

**SUPPLEMENT 2 TO THE AGENDA FOR**

# **General Overview & Scrutiny Committee**

**Monday 6 January 2014**

**10.00 am**

**The Council Chamber, Brockington, 35 Hafod Road, Hereford**

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## SUGGESTIONS FROM THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

Agenda item 5 invites the public to suggest issues that the Committee could scrutinise in the future. [**Please note:** It is not intended that there will be discussion on the issues at the meeting, as consideration will be given to whether the issues should form part of the Committee's work programme when compared with other competing priorities.]

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### The following suggestion has been received:

**Suggestion:** Dr. R.B. Williams has written on behalf of CPRE Herefordshire to ask the Committee to explore further the Council's position relating to the 5 year Housing Land Supply and has asked a number of questions about the recent Home Farm Inquiry.

**Comment:** *Kevin Singleton, Team Leader Strategic Planning:*

*A briefing note for Members regarding the 5-year housing land position was drafted by Andrew Ashcroft (Assistant Director Economic, Environment & Cultural Services) and circulated early in December. This note includes reference to the Home Farm Appeal Inquiry (this note is attached) and covers a number of issues raised in the letter.*

*Specifically in relation to the Home Farm Inquiry, it was the appellants that raised the matter of the 5-year housing supply and the Council responded to this and engaged Counsel to provide advice on the methodology to be used in the calculation of housing land supply taking into account recent appeal decisions.*

*In the absence of an adopted and up-to-date development plan (the Core Strategy), planning inquiries such as that at Home Farm will be a key determinant in testing what an appropriate 5-year housing supply target is and assessing whether the Council can demonstrate it can achieve this target.*





## 5 Year Housing Land Supply

### *Policy background*

Paragraph 47 of the NPPF requires local authorities to identify specific deliverable sites to provide five years' worth of supply against their housing requirement, plus a margin of 5% from later in the plan period to ensure choice and competition. If there is evidence that an authority has persistently under delivered this buffer rises to 20%. A failure to meet this test means that policies on housing supply cannot be considered up-to-date. This adds weight to the tests for decision-makers in paragraph 14 of the NPPF, including its presumption in favour of sustainable development.

### *The situation in Herefordshire*

The situation in the County is inevitably linked to progress on the LDF. At this stage the situation on the 5 year housing land supply is a source of debate between the Council and the development industry and was tested at a planning inquiry last month.

The most recent figure (as published in the Annual Monitoring Report 2012) was that there was the potential to deliver 4.6 years of the 5 year supply requirements to be met. In July 2013 the Council updated its position on housing land supply in a Position Statement. This identified a 4.17 year supply at that time.

As part of its work leading up to the appeal at Home Farm, Belmont (held between 12 and 15 November 2013) the Council engaged a Barrister to provide specialist advice on this matter. In particular the Barrister provided advice on the methodology to be used in the calculation of housing land supply taking into account recent appeal decisions. On this basis the Council submitted to the Inspector at the Home Farm Inquiry that the County's Housing Land Supply is currently between 4.6 years and 8.64 years depending on which of the various methodologies is used in the calculation. In all the circumstances it is likely that the agreed figure for both the Council and the house building industry will be influenced by the outcome of this Inquiry.

### *The implications of not having a 5 Year Housing Land Supply*

The Planning Minister has made it very clear that the Government expects local planning authorities to have two key components in place. The first is an up-to-date local plan (in our case the LDF). The second is a 5 year housing land supply. Paragraph 14 of the NPPF sets out a presumption of favour of sustainable development and which should be seen as a golden thread running through both plan making and decision making. For decision taking this means that local authorities should approve development proposals that accord with the development

plan without delay. It also means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or where specific policies in the NPPF indicate that development should be restricted.

The impact of this is based around the advance stage at which we have now reached in the preparation of the LDF and the current uncertainty over the 5 year housing land supply issue. This is suggesting that sites which would otherwise meet normal environmental tests would be granted planning permission for housing development if it is concluded that the County does not have a 5 year housing land supply. There is a widespread view that not having a 5 year housing land supply leaves any Council completely exposed to speculative housing developments. This is not however the case, although Planning Inspectors will need to balance up the lack of a 5 year housing land supply with other factors in the NPPF which would otherwise prevent development coming forward. The foot note to paragraph 14 of the NPPF is helpful in identifying those areas that the NPPF has in mind where development should be restricted. By way of example it lists:

- Sites protected under the Birds Habitats Directives and or designated as Sites of Special Scientific Interest
- Land designated as Local Green Space
- Land designated as an Area of Outstanding Natural Beauty
- Land affected by designated heritage assets
- Land at risk of flooding

*The situation elsewhere*

The professional press is regularly occupied by articles on this issue. Given the relatively recent publication of the NPPF and the approach currently being taken by the Secretary of State and the Planning Inspectorate, Herefordshire is by no means alone in wrestling with the issue. There is no definitive information on the extent to which local planning authorities in England can demonstrate a 5 year supply of housing land. However it is clear from recent reports that many local planning authorities in England are re-assessing their housing land availability. A recent report has been published indicating that 64% of Welsh authorities fall short of the mark. This includes all our neighbouring authorities (Monmouthshire, Powys and the Brecon Beacons National Park).

**Andrew Ashcroft**  
**Assistant Director – Economic, Environment & Cultural Services**  
**3 December 2013**



# **Task & Finish Group Report**

**Hereford and Worcester  
Fire and Rescue Service  
Consultation Response**

## **Hereford and Worcester Fire and Rescue Service Consultation - Review Report**

### **1 Chairman's Foreword**

- 1.1 I have pleasure in presenting this report following the Notice of Motion passed by Herefordshire Council in October 2013.
- 1.2 The contents of this report are self explanatory. Therefore, I will not repeat any here. However, I will say that the proposals do not appear to bring the service to a point of collapse but they seem to remove some of the resilience within the service. Only time will tell how detrimental this will be.
- 1.3 I would like to thank Mark Yates, Chief Fire Officer, Hereford and Worcester Fire and Rescue Authority and Rob Allen, Staff Officer, Hereford and Worcester Fire and Rescue Authority for attending a Task and Finish Group meeting and offering their views in a frank and forthright manner.
- 1.4 My thanks also to Cllrs Lloyd-Hayes and Preece for their invaluable contributions, and our Officers, Gemma Dean and Ben Baugh.
- 1.5 I commend the report and its recommendations.

Councillor Alan Seldon

Chairman, General Overview and Scrutiny Committee



## **2 Executive Summary**

- 2.1 Herefordshire and Worcester Fire and Rescue Authority are currently undertaking a consultation exercise on proposed service changes. The full Community Risk Action Plan and consultation documents can be found at <http://www.hwfire.org.uk/consultation/>
- 2.2 At the meeting of Full Council on 18 October 2013 a Notice of Motion was passed which required General Overview and Scrutiny Committee to review the consultation and form a response which would go before Full Council in January 2014. A copy of the Notice of Motion is attached at Appendix One.

## **3 Composition of the Task and Finish Group**

- 3.1 Members of the Task and Finish Group were:

Councillor Alan Seldon - Chair of the General Overview and Scrutiny Committee and Chair of this Task and Finish Group  
Councillor Marcelle Lloyd-Hayes  
Councillor Robert Preece  
Scrutiny Officer - Gemma Dean  
Democratic Services Officer - Ben Baugh

## **4 Context**

### At What Were We Looking?

- 4.1 The consultation questionnaire deals with a large number of proposals from within the Draft Community Risk Action Plan 2014-2020. The Group determined that they would only look at the proposals that deal specifically with Herefordshire.

### To Whom Did We Speak?

- 4.2 In December 2013, the Group convened a meeting and conducted an interview to gather as much background information. In doing this, the Group spoke to the following people:
- Mark Yates, Chief Fire Officer, Hereford and Worcester Fire and Rescue Authority
  - Rob Allen, Staff Officer, Hereford and Worcester Fire and Rescue Authority

### What Did We Read?

- 4.3 The Group was provided with a large amount of background information to undertake this review. The documents that were used and are appended to this report are:
- Meeting of Full Council on 18 October 2013, including minutes and the Notice of Motion <http://go.m-gov.eu/064M4986>
  - Hereford and Worcester Fire and Rescue Service Draft Community Risk Action Plan 2014-2020  
[http://www.hwfire.org.uk/PDF/fire\\_authority/fra\\_agenda/fra\\_agenda13/CRMP2020Draft-1-10-13.pdf](http://www.hwfire.org.uk/PDF/fire_authority/fra_agenda/fra_agenda13/CRMP2020Draft-1-10-13.pdf)
  - Hereford and Worcester Fire and Rescue Service consultation documents <http://www.hwfire.org.uk/consultation/>

## 5 The Proposals

5.1 Question 5 of the consultation document refers to the proposals that would impact Herefordshire. These proposals are:

- Proposal 1: The removal of one of the two wholetime fire engines from Hereford fire station
- Proposal 2: The removal of one of the two on-call fire engines from each of Bromyard and Ledbury fire stations.
- Proposal 3: North Herefordshire – the removal of one of the two on-call fire engines from Leominster fire station **or** closing Kingsland fire station. South Herefordshire – the removal of one of the two on-call fire engines from Ross-on-Wye fire station or closing Whitchurch Fire Station.

### Proposal One

- 5.2 The Task and Finish Group were concerned with the reduction of one full time fire engine that the capacity to deal with emergencies would be greatly affected. Specifically, issues were raised concerning the sparsity of Herefordshire and whether the reduction of one wholetime fire crew would affect the capability to mobilise specialist appliances. The Group were advised that the specialist appliances do not have a primary crew. At present, the two fire engines are manned by four and five wholetime firefighters. If a call came in for specialist appliances, the wholetime firefighters or the retained firefighters (if suitably trained) would take the required vehicles to an incident. Therefore, there should be no change to the arrangements if the proposal were implemented.
- 5.3 The Group raised the unique geographical area of Herefordshire and in particular, the increased risk of flooding. Then Group were concerned that the proposed changes may adversely affect the ability to respond to floods. The Group were advised of the distinction between unpredictable water rescue incidents and predictable flooding events. The Environment Agency provided such specialist forecasting that nowadays it was possible to anticipate flooding and as such ensure that sufficient cover was available in the County. This would still be the same scenario under the new proposal.
- 5.4 The Group still had concerns over the sparsity of Herefordshire and in particular the continued ability of the Hereford fire station to support responses to incidents in market towns. The Group were also concerned about the particular concern in Herefordshire regarding road traffic collisions.
- 5.5 The Group were advised that although the removal of 22 firefighters at Hereford station appeared significant, this actually meant a reduction from 9 to 5 on duty firefighters. Furthermore, the resources would remain the same in terms of specialist appliances and retained firefighters. Hereford do provide specialist appliances but the arrangements going forward under this proposal would be no different to those already in place for towns such as Kidderminster.
- 5.6 The Group were advised that it was easier to recruit retained firefighters in Hereford centre and that the availability of these firefighters was generally very good. The Group were concerned that in light of the reduction in wholetime firefighters, that the demand on these retained firefighters would increase significantly. The Group sought an assurance that the demands on retained firefighters was closely monitored and that the possibility of recruiting more retained firefighters was kept open.

- 5.7 The Group were advised by Mr Yates that he did not have any concerns about the proposed reductions concerning day-to-day fire cover. Mr Yates further confirmed that he was comfortable with the proposals for Hereford based on his professional judgement formed on experience around country and expectations associated with a conurbation of 60,000 people.

**Recommendation 1: That the geographical nature of Herefordshire should be carefully considered when proposing any reduction in staff and vehicles.**

**Recommendation 2: That the increased demands that will be placed upon retained firefighters should be carefully monitored.**

#### Proposal Two

- 5.8 The position with regards to the Bromyard was that there qualified acceptance of the position by local firefighters but only if absolutely necessary.
- 5.9 The position regarding Ledbury had not been established but the Group were advised that the local town council had made comments and that a Local Ward Member had not welcomed the proposals.
- 5.10 The Group were advised that the best that could be hoped for would be 'reluctant acceptance' of the proposals and that the proposals would not be being brought forward but for the significant financial pressures facing all public services.
- 5.11 Mr Yates spoke highly of the professionalism by staff at all of the fire stations during this difficult period of change.

#### Proposal Three – Leominster/Kingsland

- 5.12 The Group were very concerned about the sparsity of North Herefordshire. More specifically, the Group were concerned about the rural nature of the road network.
- 5.13 Mr Yates advised that, along with the Stanford Bridge area of West Worcestershire, these areas had the sparsest fire cover in Herefordshire and Worcestershire.
- 5.14 The Group also highlighted the fact that there were a large number of industrial units within Leominster.
- 5.15 The Group resolved that in light of the areas of concerns raised, that it would be the preferred option to retain one on-call fire engine at Leominster and Kingsland.

**Recommendation 3: That one on-call fire engine should be retained at Leominster and Kingsland station.**

#### Proposal Three – Ross-on-Wye/Whitchurch

- 5.16 The Group were advised that the Whitchurch fire engine was not available 16% of the total time and 25% during the day. By comparison, Kingsland was not available 1% of the total time.
- 5.17 The Group felt that the area of Whitchurch was better serviced by a good road network in comparison to North Herefordshire. The Group were further advised that there no issues with cross-border co-operation.

- 5.18 The Group were keen that should Whitchurch station be closed, then the possibility of mothballing the station to reopen in the future if the financial situation improved. Mr Yates advised however that given the downward trajectory of call outs and the maintenance costs associated with retaining an unused asset, the likelihood of Whitchurch being re-opened would be difficult to foresee.
- 5.19 The Group were made aware that the Local Ward Member and council were currently undertaking their own review of the consultation and would be providing a report to Hereford and Worcester Fire and Rescue Service.

**Recommendation 4: That should Whitchurch station be closed, then the possibility of mothballing the station is appropriately considered.**

#### General Observations

- 5.20 The Group were concerned about the disproportionately high number of road traffic collisions in Herefordshire. The Group were advised that firefighters would often take directions from paramedics on the scene until they had stabilised the casualties, whereas in the past emphasis had been on the 'golden hour' to free individuals and take them to hospital. The Group were pleased to hear that firefighters were trained to trauma care level.
- 5.21 The Group were firmly of the view that wherever possible, in the closure of any fire stations or decommissioning of vehicles, that these be mothballed for future use should the financial situation improve. The Group were advised that whilst this may be difficult to do with regards to fire stations, that consideration was being given to holding some appliances as a strategic reserve.
- 5.22 The Group were keen highlight that continuous training of the retained firefighters would be crucial to the success of these proposals.

**Recommendation 5: That when any fire station is closed, then the possibility of mothballing the station is appropriately considered.**

**Recommendation 6: That when any fire equipment is removed, then the possibility of holding this equipment as a strategic reserve is appropriately considered.**

## **6 Recommendations**

**Recommendation 1:** That the geographical nature of Herefordshire should be carefully considered when proposing any reduction in staff and vehicles.

**Recommendation 2:** That the increased demands that will be placed upon retained firefighters should be carefully monitored.

**Recommendation 3:** That one on-call fire engine should be retained at Leominster and Kingsland station.

**Recommendation 4:** That should Whitchurch station be closed, then the possibility of mothballing the station is appropriately considered.

**Recommendation 5:** That when any fire station is closed, then the possibility of mothballing the station is appropriately considered.

**Recommendation 6:** That when any fire equipment is removed, then the possibility of holding this equipment as a strategic reserve is appropriately considered.

## **7 Appendices**

**Appendix One** – Notice of Motion



## 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.**

