

MINUTES of the meeting of Environment Scrutiny Committee held at Brockington, 35 Hafod Road, Hereford on Friday, 17th September, 2004 at 10.00 a.m.

Present: Councillor J.H.R. Goodwin (Chairman)
Councillor W.L.S. Bowen (Vice Chairman)

Councillors: P.J. Dauncey, J.W. Edwards, Mrs. A.E. Gray,
K.G. Grumbley, T.W. Hunt, R. Mills and J.W. Newman

In attendance: Councillors P.J. Edwards and R.M. Wilson (Cabinet Member – Highways and Transportation)

17. NAMED SUBSTITUTES (IF ANY)

Councillor J.W. Edwards substituted for Councillor G.W. Davis.

18. APOLOGIES FOR ABSENCE

Apologies were received from Councillor G.W. Davis.

19. DECLARATIONS OF INTEREST

Councillor J. W. Edwards and Mr S. Oates (Head of Highways and Transportation) declared prejudicial interests in agenda item 8 – Public Rights of Way – Performance and Strategy Update, and left the meeting during discussion on that item.

20. MINUTES

RESOLVED: That subject to amending 2005/04 to read 2004/05 in the 3rd paragraph of item 7 – Waste Management – in the minutes of the meeting held on 18th June and the minutes of 23rd June 2004 be approved as a correct record and signed by the Chairman.

21. CAPITAL BUDGET MONITORING

The Committee were advised on the progress of the 2004/05 Capital Programme for Environment Areas within the overall context of the Herefordshire Council Capital Programme.

The report indicated that the total Environment Capital Programme had been reduced from the £12,643,720. notified to the previous meeting to £12,009,519. The variations were indicated in the report and the Capital budget details at Appendix 1 to the report. The total spent or committed to 31st July was £4.812m or 39% of the Revised Forecast.

In the course of scrutinising the budget position the Committee noted the following principal points:

- Park and Ride – no expenditure would be incurred until nearer the Christmas period. Feasibility work was about to be commissioned into a park and ride sites analysis.

- Rotherwas Access Road scheme – A further bid had been submitted as part of the LTP programme. A government decision on further funding was awaited.
- Roman Road – Apart from a number of land acquisitions, which were subject to compulsory purchase and allowed for in the budget, the scheme was progressing well with expected completion in Spring 2005. The Committee were informed that any funding for improvements to the railway bridge at the eastern end of Roman Road (near Aylestone Hill) would have to be considered as part of the development of the next LTP.
- Pembridge By-pass – this budget was being utilised to progress a traffic study, particularly of HGV traffic, in the North-West of the County, including Pembridge. The study results would inform the next LTP.
- Hereford Crematorium – this budget was part of a wider budget for the improvement of the Crematorium.
- Public Conveniences Improvement – While an improvement programme had been formulated in line with the Best Value review, the current budget was insufficient to implement the programme. A revised rolling programme of improvements was being developed.

RESOLVED: That the Environment Capital Programme 2004/05 monitoring report be noted.

22. ENVIRONMENT REVENUE BUDGET MONITORING

The Committee were advised of the Budget Monitoring position for the Environment Programme Area budgets for the period to 31st July 2004. The report listed variations against budget at this stage in the year.

The report indicated that the total Environment Budget for 2004/05 was, as reported to the previous meeting, £23,369,485 plus the carry forward of £371,000 from 2003/04. A transfer to the Property Programme Area reduced the budget by £39,880 following the reallocation of staff costs arising out of the 'improving the service' exercise. £314,000 had been added to the budget from the restructuring support group. The total Environment Budget was therefore £24,014,605.

The Committee noted that the report suggested significant staff savings through staff vacancies would arise during 2004/05. The Committee expressed a degree of concern that performance targets, particularly in Development Control, would be affected. The Head of Planning Services accepted that while there had been higher than anticipated staff vacancies, current performance had been better than expected in the circumstances. A number of vacancies had now been filled.

RESOLVED: That the Environment Revenue budget monitoring report for the period to 31st July 2004 be noted.

23. HEREFORDSHIRE'S SECOND LOCAL TRANSPORT PLAN

The Committee considered the consultation draft Local Transport Plan Guidance (July 2004), prepared by the Department for Transport and were invited to comment on its implications for the development of the second Herefordshire Local Transport Plan prior to the Director of Environment making a formal response on behalf of the Council.

The Head of Highways and Transportation reported that the Transport Act 2000 set out the statutory requirement for local highway authorities to produce and review local transport plans. The next Local Transport Plan for Herefordshire (LTP 2) had

to be submitted to the government by 29 July 2005 and would cover the period 2006/07 to 2010/11. The LTP set out the Council's transport objectives over its period of coverage and was used to secure investment in transport improvements from the government.

The Transportation Manager reported that The Department for Transport (DfT) had issued consultation draft guidance on the preparation of the next LTP on which a response must be made by 8 October 2004. A copy of the guidance (as summarised by the DfT) was attached to the report at Appendix 1. He highlighted the key changes from the guidance provided for the current LTP on which the government had placed greater emphasis. He also highlighted a number of key matters for consideration namely: implications of the proposed changes to funding; the emphasis on urban issues and the significantly increased workload in preparing the various additional strategy and management plans required for inclusion in the new LPT.

In response to a question regarding the inclusion of rail transport in the LTP, the Transportation Manager confirmed that rail was included and that local authorities could, subject to funding availability, make investment in this area. He acknowledged that a number of rail transport proposals may be included in the LTP 2 bid.

While government guidance indicated that greater emphasis would be given to urban issues, the Committee's response, acknowledged by the Cabinet Member (Highways & Transportation), was that rural areas also had issues, as highlighted by Herefordshire being high on the government's index of multiple deprivation.

RESOLVED: That the report be noted and it be recommended that the matter of Rural Issues highlighted by Herefordshire being high on the government's index of multiple deprivation, be included in the formal response to the government consultation on the draft guidance.

24. PUBLIC RIGHTS OF WAY - PERFORMANCE AND STRATEGY UPDATE

Councillor J.W. Edwards and Mr. S. Oates left the meeting for the duration of this item.

The Committee received an update on progress on the Rights of Way Strategy and a progress report on the key work programmes for the Public Rights of Way Service.

The Public Rights of Way Manager highlighted the following points:

- National BVPI 178 - the required survey work, as defined in the report, had been carried out and the authority was on track to meet the target. He did however, caution that most other unitary authorities were urban based and evidence had come to light that there were discrepancies between authorities in the compilation of the data for the statistics;
- Definitive Map Modification Orders - The service was reviewing current procedures with a view to addressing the backlog;
- Town and Country Planning Act Diversions – these were being processed within 6 months and there was no backlog;
- Highways Act Diversions - as set out in the Public Rights of Way Strategy, the intention was to reduce the backlog of applications by revising the current policies and requiring applicants to carry out more initial preparation work. It was also proposed to seek rejection of a number of old applications,

which were unable to progress for one reason or another.

- Maintenance – in 2003 5173 defects were reported of which 63.2% had been cleared. So far this year 2100 defects had been reported of which 37% had been cleared. A good working relationship had been established with Herefordshire Jarvis Services.
- The Countryside and Rights of Way Act 2000 was a significant piece of legislation, which was having a major impact on the service.
- Benchmarking – subject to comparable statistics being used by other authorities, the benchmarking data provided an indication of how Herefordshire compared.
- Rights of Way Strategy – extensive consultation had been completed and several revisions had been made as a result. Many of the dates in the strategy had been changed to more accurately reflect the availability of resources. The Strategy had generally been well received.

In response to criticism concerning the apparent lack of impetus in clearing the backlog of diversion and modification orders, the Cabinet Member (Highways and Transportation), reported that the strategy indicated the balance of resources, both staff and financial, devoted to the service. He commented that currently this was weighted more towards keeping the network open and maintained rather than towards research-intensive diversion and modification orders. Based on the statistics in the report, particularly the slow rate in clearing the backlog of modification orders, the Committee questioned whether resources were being deployed effectively and requested further information on proposals to tackle these interrelated issues.

The Committee generally debated the maintenance of the network and noted information from Councillor J. Hope concerning the landowners responsibilities for maintenance, particularly in relation to the declaration that farmers would be expected to make under the 'Single Farm Payment' (to be introduced by DEFRA in 2005) concerning the condition of rights of way over their land. The Committee felt that a number of issues concerning the level of maintenance; maintenance payments and the effects of the DEFRA payments scheme needed further explanation.

In response to a question concerning access to the network under the Disability Discrimination Act 1995 the Public Rights of Way Manager reported that the majority of the network was owned by landowners who were not service providers and therefore affected by the Act. The Council was however reviewing its responsibilities in relation to major network routes i.e. the Wye Valley Walk.

Following a brief statement by Councillor P. J. Dauncey concerning the erection of signs at Bromyard Downs and comment by local Member (Councillor T. Hunt) the Cabinet Member – Highways and Transportation, reported that the matter was under consideration by the Director of Environment and the County Secretary & Solicitor and a response would be made to the Local Members.

RESOLVED:

THAT

- a) the report be noted and further information be presented concerning the various issues raised namely: in relation to the effective deployment of resources; the level of maintenance; maintenance payments and the effects of the DEFRA payments scheme and;**
- b) the Director of Environment and the County Secretary & Solicitor inform the Local Members of the position concerning the signs**

erected at Bromyard Downs.

25. MONITORING OF 2004/2005 PERFORMANCE INDICATORS - APRIL 2004 TO JULY 2004

Members were updated on progress made by the Environment Directorate for the four months April to July 2004 towards achieving all the performance indicators / targets which appeared in the Council's Corporate Plan.

The report of the targeted performance was attached to the report at Appendix 1.

The Committee noted the seasonal variation of targets BV82a, b and c, particularly in relation to composting. Concerning BV199 the Head of Highways and Transportation reported that the performance figures were currently unavailable and confirmed that a low percentage figure should be aimed for.

The Cabinet Member (Environment), reported that the recent promotion of compost bins had been extremely successful.

RESOLVED: That the exceptions monitoring report in relation to the 2004/5 local and national performance indicators be noted.

26. BEST VALUE REVIEWS - IMPLEMENTATION OF IMPROVEMENT PLANS

The Committee received a report on the remaining actions and the exceptions to the programmed progress in the improvement plans resulting from the reviews of Development Control, Public Conveniences, Public Rights of Way and Highway Maintenance.

Programmed actions in the improvement plans were detailed in Appendix 1 to the report.

RESOLVED: That the report on the implementation of the Best Value Review Improvement Plans be noted

27. UPDATE ON REVIEW OF PARKING STRATEGY

The Committee received an oral report from Councillor J.H.R. Goodwin, Chairman of the Review Group, on the review of the Council's Parking Strategy.

The Chairman of the Review Group briefly reported that the Group had met on a number of occasions and had received various evidence on a range of issues concerning parking. A meeting was being arranged to interview representatives of key identified groups which the public would be invited to attend. While the original timetable for the review had slipped, he hoped that the final report on the review would be reported to the Committee at its December 2004 meeting.

The meeting ended at 11.48 a.m.

CHAIRMAN