

MINUTES of the meeting of COUNCIL held at Brockington, 35 Hafod Road, Hereford on Friday, 30th July, 2004 at 10.30 a.m.

Present: Councillor P.E. Harling (Chairman)
Councillor J.W. Edwards, (Vice Chairman)

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

19. PRAYERS

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

20. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. E.M. Bew, G.W. Davis, N.J.J. Davies, J.P. Thomas, Ms A.M. Toon.

21. DECLARATIONS OF INTEREST

There were no declarations of interest made.

22. MINUTES

In response to a query on the minutes of the meeting held on 21st May, 2004, and in the absence of a written notice of motion as required by Standing Order 4.14.4, Councillor W.J.S. Thomas was asked to write to the Chairman setting out his concerns.

RESOLVED: That the minutes of the annual meeting held on 21st May, 2004 be approved as a correct record and signed by the Chairman.

23. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the partnership contract with SHAW Homes to run the older people's care homes in the County had been signed on 28th July and that the transfer would take effect on 1st August, 2004. He thanked all the staff involved for their efforts in finalising this important partnership arrangement for older people in Herefordshire.

The Chairman informed Council that three Herefordshire residents had recently taken part in the first citizenship ceremony to be held in the County. The ceremony included taking an oath of allegiance to her Majesty Queen Elizabeth II and a pledge

of loyalty to the United Kingdom. He advised that there could be as many as 50 applicants in Herefordshire each year and the next ceremony was already being planned.

The Chairman reminded Council that the Civic Service would be held in Hereford Cathedral on Sunday, 13th March, 2005 at 3.30 p.m. He advised that the new Bishop of Hereford had agreed to preach at the service.

The Chairman extended an invitation to pupils at Burghill Community Primary School to attend the Council meeting to be held on Friday, 12th November, 2004.

The Chairman presented a petition, asking for support for a skate park in Hereford City, to the Cabinet Member (Community and Social Development).

24. QUESTIONS FROM MEMBERS OF THE PUBLIC

Under the Constitution a member of the public can ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties, or which affects the County, as long as a copy of the question is deposited with the County Secretary and Solicitor more than six clear working days before the meeting. A series of questions and supporting statements relating to support for a skate park in Hereford City had been received within the requisite timeframe and were included in the agenda.

In response to a request for support for a purpose built skate park in Hereford City, Councillor R.V. Stockton, Cabinet Member (Community and Social Development) said that the Council already supports the development of skateboarding facilities throughout the County, both through the provision of land and limited revenue support to assist maintenance as well as undertaking safety inspections. He advised that the main emphasis had been on the development of neighbourhood facilities. The problem with provision of land in Hereford City was the scale of the facilities and the value of the land required. Any financial contributions would need to be prioritised against other bids for resources.

In response to the question about potential tourism benefits he advised that neither Sport England nor ILAM had been able to evidence tourism or economic benefits arising from skate parks.

He advised that the Council does not provide financial support to team sports other than providing pitches on existing open space. He also said that the Council had allocated £10,000 to skate parks compared to £7,000 to core sports development.

He also advised that projects most likely to succeed were those that involved the whole community and urged the skateboarders to seek support from their local community to establish a joint venture partnership. This would also allow them to approach other funding sources to ensure continuity once a project had been established.

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

Question asked by Councillor J Stone.

"Has Herefordshire Council made representations to the Highways Agency for road improvements at Ashton following the fatal accident on the A49 on Monday, 7th June, 2004?"

Councillor Wilson, Cabinet Member (Highways and Transportation) in replying, extended his sympathy to the families of the drivers tragically killed in the appalling accident at Ashton in June and to the local residents whose property was so badly damaged in the accident.

He reminded Councillor Stone that the Council had previously highlighted to the Highways Agency that safety on the A49 should be a priority when considering future management of the route, with several sites on the A49 in Herefordshire having records of long-term patterns of personal injury accidents. He said that accident reduction measures had been introduced at some sites and further measures were proposed. The bends at Ashton had received minor remedial treatment in the past.

He confirmed that the Highways Agency, like the Council, was expected to prioritise the trunk road safety improvement programme according to objective assessments of longer-term accident trends.

He read out the following statement from the Highways Agency:

"As is normal following incidents of this sort, the Highways Agency assisted the Police and other emergency services at the time of the incident and are continuing to liaise with the police as they carry out an investigation into the circumstances. Details of the investigation are not yet available but, if it is established that the highway infrastructure may have been a contributory factor, the Agency will look at what measures, if any, would be appropriate to improve safety at this location."

He was also aware that the local MP had raised the matter at Prime Minister's question time, and it was also raised with the Highways Agency during the Route Management Strategy consultation at Whitchurch. He agreed to keep the local Member informed of any further information about proposals for this site.

Councillor Stone and Councillor Wilson both praised the emergency services for their assistance at the scene of the accident.

In response to a further question about diversion routes following a major accident on the Council's roads, Councillor Wilson advised that Council officers and staff from the Highways Agency worked together to devise diversionary routes that would assist the flow of traffic but were constrained by the existing road infrastructure which often left no alternative but to divert traffic through smaller villages.

Question asked by Councillor R. Manning

"In light of the fact that natural justice is deeply enshrined in English Law i.e. that a man cannot be a judge in his own cause, does the Council feel confident that its Constitution, Appendix 13, Paragraph 37 would not be considered ultra vires?"

In view of the fact that the Constitution is currently being reviewed, could I ask the Leader if my question could be considered in this process?"

Councillor Phillips said that the Constitution provided a robust framework of governance by which the functions of the Council are regulated ensuring that the procedures and business of the authority are conducted in an efficient, transparent and accountable fashion. The doctrine of natural justice provided the basis of modern jurisprudence and imposed obligations upon those in power to make decisions fairly, without bias and in good faith.

He thought that the question was based on a misunderstanding of the role of the Head of Planning Services in the referral process.

He explained that Paragraph 37 in Appendix 13 of the Constitution deals with the situation where the Committee arrives at a decision at a planning sub-committee which is contrary to the professional advice tendered in an officer recommendation.

In such circumstances, where critical policy issues arise, the decision of the sub-committee is referred to the Head of Planning Services to determine whether to refer the matter to the main Planning Committee. He said that the paragraph in question is drafted in unambiguous terms and it was clear that where such a referral is made, it is for the Elected Members serving on the main Planning Committee to determine the application referred to them. He thought it was obvious that it was the Committee and not the Head of Planning Services who would make that decision. He advised that the Council was entirely confident that its constitution was wholly consistent with the rules of natural justice. Such mechanisms are regularly employed to ensure that disregard of the local and national frameworks are properly addressed thus avoiding the damage to reputation which was so clearly identified in the North Cornwall Inquiry. The question of ultra vires simply does not arise.

He thanked Councillor Manning for his question and said he would raise the issue at the Constitutional Review Working Group but warned that he would find it hard to conceive of a mechanism which would guard against the North Cornwall situation more effectively.

Councillor Manning responded by saying that he did not wish to be derogatory about any Council officer but was still concerned that the referral process was contrary to the rules of natural justice. He felt it would be impossible for the Head of Planning Services to make a decision about such a referral without bias. He was also concerned about the length of time it had taken for an applicant to be informed that a decision, which had been properly taken by a Planning Sub-Committee meeting in public, had been referred to the main Planning Committee for reconsideration. He argued that it was the Committee's prerogative to consider whether material considerations were present and make a decision accordingly. He asked: "If a dissatisfied applicant, with enough financial resources chose to challenge Appendix 13 paragraph 37 in its present form at judicial review and was successful, how safe would other decisions be which had been referred in the same manner? Could other cases then be reconsidered and in that event what would be the potential cost to the Council."

The Chief Executive advised that he did not believe the Council's decision would be susceptible to judicial review but the reasoning was complex and council was not the best forum to address detailed issues of this nature. The matter would be best referred to the Constitutional Review Working Group. The Legal Practice Manager agreed to provide a written reply to the legal points raised.

Question asked by Councillor Mrs. M.D. Lloyd-Hayes.

"Why did the Council recommend to the Voluntary Sector Grants Panel an award of £8,000 to a youth group in the Leominster area representing 125 young people, but only recommend £2,500 to a group in Hereford where more than 7,000 young people live?"

Response by Councillor Stockton

Councillor Stockton explained that the funding available through the Voluntary Sector Grant Scheme was distributed in two rounds. Approximately 80% of the funding is allocated during the first round, with the final 20% being allocated during the second. A total of £143,971 was allocated during the first round with a total of £24,164 to be allocated during the second round. Grants were awarded on a previously agreed percentage basis to seven categories including 11.75% to Youth.

He advised that 27 of the 32 applications received in the first round were supported, and a further 19 of 26 applications the second round. The scheme was over

subscribed by more than £359,000. The "Leominster project" was considered in Round 1, the "Hereford project" in Round 2.

He explained that applications for funding are appraised by officers who make recommendations on the amount of funding and any conditions to be applied. The recommendations are considered by the Voluntary Sector Grants Panel before he made the final decisions.

Both of the projects in question were supported by their appraisers, but due to the way in which the funding is allocated across the two rounds, Herefordshire Council could only support a section of the projects that came forward in the second round.

He advised that the scheme is currently being reviewed under Herefordshire Council's Review of Support to the Voluntary Sector, the outcome of which is due at the beginning of October.

In response to further query, Councillor Stockton advised that organisations applying for grant aid were required to furnish details of other funding, including grants, available to them. With regard to the provision of a skate park in Leominster, he advised that that particular project was being supported by Leominster Town Council.

Question asked by Councillor Mrs. M.D. Lloyd-Hayes

"Why is there no report from the Fire Authority at full Council for a second time?"

Councillor Phillips stated that in contrast to the Police Authority, there was no statutory requirement that the Chief Fire Officer report to the constituent authorities. That is because, in contrast to the Police Authority, the whole of the membership of the Combined Fire Authority is drawn from the membership of the Constituent Authorities.

It is therefore a matter for the Combined Fire Authority to determine whether or when reports are submitted on its behalf. The Authority's presently agreed position is that it will report after its meetings in March and September each year.

The Authority met on 19th March, 2004 and reported to the next available meeting of the Council, held on 21st May, 2004. The Authority's next meeting is scheduled for 27th September 2004 and a report should therefore be submitted to this Council's meeting on 12th November, 2004.

He said he had some sympathy with Councillor Mrs. Lloyd-Hayes's question particularly in view of the recent issues relating to capping.

Question asked by Councillor Mrs. M.D. Lloyd-Hayes

"Has the Council selected a cattle market site?"

Councillor G. Hyde responded by saying that no site had yet been identified, but that local Members would be notified as soon as one had been.

Question asked by Councillor Mrs. M.D. Lloyd-Hayes

"Since the abolition of Programme Panels there has not been an identified mechanism for Councillors to meet and openly discuss issues of concern in their wards with officers and Cabinet Members. To strengthen links between the public

and their elected representatives can we canvass Members for their views on re-instating Programme Panels?"

Councillor Phillips advised that the role of the Programme Panels as set out in the Constitution had been to assist the relevant Cabinet Member by giving advice on the formulation and implementation of policy within the relevant programme area. No effective decisions were taken.

Questions about the efficiency and clarity of purpose were raised as part of both the IdeA peer review and the CPA Corporate Assessment. He reminded Council that there were many ways to make their views known to the Cabinet, and said he would ask the Constitutional Review Working Group to reconsider the issues. He said he would arrange for Councillor Mrs Lloyd-Hayes to attend and present her proposal for consideration.

Question asked by Councillor A.C.R. Chappell

"Will the Leader review, as a matter of urgency, the Council's lettings policy of its public buildings to ensure that the British National Party can hold none of its meetings in public buildings? This to include schools and similar buildings owned by the Council. Will he also advise other organisations who are in receipt of Council grants that these will be withdrawn if they allow the BNP to use their buildings?"

Will he also seek to ensure that the British National Party are unable to distribute any material or hold any meetings on ground owned or managed by Herefordshire Council?"

Councillor Phillips explained both the situation which prevails other than at election time and also the situation which prevails during an election.

He advised that the British National Party was registered with the Electoral Commission as a political party on 25 February 1999, pursuant to the provisions of the Registration of Political Parties Act 1998. By virtue of this registration process, the British National Party is able to put forward candidates for Parliamentary, European or local elections. A candidate of either a registered party or an individual candidate is entitled for the purpose of holding public meetings in furtherance of his candidature to the use, free of charge, at reasonable times of a suitable room in the premises of a school within the ward or constituency in which he or she stands for elections, or in a similar room in an adjoining ward or constituency if there is no availability of rooms within the ward or constituency for which that candidate stands. Indeed the Local Education Authority is required to prepare and revise from time to time a list of rooms at school premises where candidates in the constituency may hold such meetings. The right to hold to such meetings is enforceable by the candidate against the Council.

At common law a highway is land dedicated to the use of the public to pass and re-pass along it. The law provides that a highway may be used for other lawful purposes. If a member of the public or the supporter of a particular political party for that matter chooses to walk along a highway handing out party political literature that is a lawful use of the highway. The use may become unlawful if however he or she remains static causing an obstruction and the willful hindrance of free passage along the highway. An offence under Section 137 of the Highways Act 1980 would arise in such circumstances.

Whether a meeting is conducted after an election has been called or at any other time, the meeting must be conducted in a lawful fashion. Under Section 19 of the Public Order Act 1986 a person commits an offence if he or she publishes or

distributes to the public written material which is threatening, abusive or insulting if he either thereby intends to stir up racial hatred or having regard to all the circumstances, racial hatred is likely to be stirred up by that activity. There are similar offences created by the Public Order Act which covers the use of threatening or abusive or insulting words or behaviour. A police constable has power to arrest without warrant a person suspected of being guilty of such an offence.

The Council is currently reviewing its conditions of hire and the letting of Council's own rooms for future events.

In response to a further question, Councillor Phillips reminded Council of their obligation as community leaders to promote the Race Equality Action Plan referred to in the Cabinet Report at Item 9.

Question asked by Councillor W.L.S. Bowen

"Please can we have an update on the situation regarding "sofa surfers" and other homeless youngsters.

What is the situation as regards adult homelessness? What is being and can, practically, be done to reduce these problems?"

Councillor Mrs. Barnett advised that the situation on "sofa surfers" and other homeless young people was very similar to that outlined at the previous meeting of Council. Single person accommodation continue to be very limited in Herefordshire with only 38 new units planned for this year. There are 3399 applicants at present seeking this type of accommodation. This is 54% of all applicants. In order to obtain better information, applicants who are priority card holders and homeless will be asked, in future, if they are staying with relatives or friends. At the end of June there were 143 "homeless at home".

She invited Councillor Bowen to contact the Director of Social Care and Strategic Housing and make an appointment for a detailed briefing.

Question asked by Councillor W.L.S. Bowen

"Why is it that Hereford Council has no Rail Development Officer or any form of Strategic Rail Group?"

Is this Council taking any positive steps to improve Hereford's rail link with London?

Is the so called "integrated transport policy" making any significant progress - especially with regard to rail/bus/taxi links?"

Councillor Wilson advised that the Council was currently unable to identify any funding for such a post, but that rail issues were undertaken by the Passenger Transport Officer. The Council is a member of the Cotswold & Malvern Transport Partnership, which is the strategic rail group for the Hereford-Paddington line. In addition, rail interest groups and organizations are included in the membership of the Transport Wider Reference Group (the Transport Ambition Group for the Herefordshire Partnership). In the wider context the West Midlands Passenger Train Users Forum, of which we are a member, looks after West Midlands' issues, and the Rail Passengers' Committee Western is the statutory body responsible for rail passenger issues. The Cotswold & Malvern Transport Partnership is actively working with train operators and Network Rail to improve the London service. The new timetable to be introduced in December will see newer and faster rolling stock on London services.

Council was advised that from May 2004 the majority of city bus services from South Wye were extended to Hereford railway station. Rural services to Monmouth, Canon Pyon, Leominster and Kington have been extended to Hereford station and taxibus services operate in the evenings from Hereford and Leominster railway stations. A new service has been introduced between Ross-on-Wye, Much Marcle and Ledbury railway station. Opportunities for further bus/rail links are considered on an ongoing basis when reviewing services subsidised by the Council prior to the re-tendering process.

In addition, passengers coming to Hereford by rail are able to buy a "Plusbus" ticket for an additional £1 per adult on top of the price of their rail ticket. This entitles passengers to unlimited travel on services within Hereford that are operated by First Group.

In response to a further query, Councillor Wilson said that he was aware that a number of trains from Paddington were terminated at Malvern and on occasion, at Evesham. This was due to having a single line track between there and Hereford. The partnership group was working towards a dual track service. He was satisfied that the "Plusbus" tickets were well advertised, appearing on passenger timetables and elsewhere.

Question asked by Councillor P.J. Dauncey

"Please would the Cabinet Member inform us as to the date the CROW Act 2000 can legally be applied in Herefordshire?"

Councillor Wilson said that there are many different provisions contained within this Act, some of which were already in force but some would not take effect until 2026.

He advised that he would be pleased to send a more detailed response if Councillor Dauncey could provide more specific details of which provision, or provisions, within the Act he would like information about.

Councillor Dauncey said he was referring to notices relating to dog-walking which had been posted on Bromyard Downs, which he believed would not take effect until October 2005. He asked for the notices to be removed immediately.

Councillor Wilson agreed to investigate the matter and respond to Councillor Dauncey direct.

Question asked by Councillor T.M. James

"Members of the public recently observed staff from Herefordshire Jarvis Services painting flower displays in Leominster prior to a visit from the judging panel of the Britain in Bloom competition.

Could the Cabinet Member explain how this was authorised and does he think that this is an appropriate use of tax payers money?"

Councillor Phillips said that in terms of budget, the cost of the grounds maintenance in the north of the county remains in line with that paid to Sodexo land technology last year prior to transfer to Herefordshire Jarvis Services. No enhanced payments have been made beyond what would have been paid in previous years.

He said that the display in question was the Age Concern display in Leominster and their logo could not be delivered using natural planting as the blue colouring was not

deep enough. The nursery provided the plants with a natural plant dye, (not paint) to be applied prior to the judging. In view of the profile of the Age Concern display and the will to not prejudice the work, enthusiasm and commitment of the Leominster Community, it was agreed with their 'In Bloom' Committee that this work should be authorised. The market towns are building high levels of civic pride in accordance with the 'In Bloom' initiatives across County. This has taken some time but now it engages both the business and voluntary sectors in the concept of raising the profile of the market towns as service centres.

Councillor James implied that, in light of the current difficulties being faced by the Council, e.g. capping, Jarvis, job evaluation, that the money could have been put to better use. Councillor Phillips reiterated that no additional money had been spent this year. He praised the work of the staff involved, many of whom tended the displays outside of normal working hours and hoped they would continue to do so.

26. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

27. CABINET

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 3rd and 17th June, and 1st, 15th July, 2004, and the supplementary report of the meeting held on 22nd July, 2004.

Main Report

In relation to item 1.1 Corporate Plan 2004/07 (including Best Value Indicator Reporting for 2003/04) - in response to a query the Leader assured Council that he would be seeking to ensure that reports of this nature are written as clearly and concisely as possible.

In relation to item 1.2 Council Tax Designation and Capping Local Government Finance Act 1992 Council Tax Limitation (England)(Maximum Amounts) Order 2004 - The Leader reminded Council that the criteria for capping was unknown at the time that it set its budget for 2004/05. He said it was important for people to be aware of that. To this end he was happy to share with any interested parties a letter dated 6th April, 2004 from the Office of the Secretary of State confirming this.

In relation to item 4.1(iii) Revenue Support Grant (RSG) - in response to a query the Leader explained that, for the purpose of calculating RSG the government was using census information from 1991 rather than 2001. It had been estimated that if the 2001 figures had been used Herefordshire may have been entitled to extra funding of up to £1.8 million. This was because a number of criteria related to elderly people, of which the County has a higher than average proportion.

In relation to item 7.1(i) Edgar Street Grid Delivery Vehicle - In response to a request for more information, Councillor G.V. Hyde advised that the project to redevelop the Edgar Street Grid was in the early stages of what would be a 15-20 year project. He said that it was too early to hold another seminar for Members as there were still too many options open, not least of which was to identify a new site for the livestock market. The Leader confirmed that inclusion of a Hereford City member on the Joint Venture Partnership would be considered as part of the process.

In relation to item 8.1(i) Review of Discretionary Policies Applicable to Home to School Transport - in response to a query Councillor Rule, Cabinet Member (Education) confirmed that the review would include the cost of transport to schools out of County for those who have been refused a school in their catchment area.

In relation to Item 12.2(i) Parish Plans Protocol - in response to a query, the Leader advised that the relaxation of current timescales for responses may be unavoidable in some instances solely because of the amount of time involved in dealing with over 40 parish plans. He confirmed there would be no undermining of the Council's commitment to the parishes.

Supplementary Report

In relation to item 3.1(i) Commission for Social Care Inspection, Inspection of Older People's Social Care Service for Herefordshire - in response to a query Councillor Mrs. Barnett, Cabinet Member (Social Care and Strategic Housing) confirmed that she was confident that the social care management and staff could deliver the outcomes identified following the inspection of the service. She said that the Council should be proud to have such a dedicated team who were committed to improving the service for the older people of Herefordshire.

RESOLVED: That the reports from the meetings of Cabinet held on 3rd and 17th June, and 1st, 15th and 22nd July, 2004 be received and the recommendations set out below be adopted:

- That (a) the Corporate Plan 2004/07, incorporated the up-to-date Best Value Performance Indicators for 2003/04 as set out at Appendix 1 to the report be approved;
- (b) the Council sets its budget at the capping figure of £175,320,000;
- (c) in doing so, the Council makes budget savings of £300,000 to cover both the reduction required by the Capping Notice and the re-billing costs;
- (d) the Council agreed to make substitute calculations to achieve the consequential council tax at Band D for Herefordshire Council services of £955.73; and
- (e) revised council tax demand notices incorporating both the substitute council tax and the consequential amendment necessitated as a result of the anticipated revised precept from the Combined Fire Authority be issued.

28. SUBSTITUTE REVENUE BUDGET AND COUNCIL TAX RESOLUTION 2004/05

Following the resolution at Minute 27(b) above it was unanimously **RESOLVED:**

That: (1) In respect of the Council's 2004/05 Budget:

- (a) a council tax of £955.73 be levied (at Band D);
- (b) programme areas contain expenditure within "cash limits" i.e. outturn budgets with no further allowance for pay or

price inflation beyond that already provided;

(2) in respect of council tax for 2004/05 that the following amounts be approved by the Council for the year 2004/05 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

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| (a) | £255,853,372 | being the estimated aggregate expenditure of the Council in accordance with Section 32(2)(a) to (e) of the Act; |
| (b) | £78,682,000 | being the estimated aggregate income of the Council for the items set out in Section 32(3)(a) to (c) of the Act; |
| (c) | £177,171,372 | being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the Council in accordance with Section 32(4) of the Act, as its total net budget requirement for the year; |
| (d) | £111,707,795 | being the aggregate of the sums which the Council estimated will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or relevant special grant, increased by the transfer from the Collection Fund; |
| (e) | £983.55 | being the amount at (c) above less the amount at (d) above all divided by the amount of the Council Tax base calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year; |
| (f) | £1,851,372 | being the aggregate amount of all special items referred to in Section 34(1) of the Act; |
| (g) | £955.73 | being the amount at (e) above less the result given by dividing the amount at (f) above by the amount of the Council Tax base calculated by the Council, in accordance with |

Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;

(h) that the precepting authority details incorporated in Annex 1 (i-v), relating to Special Items, West Mercia Police and Hereford and Worcester Combined Fire Authority be approved in accordance with Sections 30(2), 34(3), 36(1) and Section 40 of the Local Government Finance Act 1992.

(3) Pursuant to the requirements of the Local Government (Functions and Responsibility) (England) Regulations 2000, any decisions on the application of reserves and balances as required from time to time during the financial year be taken by Cabinet.

29. REGULATORY COMMITTEE

Councillor R.I. Mathews presented the report of the meeting of the Regulatory Committee held on 29th June, 2004.

RESOLVED: That the report of the meeting of the Regulatory Committee held on 29th June, 2004 be received.

30. STANDARDS COMMITTEE

Mr Robert Rogers presented the report of the meeting of the Standards Committee held on 2nd July, 2004.

RESOLVED: That the report of the meeting of the Standards Committee held on 2nd July, 2004 be received.

31. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meeting of the Strategic Monitoring Committee held on 5th July, 2004. In response to a query Councillor James agreed that he had some concerns about the Scrutiny Committees not calling the executive to account. However, he said that much of what went to Cabinet was statutory and there had been relatively few contentious issues to deal with.

RESOLVED: That the report of the meeting of the Strategic Monitoring Committee held on 5th July, 2004 be received.

32. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meeting of the Planning Committee held on 16th July, 2004. Councillor Hunt referred Council to a number of documents contained in the agenda for the Planning Committee and urged Members to request a copy. He acknowledged that it was difficult for young people to afford to buy houses in the villages where they grew up because of the escalating price of property and indicated that future developments should be linked to local need. The

Leader advised that the Council had taken steps towards addressing this issue by pursuing planning policies which not only sought to secure affordable housing the new build areas but also used criteria in considering extensions and conversions restricting the scale and thus the affordability of existing stock.

RESOLVED: That the report of the meeting of the Planning Committee held on 16th July, 2004 be received.

33. WEST MERCIA POLICE AUTHORITY

Councillor B Hunt presented the reports of the West Mercia Police Authority held on 18th May and 8th June, 2004. In response to a series of questions Councillor Hunt was able to provide the following information:

PCCGs - the Police Authority had set up a series of Police and Community Consultative Groups for Bromyard, Hereford City, Kington, Leominster and Herefordshire Rural (which included the Golden Valley, Ledbury and Ross-on-Wye). He said he would endeavour to find out when it would next be meeting at Ledbury and agreed to make some enquiries about police comments on public order issues at the various festivals in the town and report back to Council in writing.

Capital Programme - He advised that the proposal to take no further action on the proposed capital schemes at Leominster and Hereford until the conclusion of the nomination process would have only a slight effect.

Response times - He advised that individual response times were not recorded in a form which could be reported in the way requested i.e. slowest and fastest. He confirmed that records for individual incidents could be found if requested.

Recruitment - He said he was unaware of the time delays involved in the recruitment process (up to 12 months) and agreed to investigate and report back. He advised that the Police Authority was confident it would be able to achieve and maintain a staffing level of 2,400 officers.

He agreed to seek further information and report back at a later date on a number of other topics including: access by underage young people to nightclubs; presence of police on the streets in Hereford City during the previous weekend's BNP presence; and whether the proposed reduction in the numbers of probation officers will be achieved through natural wastage.

RESOLVED: That the reports of the meeting of the West Mercia Police Authority held on 18th May and 8th June, 2004 be received.