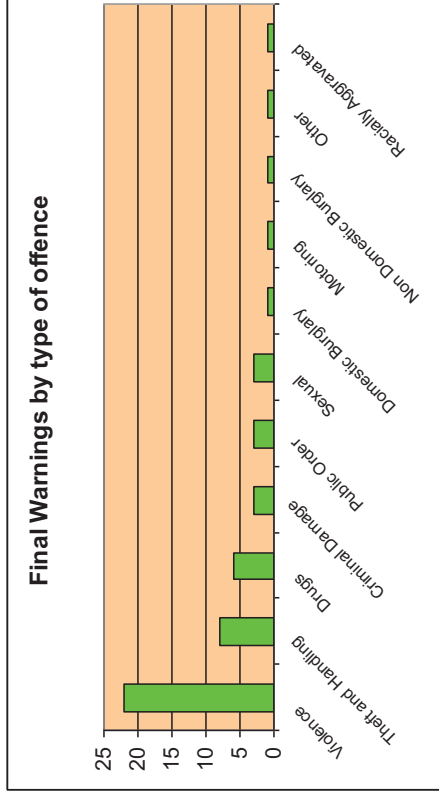
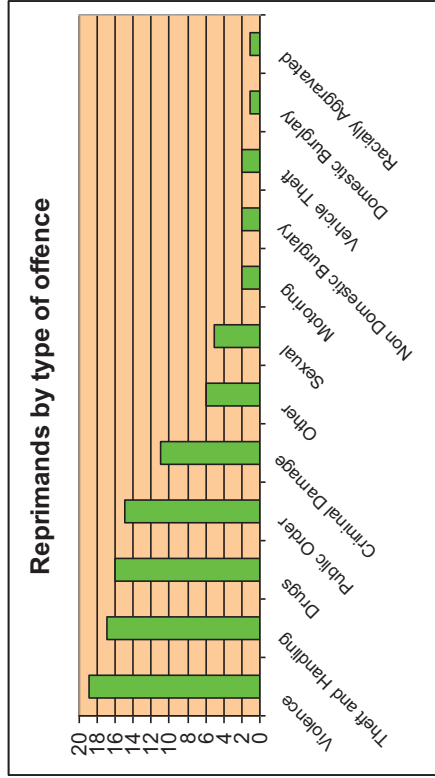
There are 17,224 young people aged 10 to 17 in Herefordshire. In 2012 there were 275 youth justice sanctions (reprimands, final warnings or convictions) made on Herefordshire young people. A total of 225 individual young people accounted for these 275 outcomes, 1.3% of the youth population.



Of the 225 young people entering or in the youth justice system in 2012, 70% were male. The majority, 79%, were aged 15 to 17 years. The peak age of offending for both young males and females was 17 years.

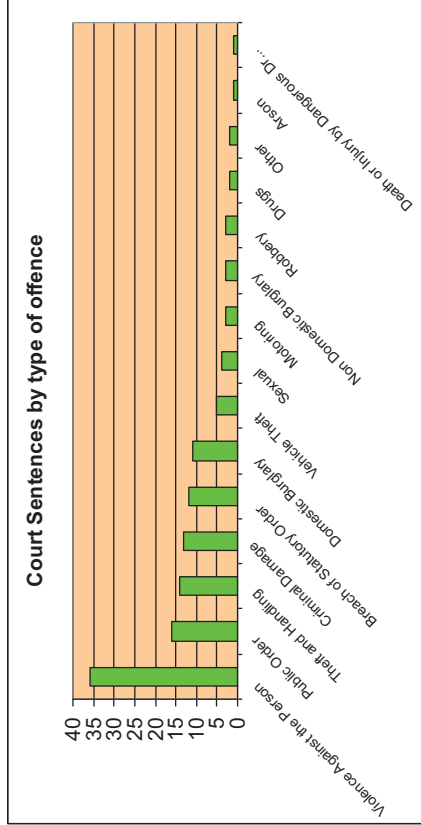
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 127 pre-court disposals made on Herefordshire young people, 97 of these were Reprimands and 50 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 24 (48%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 20%, followed by theft and handling, 18%, drug offences, 16%, public order offences, 15% and criminal damage 11%. These five offence categories accounting for 80% of the reprimands but also 84% of all final warnings. Violence against the person accounted for 44% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 99 Herefordshire young people accounted for 126 court outcomes. Orders requiring YOS interventions (Referral Orders, YROs and Custodial sentences) accounted for 89 of the 126 court outcomes.

The majority, 71% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for a third (33%) of young people receiving a court sentence.

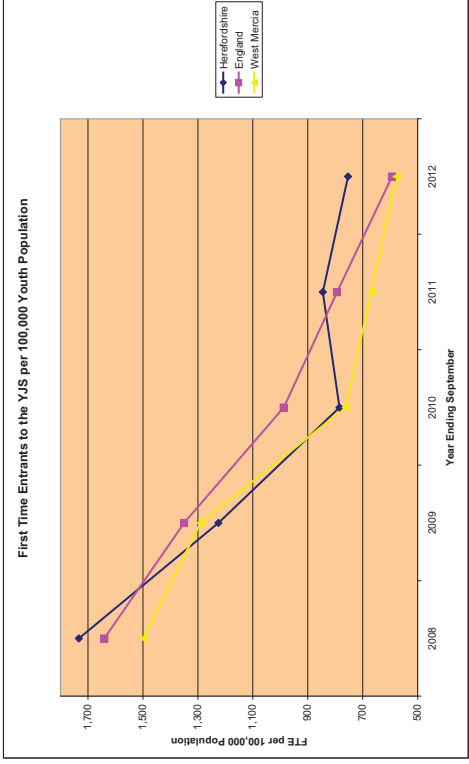
The most frequently occurring primary offence for court sentences was violence against the person, accounting for 29% of all outcomes. Public order offences was the next frequently occurring offences, 13%,

followed by theft and handling, 11% and criminal damage 10%. These four categories of offences accounted for 63% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction).



In the year ending September 2012 there were 753 first time entrants per 100,000 youth population in Herefordshire, representing a reduction of -56.6% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

At 753 Herefordshire has the highest rate of FTEs across West Mercia, the next highest rate being 554. The reason for the higher rate is currently unknown and will be investigated during 13/14.

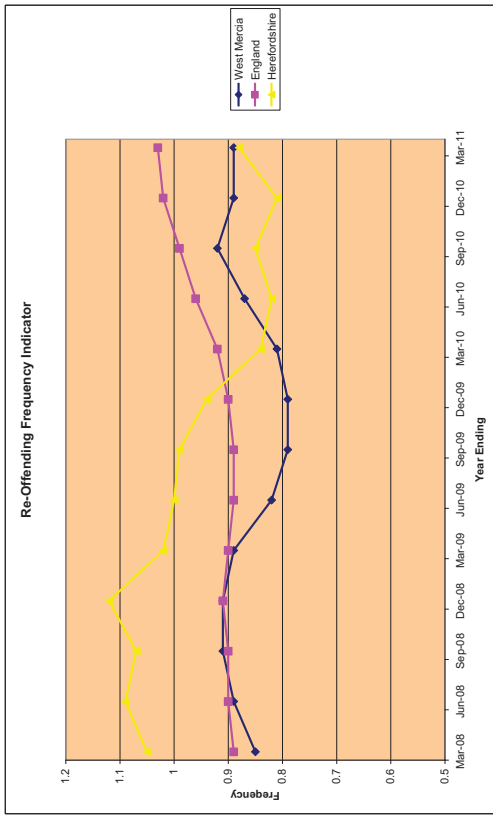
(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. Herefordshire has, historically, had a low rate of custodial sentences.

There were 7 custodial sentences during 2012, equating to a rate of 0.4 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 5.5% of all court outcomes in Herefordshire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending

There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.

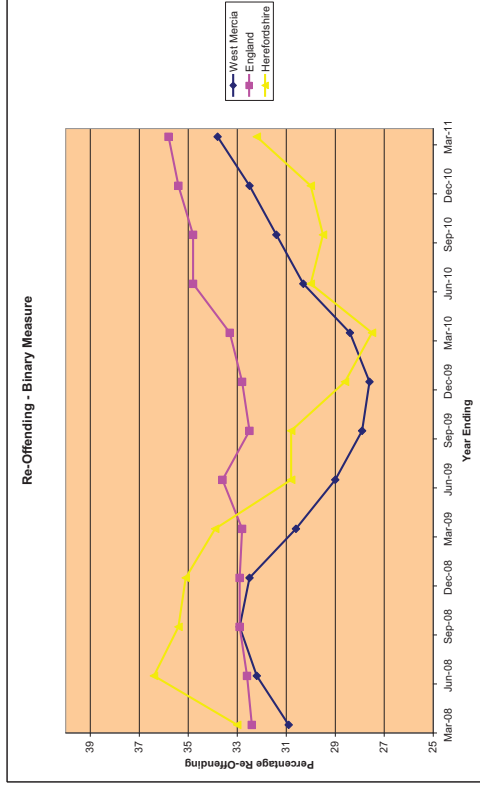


The frequency measure performance for Herefordshire for the year ending March 2011 is 0.88, compared to the West Mercia performance of 0.89 and national performance of 1.03. Herefordshire is, therefore, performing slightly better than for West Mercia and significantly better than the national performance. Herefordshire is showing improved performance for the year ending March 2011 from the year ending March 2008 of a reduction of -16.1%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.

For the year ending March 2011 the binary measure for Herefordshire is 32.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Herefordshire is showing a slight improvement in performance from 33.0% to 32.2%, a reduction of 0.8 percentage points or a reduction of -2.4%, whereas West Mercia and England are both showing an increase over the same period. It should be noted, however, that although Herefordshire is showing better performance than both West Mercia and England, the binary measure percentage has been increasing since the year ending March 2010.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.



Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Herefordshire % in ETE	West Mercia % in ETE
Young People of School Age	89%	83%
Young People above School Age	56%	62%
Overall Performance	72%	70%

The performance for Herefordshire for school age young people is better than for West Mercia, but slightly worse for young people above school age. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as an local performance indicator and is due to be a focus of a second quarter of 13/14.

It should be noted that those young people of school age not in full time education (11%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

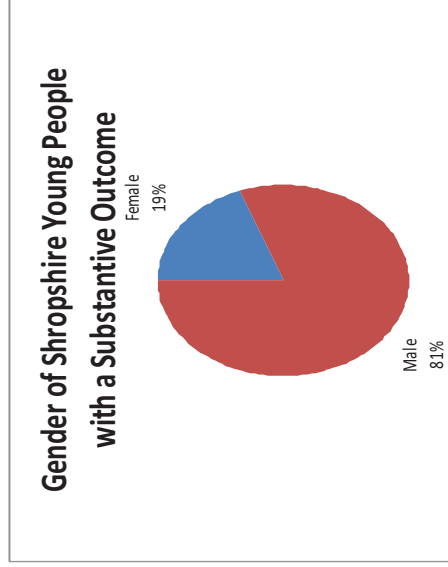
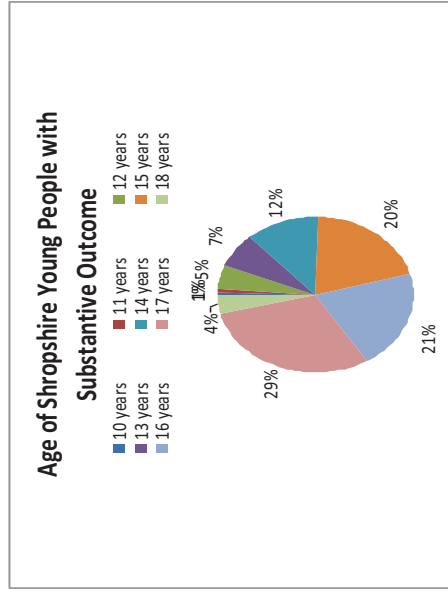
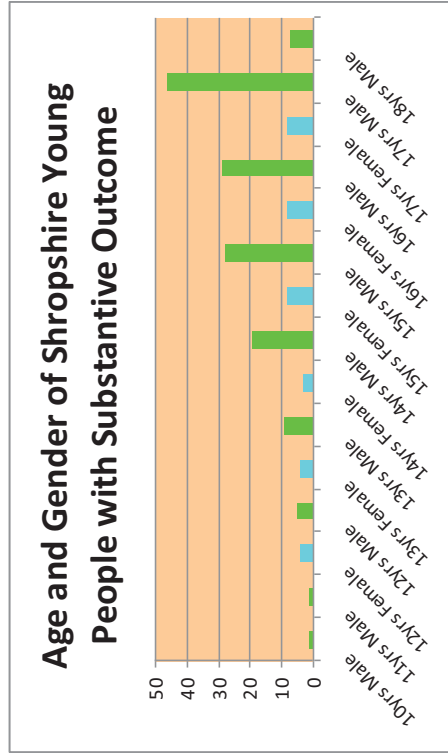
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the Herefordshire YOS Team, 26.7% were looked after children. At this point in time 15% of the case load were LAC from other areas temporarily placed in Herefordshire. The proportion of Herefordshire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 6.9%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 2 - AREA PROFILE – SHROPSHIRE

Youth Offending Population – all Young People

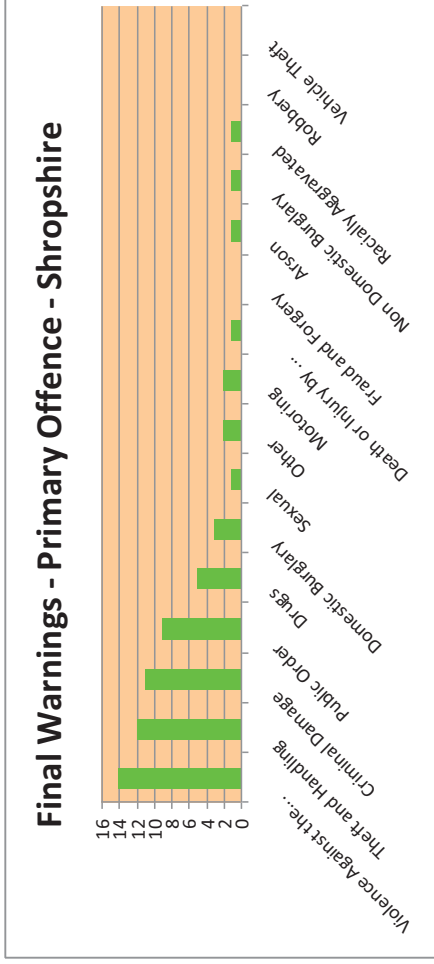
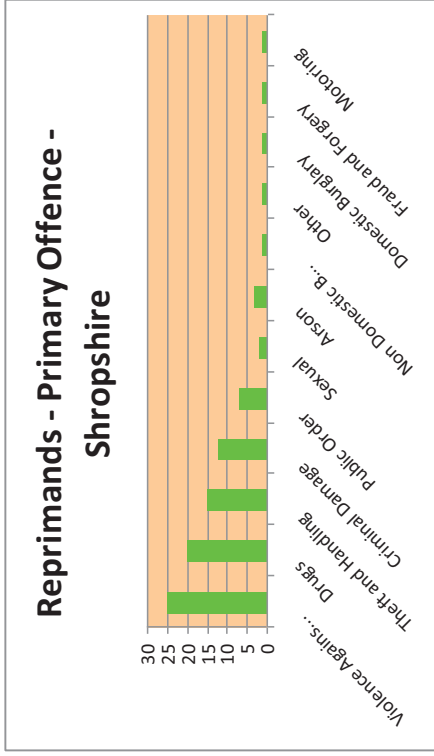
There are 29,933 young people aged 10 to 17 in Shropshire. In 2012 there were 236 youth justice sanctions (reprimands, final warnings or convictions) made on Shropshire young people. A total of 180 individual young people accounted for these 236 outcomes, 0.78% of the youth population.



Of the 180 young people entering or in the youth justice system in 2012, 81% were male. The majority, 70%, were aged 15 to 17 years. The peak age of offending for young males was 17 years and females 16 years.

Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 152 pre-court disposals made on Shropshire young people, 89 of these were Reprimands and 63 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 14 (22%) of the Final Warnings.



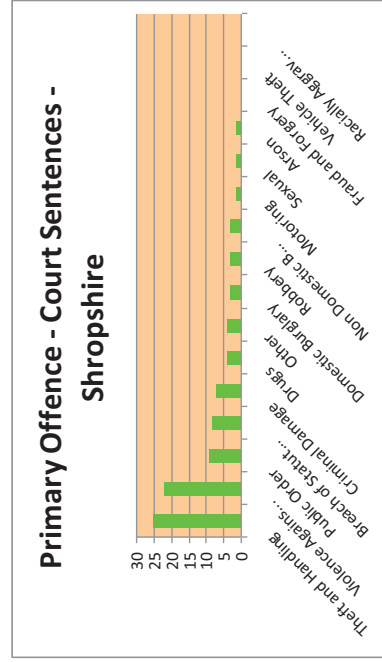
The most frequently occurring primary offence for reprimands was violence against the person, 28%, followed drug offences, 22%, theft and handling, 17%, criminal damage, 14% and public order offences 8%. These five offence categories accounting for 89% of the reprimands and also 51% of all final warnings. Violence against the person accounted for 22% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes

In 2012 a total of 57 young people in Shropshire accounted for 91 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 70 of the 91 court outcomes.

The majority, 80% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for just under half (46%) of young people receiving a court sentence.

The most frequently occurring primary offence for court sentences was theft and handling, accounting for 28% of all outcomes. violence against the person were the next frequently occurring offences, 24%, followed by public order offences,

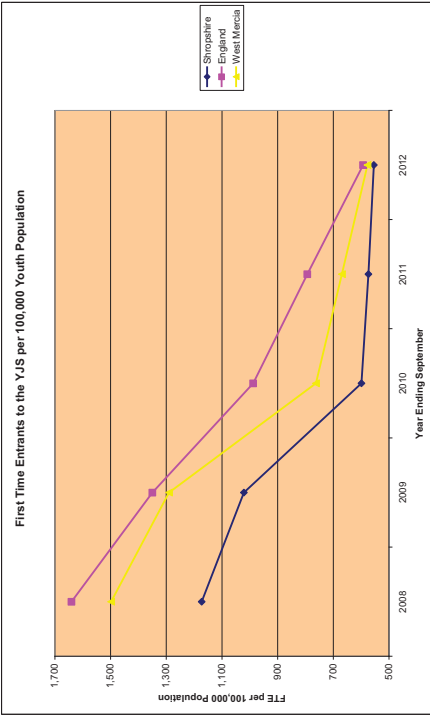


10%, breach of a statutory order, 9% and criminal damage 8%. These five categories of offences accounted for 79% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 554 first time entrants per 100,000 youth population in Shropshire, representing a reduction of -52.8% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

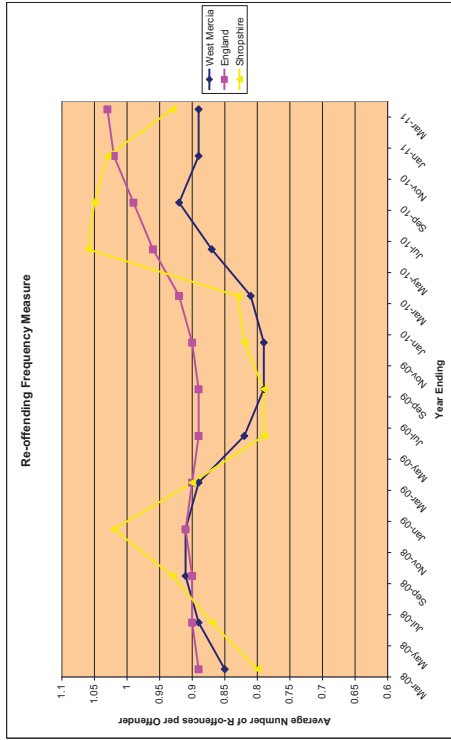
The FTE rate for Shropshire of 554 is better than for West Mercia, 577 and for England at 593.

(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Shropshire has, historically, had a low rate of custodial sentences.

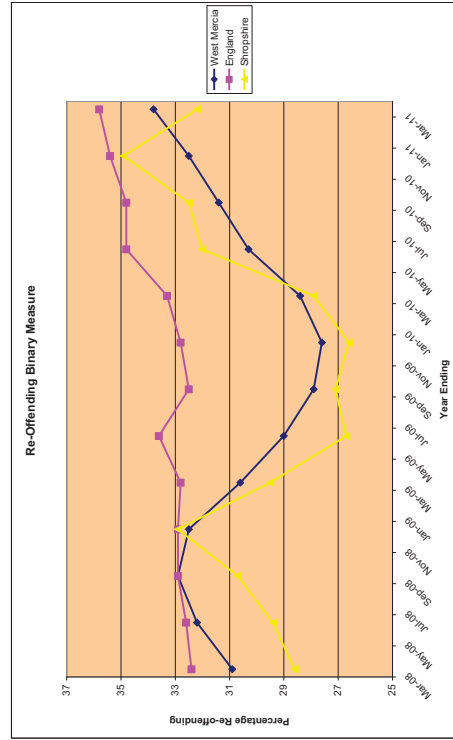
There were 7 custodial sentences during 2012, equating to a rate of 0.23 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 7.2% of all court outcomes in Shropshire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending



There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.

The frequency measure performance for Shropshire for the year ending March 2011 is 0.93, compared to the West Mercia performance of 0.89 and national performance of 1.03. Shropshire is, therefore, performing slightly worse than for West Mercia but significantly better the national performance. Shropshire is showing slight decrease in performance for the year ending March 2011 from the year ending March 2008 of an increase in the frequency rate of 16.2%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.



For the year ending March 2011 the binary measure for Shropshire is 32.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Shropshire is showing a slight decrease in performance from 28.6% to 32.2%, an increase of 3.6 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Shropshire follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Shropshire % in ETE	West Mercia % in ETE
Young People of School Age	87%	83%
Young People above School Age	71%	62%
Overall Performance	77%	70%

The performance for Shropshire for all young people is better than for West Mercia. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as an local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (13%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

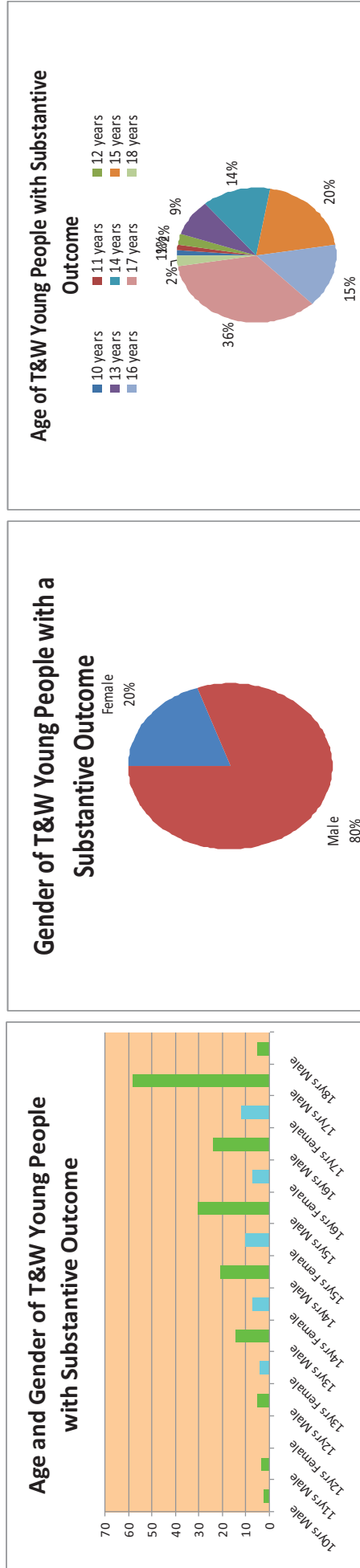
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Team in Shropshire, 50.3% were looked after children. At this point in time 23.3% of the case load were LAC from other areas temporarily placed in Shropshire. The proportion of Shropshire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 15.2%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 3 - AREA PROFILE – TELFORD AND WREKIN

Youth Offending Population – all Young People

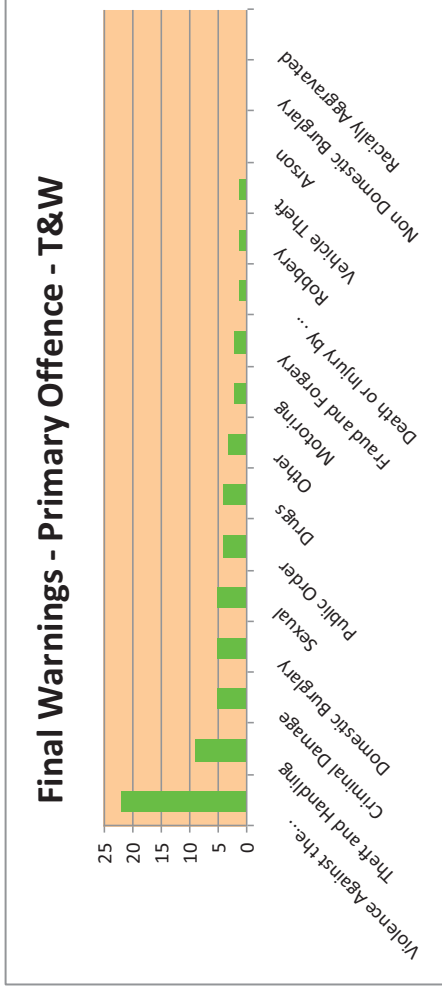
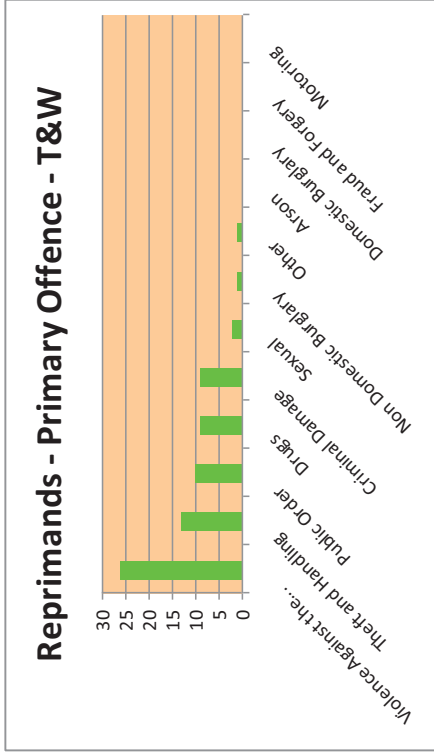
There are 17,525 young people aged 10 to 17 in Telford and Wrekin. In 2012 there were 254 youth justice sanctions (reprimands, final warnings or convictions) made on Telford and Wrekin young people. A total of 202 individual young people accounted for these 254 outcomes, 1.15% of the youth population.



Of the 202 young people entering or in the youth justice system in 2012, 80% were male. The majority, 60%, were aged 15 to 17 years. The peak age of offending for young males was 17 years and females 17 years.

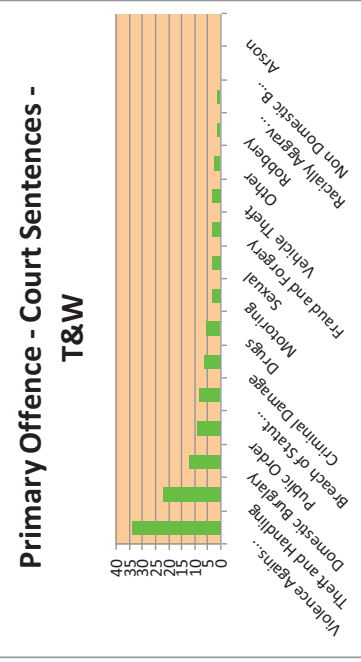
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 135 pre-court disposals made on Telford and Wrekin young people, 71 of these were Reprimands and 64 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 20 (31%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 37%, theft and handling, 18%, public order offences, 14% drug offences 13% and criminal damage, 13%. These five offence categories accounting for 95% of the reprimands and also 69% of all final warnings. Violence against the person accounted for 34% of all Final Warnings and domestic burglary and sexual offences for 8% each.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 81 Telford and Wrekin young people accounted for 119 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 101 of the 119 court outcomes.

The majority, 83% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for just over a third (38%) of young people receiving a court sentence.

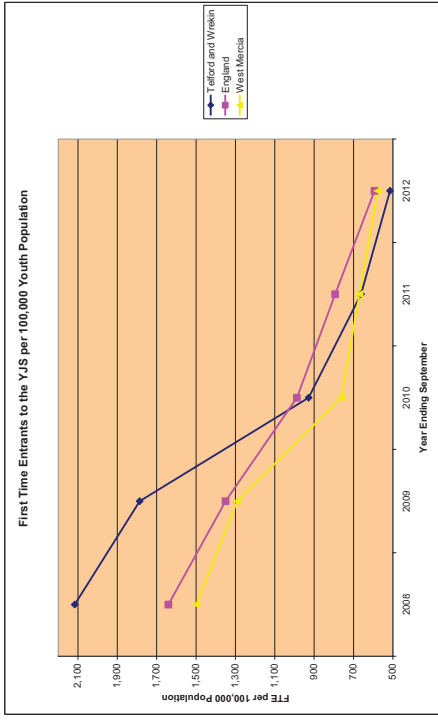
The most frequently occurring primary offence for court sentences was violence against the person, accounting for 30% of all outcomes. Theft and handling

offences were the next frequently occurring offences, 19%, followed by domestic burglary, 11%, public order, 8% and breach of a statutory order 7%. These five categories of offences accounted for 75% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 515 first time entrants per 100,000 youth population in Telford and Wrekin, representing a reduction of -75.7% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

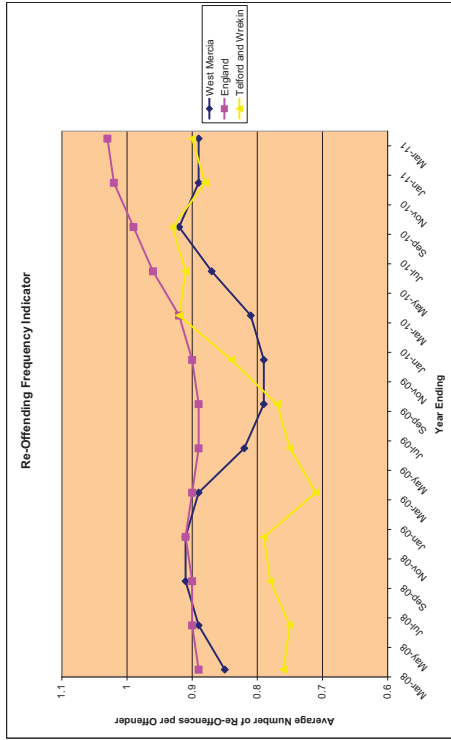
The FTE rate for Telford and Wrekin of 515 is better than for West Mercia, 577 and for England at 593.

(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Telford and Wrekin has, historically, had a low rate of custodial sentences.

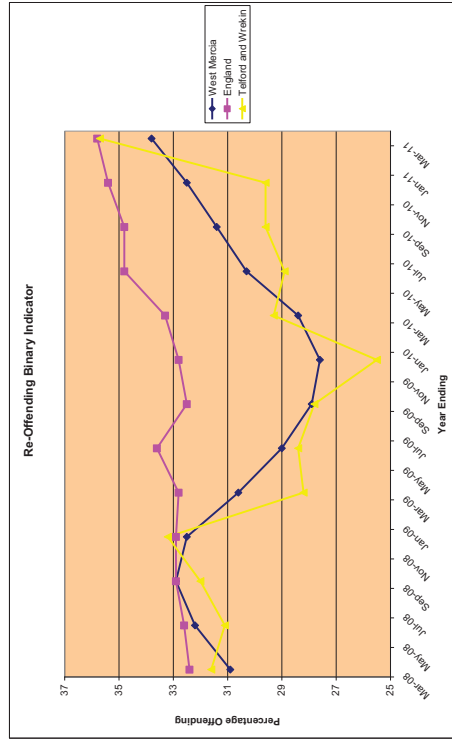
There were 7 custodial sentences during 2012, equating to a rate of 0.40 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 5.8% of all court outcomes in Telford and Wrekin, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending



There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.

The frequency measure performance for Telford and Wrekin for the year ending March 2011 is 0.90, compared to the West Mercia performance of 0.89 and national performance of 1.03. Telford and Wrekin is, therefore, performing slightly worse than West Mercia but significantly better the national performance. Telford and Wrekin is showing a decrease in performance for the year ending March 2011 from the year ending March 2008 of an increase in the frequency rate of 18%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.



For the year ending March 2011 the binary measure for Telford and Wrekin is 35.7% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Telford and Wrekin is showing a decrease in performance from 31.6% to 35.8%, an increase of 4.2 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Telford and Wrekin follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

The YOS has previously measured whether a young person is in full time education, training or employment at the end of their order. The table below outlines the results for year ending March 2012.

	Telford and Wrekin % in ETE	West Mercia % in ETE
Young People of School Age	79%	83%
Young People above School Age	64%	62%
Overall Performance	69%	70%

The performance for Telford and Wrekin for all young people is slightly lower than for West Mercia. Figures for the first 3 quarters of 2012/13 show an increase in overall performance. Education, training and employment has been adopted as an local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

It should be noted that those young people of school age not in full time education (21%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

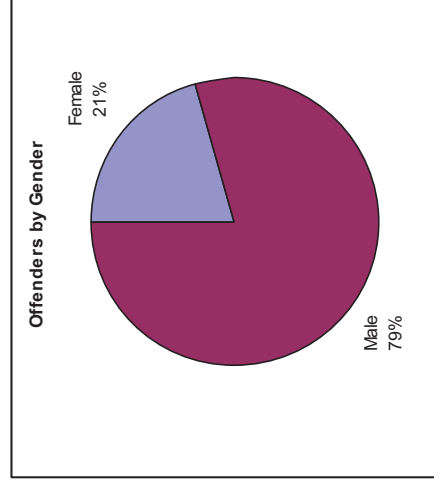
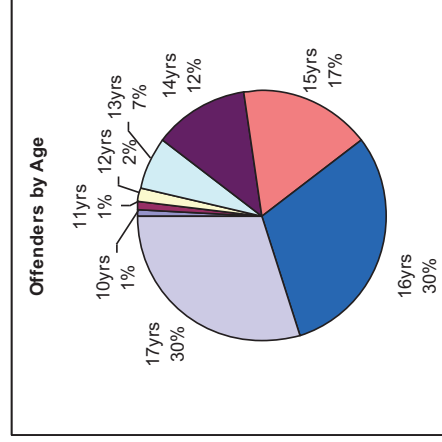
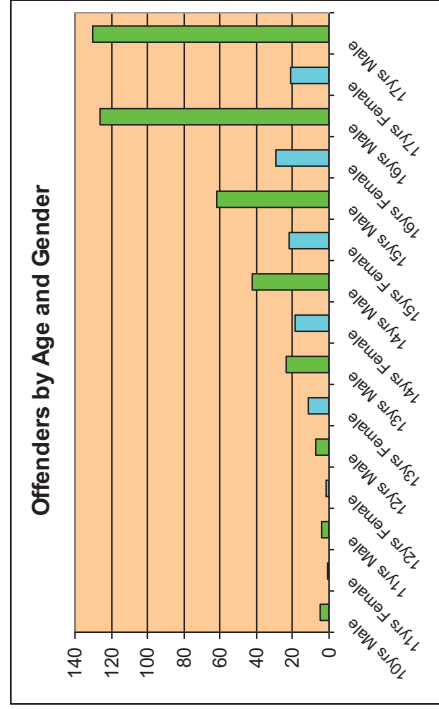
On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Team in Telford and Wrekin, 28% were looked after children. At this point in time 8% of the case load were LAC from other areas temporarily placed in Telford and Wrekin. The proportion of Telford and Wrekin LAC aged 10 to 17 who were under the supervision of the YOS at this time was 9.1%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

APPENDIX 4 - AREA PROFILE – WORCESTERSHIRE

Youth Offending Population – all Young People

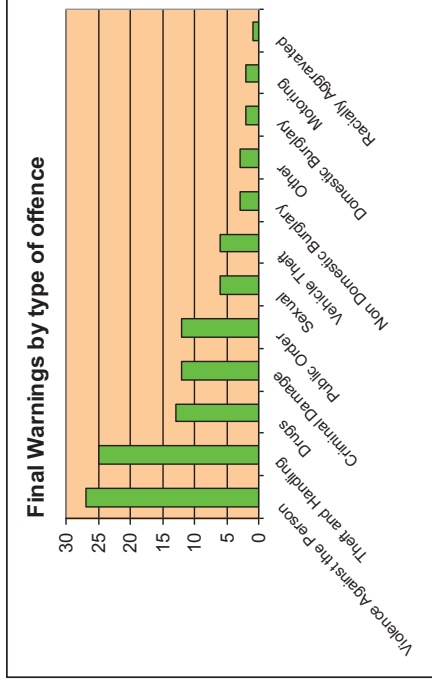
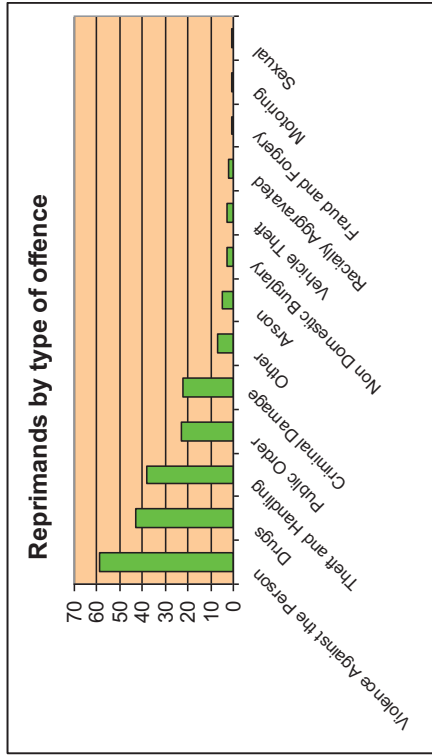
There are 53,835 young people aged 10 to 17 in Worcestershire. In 2012 there were 661 youth justice sanctions (reprimands, final warnings or convictions) made on Worcestershire young people. A total of 505 individual young people accounted for these 661 outcomes, 0.93% of the youth population.



Of the 505 young people entering or in the youth justice system in 2012, 79% were male. The majority, 77%, were aged 15 to 17 years. The peak age of offending for both young males was 17 year and females 16 years.

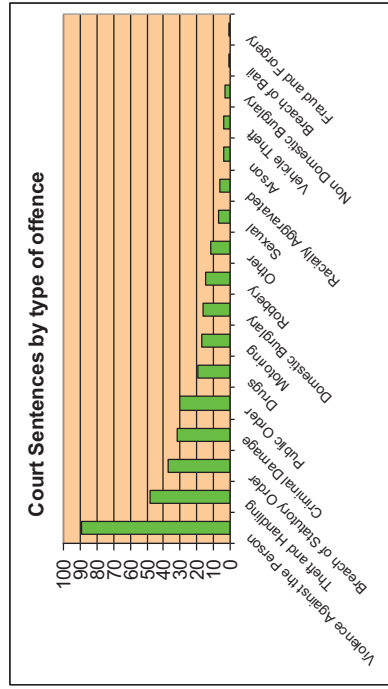
Youth Offending Population – Young People Subject to Out of Court Disposals

During 2012 there were a total of 320 pre-court disposals made on Worcestershire young people, 208 of these were Reprimands and 112 Final Warnings. The YOS is required to assess all young people made subject to Final Warnings, and if assessed appropriate provide a programme of intervention, in 2012 intervention programmes were provided for 22 (20%) of the Final Warnings.



The most frequently occurring primary offence for reprimands was violence against the person, 28%, followed drug offences, 21%, theft and handling, 18%, public order offences, 11% and criminal damage 11%. These five offence categories accounting for 89% of the reprimands and also 80% of all final warnings. Violence against the person accounted for 24% of all Final Warnings.

Youth Offending Population – Young People Subject to Court Outcomes



In 2012 a total of 239 in Worcestershire young people accounted for 341 court outcomes. Orders requiring YOS interventions (Reparation Orders, Referral Orders, YROs and Custodial sentences) accounted for 256 of the 341 court outcomes.

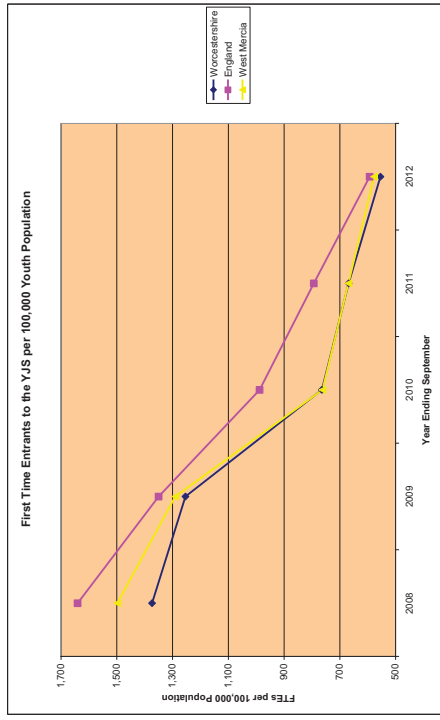
The majority, 75% of young people receiving court sentences were aged 15 to 17, with 17 year olds accounting for approximately a third (34%) of young people receiving a court sentence.

The most frequently occurring primary offence for court sentences was violence against the person, accounting for 26% of all outcomes. Theft and handling offences were the next frequently occurring offences, 14%, followed by breach of statutory orders, 11%, criminal damage, 9% and public order 9%. These five categories of offences accounted for 69% of all sentencing outcomes.

Performance Against National Indicators

(i) First Time Entrants (FTE)

The first time entrant measure is expressed as the number of first time entrants per 100,000 of 10 to 17 year old population. First time entrants are those young people receiving a first formal youth justice sanction (prior to 01.04.12 these were a Reprimand, Final Warning or Conviction). A lower figure denotes good performance.



In the year ending September 2012 there were 554 first time entrants per 100,000 youth population in Worcestershire, representing a reduction of -59.6% since the year ending September 2008. This compares with a reduction for England of -63.8% and for West Mercia of -61.5% over the same period.

The FTE rate for Worcestershire of 544 is better than for West Mercia, 577 and for England at 593.

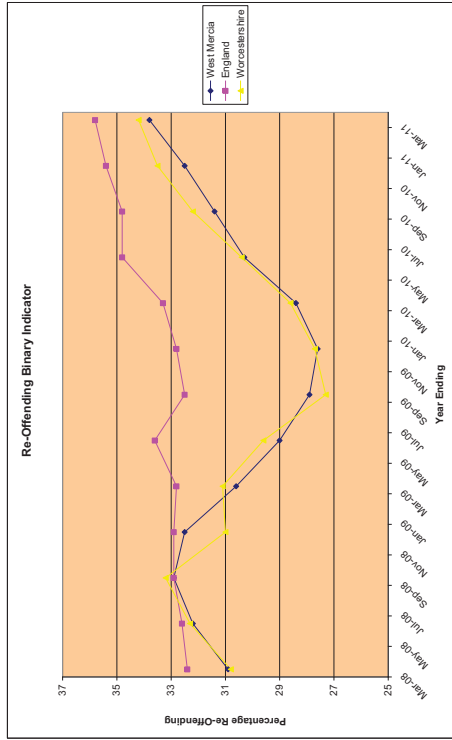
(ii) Use of Custody

The use of custody measure is expressed as the number of custodial sentences per 1,000 of 10 to 17 year population. A lower figure denotes good performance. Worcestershire has, historically, had a low rate of custodial sentences.

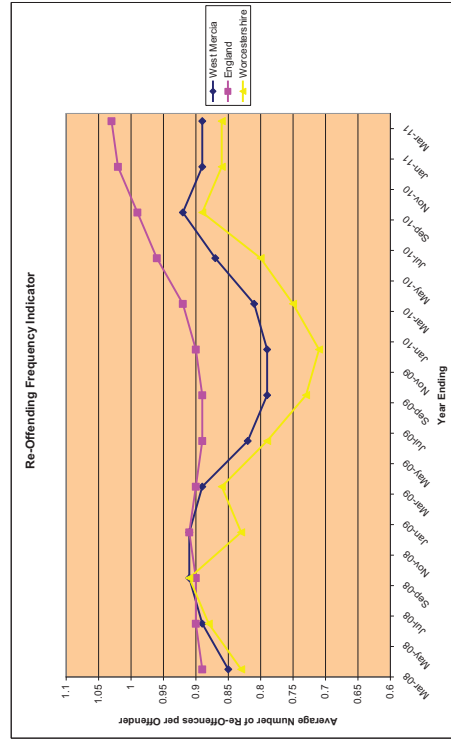
There were 23 custodial sentences during 2012, equating to a rate of 0.43 custodial sentences per 1000 youth population. This compares to a West Mercia rate of 0.38 and a national rate of 0.6. Custodial sentences accounted for 6.7% of all court outcomes in Worcestershire, compared to 6.4% of all court outcomes across West Mercia.

(iii) Re-Offending

There are two re-offending measures, both measuring re-offending in the same cohort of offenders over a 12 month period following the youth justice sanction that placed the young person in the cohort. The first, the frequency measure, is the average number of re-offences per offender in the cohort. The second measure, the binary measure, is the percentage of the offenders in the cohort re-offending. The most recent data for the re-offending measure is for the year ending March 2011.



The frequency measure performance for Worcestershire for the year ending March 2011 is 0.86, compared to the West Mercia performance of 0.89 and national performance of 1.03. Worcestershire is, therefore, performing slightly better than for West Mercia but significantly better the national performance. Worcestershire is showing slight decrease in performance for the year ending March 2011 from the year ending March 2008 of an increase in the frequency rate of 4.7%. This compares with increases in the frequency rate for West Mercia of 4.4% and England of 15.7%.



For the year ending March 2011 the binary measure for Worcestershire is 34.2% compared with a West Mercia performance of 33.8% and a national performance of 35.8%. For the three year period 2008 to 2011 Worcestershire is showing a slight decrease in performance from 30.8% to 34.2%, an increase of 3.4 percentage points. West Mercia and England are both showing an increase over the same period of 2.9 percentage points for West Mercia and 3.4 percentage points for England. The performance trend in Worcestershire follows the general trend nationally and for West Mercia over the period 2008 to 2011.

The increasing rate is a national picture and the YJB has noted that there is currently little evidence as to why this is happening. The YJB is to be undertaking work with YOTs during 2013/14 in order to understand more what is driving the trend in performance and look at how YOTs can be supported in addressing reducing re-offending.

Locally the West Mercia YOS will be conducting some work to investigate the characteristics of cohort members and investigating whether a method of obtaining more real time performance data can be developed.

Education, Training and Employment

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	Worcestershire % in ETE	West Mercia % in ETE
Young People of School Age	80%	83%
Young People above School Age	59%	62%
Overall Performance	68%	70%

The performance for Worcestershire for all young people is slightly worse than for West Mercia. Figures for the first 3 quarters of 2012/13 show worsening performance. Education, training and employment has been adopted as an local performance indicator and is due to be a focus of scrutiny in a themed YOS Management Board meeting during the second quarter of 13/14.

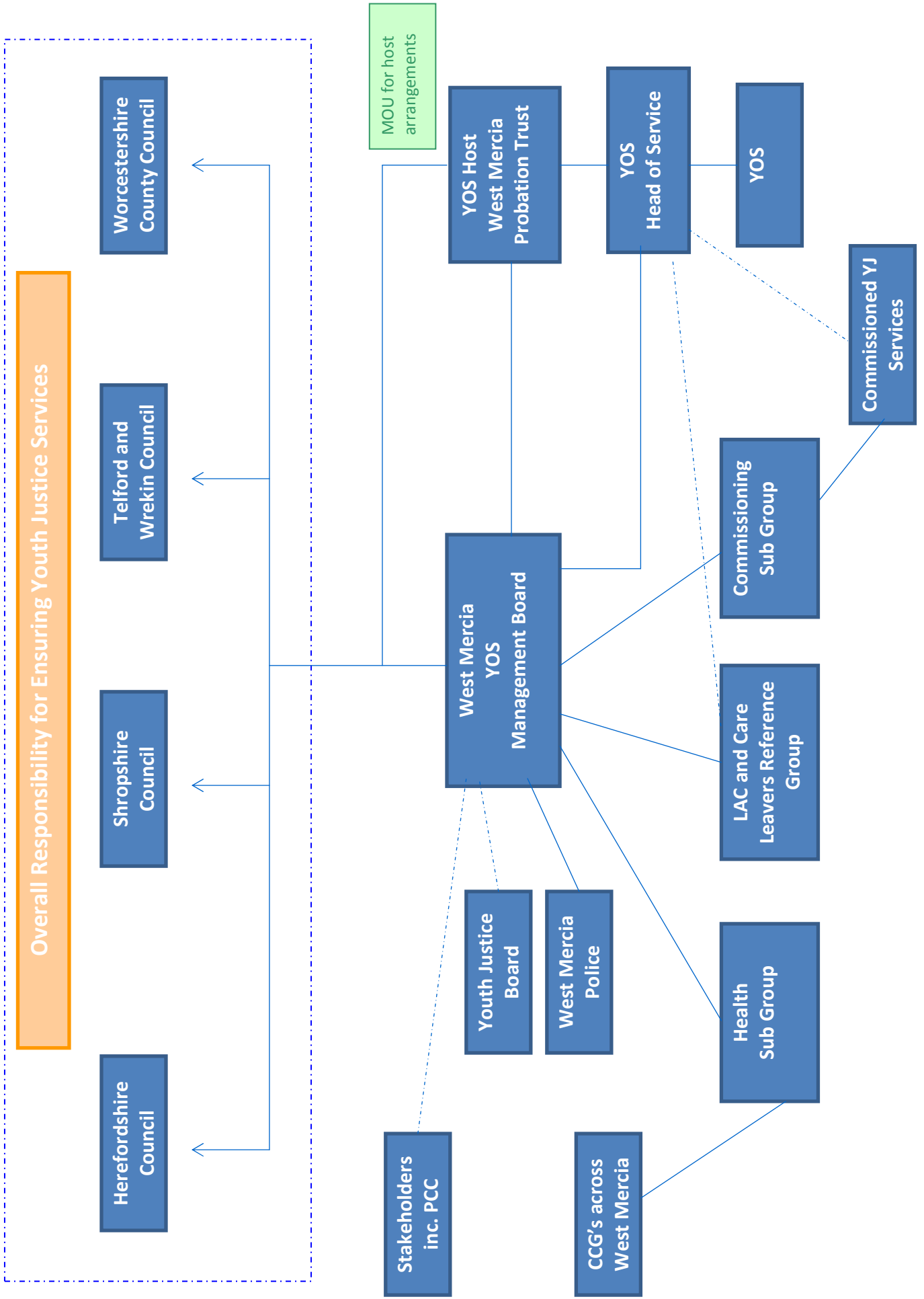
It should be noted that those young people of school age not in full time education (20%) are not necessarily NEET, but are receiving an education provision which is not 25 hours a week.

Looked After Children

On the 30th September 2012 an analysis of LAC on the YOS case load was undertaken. This showed that of the total case load of the YOS Teams in Worcestershire, 13.9% were looked after children. At this point in time 2% of the case load were LAC from other areas temporarily placed in Worcestershire. The proportion of Worcestershire LAC aged 10 to 17 who were under the supervision of the YOS at this time was 5.1%.

The YOS Management Board have established an operational reference group for 13/14 to analyse the issues between the YOS and Social Care in relation to LAC and Care Leavers and make operational recommendations in relation to joint working to improve the outcomes for LAC and Care Leavers who are in the youth justice system.

West Mercia YOS Governance Diagram





MEETING:	COUNCIL
MEETING DATE:	18 OCTOBER 2013
TITLE OF REPORT:	CHIEF FINANCE OFFICER AND SECTION 151 OFFICER DESIGNATION
REPORT BY:	ASSISTANT DIRECTOR, ORGANISATIONAL DEVELOPMENT

1. Classification

Open

2. Key Decision

This is not an executive decision.

3. Wards Affected

County-wide

4. Purpose

To designate the post of Chief Officer Finance as the authority's Section 151 Officer.

5. Recommendation(s)

THAT:

- (a) the person holding the post of Chief Officer Finance be designated as Section 151 Officer for Herefordshire Council; and
- (b) the Monitoring Officer be authorised to make any consequential amendments to the Constitution as are necessary.

6. Alternative Options

- 6.1 It is a statutory requirement that the council employs a Section 151 Officer. Whilst it is open to Council to designate this function to another post (excluding the Monitoring Officer), given the council's critical financial position it is vital that the council has an experienced Chief Officer Finance in position to lead what will be a challenging budget setting process and handle on-going budget management processes.

7. Reasons for Recommendations

- 7.1 To comply with statutory requirements and ensure effective leadership of the council's budget planning process and on-going financial management.

Further information on the subject of this Report is available from
Jenny Lewis, Programme Assistant Director Organisational Development on Tel (01432) 261855

8. Key Considerations

- 8.1 The council's Chief Officer (Finance and Commercial Services) left the authority at the end of September 2013 to take up a post with another authority. He also held the statutory role of Section 151 Officer. Members of the Employment Panel received a briefing on the process for managing this change on 6 August 2013.
- 8.2 The statutory role of Section 151 Officer must be performed by a council officer.
- 8.4 Under Part 3 of the council's Constitution, the 'Duty to designate officers as the Monitoring Officer and the Section 151 Officer is reserved to Full Council'. Under the council's Employment Rules (para 4.9.3.7) appointment of a Statutory Chief Officer is to be made by the Employment Panel, which also approves the Terms and Conditions of Employment. At its meeting on 11 September, the Employment Panel made an interim appointment to the new post of Chief Finance Officer, approved arrangements for the recruitment 7 selection of a permanent postholder, and recommended to Council that this post be formally designated as the council's Section 151 Officer.

9. Community Impact

- 9.1 Working with the council's Management Board, this role will ensure that the council's directorates and services are supported to meet the challenges imposed by financial reductions which, without change, would be more likely to result in less effective service delivery in future.

10. Equality and Human Rights

- 10.1 The recommendations in this report take full account of this legislation.

11. Financial Implications

- 11.1 The Employment Panel were advised of the financial implications of the interim and substantive posts. There are no further financial implications associated with the designation of the post as Section 151 officer.

12. Legal Implications

- 12.1 Section 151 of the Local Government Act 1972 requires all local authorities to 'make arrangements for the proper administration of their financial affairs' and to 'secure that one of their officers has responsibility for the administration of those affairs.'

13. Risk Management

- 13.1 The risks of not being able to successfully recruit to the permanent role are being considered and mitigating actions built into the recruitment & selection approach.

14. Consultees

- 14.1 The views of the council's external auditors were sought regarding the arrangements proposed to ensure continuity of robust Section 151 Officer arrangements, and the proposals were supported.

15. Appendices

- 15.1 None

16. Background Papers

- 16.1 None identified.



MEETING:	COUNCIL
MEETING DATE:	18 OCTOBER 2013
TITLE OF REPORT:	MONITORING OFFICER'S ANNUAL REPORT 2012/13
REPORT BY:	MONITORING OFFICER

1. Classification

Open

2. Key Decision

This is not an executive decision

3. Wards Affected

County-wide

4. Purpose

To inform the council about the matters within the responsibility of the monitoring officer and the council's performance for 2012-2013 with regard to the complaints under the standards framework.

5. Recommendation

THAT: Council notes the content of this report and provides comments and feedback to the monitoring officer.

6. Alternative Options

6.1 There are no alternative options. This report is for information only.

7. Reasons for Recommendations

7.1 The monitoring officer is required to report on his activities as set out in this report and the Audit and Governance Committee should note the report and provide comments and feedback

8. Key Considerations

8.1 The role of the monitoring officer is a statutory office whose duties are set out in the Local Government and Housing Act 1989, the Local Government Act 2000 and the Localism Act 2011.

Further information on the subject of this Report is available from
John Jones, Monitoring Officer, on Tel (01432) 260200

- 8.2 The main responsibilities of the monitoring officer are to ensure that the council, its elected councillors and its staff act with probity and that all the council's activities are in accordance with the law and the council's Constitution. The monitoring officer has responsibility for ensuring that the council avoids findings of maladministration and that it responds appropriately to the Local Government Ombudsman in that regard.
- 8.3 The monitoring officer is also responsible for dealing with allegations that councillors have failed to comply with the Members' Code of Conduct, and for administering the local standards framework. His responsibilities dovetail with those of the other statutory officers: the Head of Paid Service (Chief Executive) and Section 151 Finance Officer.
- 8.4 The restructure of Governance Services was progressed during 2012/13 as follows:
- Governance Services was included in a further restructuring process, which has now been completed. Staff have supported members during the roll-out of electronic communication equipment, and this has enabled the service to reduce costs of paper and printing considerably. Members no longer receive paper copies of agendas;
 - The reorganisation and restructuring of Registration Services has taken place, and the service is now self-funding.
 - A review of staffing within Local Land Charges and Elections has taken place;
 - Councillors continue to receive training on a range of subjects. The monitoring officer has delivered refresher training to members on the code of conduct, and members continue to receive briefings on a wide range of subjects. Training is reviewed by the Member Training and Development Group;
 - The monitoring officer has undertaken formal training during the year;
 - The committee undertook a review of the way standards matters are dealt with in the council, and was satisfied that a robust process existed.
- 8.5 The new standards regime was introduced in July 2012 and three new independent persons were appointed to comply with the Localism Act 2011. The two former independent persons have now been required, in accordance with the legislation, to resign from their voluntary independent positions, having been thanked by Council for their service.
- 8.6 As part of the new requirements all Councillors were required to register their disclosable interests. Detailed briefings on the new arrangements were given to Parish Councils by the Monitoring Officer.

8.7 The complaints dealt with during the period May 2012 – May 2013 are summarised as follows:

1 May 2012 – 30 April 2013

37 complaints were received during the period, and out of these:

- Five complaints were withdrawn;
- Five complaints were redirected because they related to service delivery, council officers or governance matters;
- In 20 cases the complaint was considered and no breach of the code found;
- Six complaints were referred to a standards panel;
- In one case, the monitoring officer found a potential breach of the code, which was dealt with by the monitoring officer.
- Of the 27 complaints considered, 23 (85%), related to members of town and parish councils;
- In four of the cases where no breach of the code was found, the monitoring officer offered advice or recommended training;
- In two of the cases referred to a standards panel, a breach of the code was found. These complaints related to the same subject member and the same incident;
- Four of the cases referred to a standards panel are ongoing. These four cases all relate to the same subject members.

9. Community Impact

9.1 Compliance with its legal obligations, effective governance and high standards of conduct impact on the council's relationship with, and its ability to lead, the communities of Herefordshire. In addition, the monitoring officer has responsibility (working with Herefordshire Association of Local Councils,) for standards in parish councils and for the operation of the standards framework and Code of Conduct for parish councillors. Parish councils are also important to the communities they serve. The activities of the monitoring officer have the potential to have a positive impact on communities.

10. Equality and Human Rights

The report pays due regard to the council's public sector equality duty set out under Section 149.

11. Financial Implications

11.1 There is limited funding for monitoring officer activities. The Governance teams support the monitoring officer in fulfilling his functions, and have made a significant contribution to the activities set out in this report and ensuring legal compliance and good governance across the council. It is important that they be adequately

resourced.

12. Legal Implications

- 12.1 The proper discharge of the monitoring officer functions is critical to ensuring that the council is acting lawfully. The legal implications of the council's activities must be fully understood and timely advice sought.

13. Risk Management

- 13.1 All complaints are risk-assessed by the monitoring officer, with the aim of reducing the risk of future successful legal challenge.

14. Consultees

- 14.1 None

15. Appendices

- 15.1 None

16. Background Papers

- 16.1 None identified.

HEREFORDSHIRE COUNCIL

18 OCTOBER 2013

SUPPLEMENTARY ANNUAL REPORT OF THE HEREFORD AND WORCESTERSHIRE FIRE AND RESCUE AUTHORITY TO HEREFORDSHIRE COUNCIL

(This supplements the Authority's report to Council on 19 July 2013)

New Constitution/Committee Structure

Members are engaged through the work they undertake on various Authority Committees. This involves a high degree of scrutiny of the adequacy and efficiency of the Service and its policies and procedures. Additionally, Member Task and Finish Groups can be set up to look at particular issues in more detail when required and report back to the principal committees.

The Authority also has several Members who are appointed to the Authority to work with officers on issues such as Equality and Diversity, Health and Safety and Member Development.

Financial Information

The Authority's accounts were signed off on 28 September 2013 and the external auditors gave an unqualified opinion on the Authority's financial statement and an unqualified value for money conclusion.

Authority Plan 2013/14

The Authority's Annual Plan for 2013/14 was approved for publication and is available on the Service's website at www.hwfire.org.uk

New Fire Stations

During 2012-13 we made significant progress to replace those Fire Stations which have reached the end of their serviceable life or were in need of substantial refurbishment. This included work to convert the Operational Logistics site at Betony Road, Malvern, into a temporary fire station to allow the refurbishment of Malvern Fire Station which has now commenced. The Service is in discussions with partners in Hereford and Redditch over potential locations for new Stations in these areas. Planning permission has just been granted for a new Fire Station in Worcester in Copenhagen Street.

Sun Valley – 20th Anniversary Parade

This year is the twentieth anniversary of the tragic fire which took place at the Sun Valley chicken processing plant in Hereford on the morning of the 6 September 1993, which sadly resulted in the deaths of Leading Fire Fighter John Davies and Fire Fighter David Morris.

A formal parade of remembrance and two minutes silence took place at Hereford Fire Station on Friday 6 September 2013.

A private wreath laying ceremony was also held at Leominster Cemetery on the evening of Friday 6 September 2013, which was attended by serving and retired staff from Leominster Fire Station.

Formal Agreement between Hereford & Worcester Fire and Rescue Service and the Red Cross

Hereford & Worcester Fire and Rescue Service has long called on the services of the British Red Cross to help support people affected by fires and other emergencies across the two counties. Now the two organisations have signed a formal agreement outlining how their partnership will work in the future.

A formal Memorandum of Understanding has been signed which sets out the roles and responsibilities of the Fire Service and the Charity in delivering the Fire and Emergency Support Service (FESS), including legal and financial considerations.

The British Red Cross attend some of the more serious fires or emergencies to offer practical or emotional support to those affected by an incident as well as welfare to front line Service personnel. A team of volunteers has been provided by the Red Cross using a specially adapted vehicle whilst the Fire Service has provided fuel and a mobile phone for use by volunteers while on Fire Service Duty.

Red Cross volunteers provide emotional support, immediate temporary shelter and practical items like clothes, food and toiletries to those affected. They can also find temporary accommodation and signpost people to other organisations that can help.

Originally there was just one FESS vehicle covering our Service area, mostly serving Worcestershire, but the Red Cross now has a second vehicle which covers the whole of Herefordshire.

Strike Action

A period of strike action by the Fire Brigades Union (FBU) took place between 1200 – 1600 hrs on 25 September 2013.

The Service's Business Continuity arrangements were successfully implemented. This was the result of a considerable amount of hard work and planning over the

past few weeks to ensure that a response capability was maintained to the public during the period of strike action.

Activities across the Service were co-ordinated from the Command Room at Service Headquarters which was staffed from 0900 hrs on 25 September. Throughout the period of strike action, the Service operated the following strategic locations, as well as a high proportion of our on-call stations maintaining cover as normal:

- Hereford TA Centre
- Hindlip
- Kidderminster TA Centre
- Pershore Fire Station
- Redditch TA Centre
- Sea Cadet Centre, Worcester

During the course of the day, the above locations, and wholetime fire stations, were visited by Senior Officers.

There was some picketing at sites across the two counties but this was handled in a responsible and professional manner. There was limited interest from local TV and radio media.

Thankfully the Service remained relatively quiet throughout the period of strike action and required only two mobilisations to be made to incidents, both of which were of a minor nature.

Whilst no further strike dates have been set by the FBU, the Business Continuity arrangements implemented today have proven to be effective. Following a debrief held immediately afterwards, a number of minor adaptations will be made to the Business Continuity Plan for use in the event of any further strike dates being announced.

Community Risk Management Plan (CRMP) 2014-2020

The Authority agreed at its meeting on 3 October 2013 that the draft Community Risk Management Plan 2014-2020 be approved for consultation.

The scale of savings needed by the by the Service will have an impact on services. It is clear that all parts of the Service will have to take a share from more cuts to back office support services and prevention and protection services through to the frontline response services – our fire fighters, fire engines and fire stations. Some £2 million worth of further savings have been identified away from frontline services (mostly through further internal efficiencies and management reductions) but that still leaves a gap of £2.7 million.

With such substantial savings to be found the CRMP sets out how the Service can balance its available resources against its assessment of risk, while also maintaining an effective fire and emergency response service across the two counties and with the least impact on communities.

Potential Combination with Warwickshire Fire and Rescue Service

The Deputy Chief Fire Officer presented a report that sought approval for the Chief Fire Officer to progress discussions with Warwickshire Fire and Rescue Service regarding future options for combination. A lengthy debate ensued on the merits of the proposal to enter into discussions with Warwickshire Fire and Rescue Service. However Members perceived that they required further information before they could support Officers entering into discussions with Warwickshire Fire and Rescue Service and it was resolved that the matter be deferred until the next meeting of the Fire and Rescue Authority.

Brigadier P Jones CBE

Vice-Chairman – Hereford & Worcester Fire and Rescue Authority

Background Papers

- None identified

FURTHER INFORMATION

Any person wishing to seek further information on this report should contact Committee & Members' Services on 01905 368209/241. 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)