

# A G E N D A

## Environment Scrutiny Committee

Date: **Monday, 26th September, 2005**

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Time: **10.00 a.m.**

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

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

*For any further information please contact:*

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**County of Herefordshire  
District Council**



# AGENDA

## for the Meeting of the Environment Scrutiny Committee

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

Councillors P.J. Dauncey, G.W. Davis, K.G. Grumbley, J.G.S. Guthrie,  
T.W. Hunt, J.W. Newman, Miss F. Short and J.B. Williams

	Pages
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
<b>3. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>4. MINUTES</b> To approve and sign the Minutes of the meeting held on 8th August, 2005.	1 - 8
<b>5. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY</b> To consider suggestions from members of the public on issues the Committee could scrutinise in the future.	
<b>6. FLOOD RISK MANAGEMENT OF HEREFORDSHIRE'S MAIN RIVERS</b> To consider the Environment Agency's management of flood risk on main rivers in Herefordshire.	9 - 10



## **PUBLIC INFORMATION**

### **HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES**

The Council has established Scrutiny Committees for Adult Social Care and Strategic Housing, Children's Services, Community Services, Environment, and Health. A Strategic Monitoring Committee scrutinises corporate matters and co-ordinates the work of these Committees.

The purpose of the Committees is to ensure the accountability and transparency of the Council's decision making process.

The principal roles of Scrutiny Committees are to

- Help in developing Council policy
- Probe, investigate, test the options and ask the difficult questions before and after decisions are taken
- Look in more detail at areas of concern which may have been raised by the Cabinet itself, by other Councillors or by members of the public
- "call in" decisions - this is a statutory power which gives Scrutiny Committees the right to place a decision on hold pending further scrutiny.
- Review performance of the Council
- Conduct Best Value reviews
- Undertake external scrutiny work engaging partners and the public

Formal meetings of the Committees are held in public and information on your rights to attend meetings and access to information are set out overleaf

## **PUBLIC INFORMATION**

### **Public Involvement at Scrutiny Committee Meetings**

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There are also two other ways in which you can directly contribute at Herefordshire Council's Scrutiny Committee meetings.

#### **1. Identifying Areas for Scrutiny**

At the meeting the Chairman will ask the members of the public present if they have any issues which they would like the Scrutiny Committee to investigate, however, there will be no discussion of the issue at the time when the matter is raised. Councillors will research the issue and consider whether it should form part of the Committee's work programme when compared with other competing priorities.

Please note that the Committees can only scrutinise items which fall within their specific remit (see below). If a matter is raised which falls within the remit of another Scrutiny Committee then it will be noted and passed on to the relevant Chairman for their consideration.

#### **2. Questions from Members of the Public for Consideration at Scrutiny Committee Meetings and Participation at Meetings**

You can submit a question for consideration at a Scrutiny Committee meeting so long as the question you are asking is directly related to an item listed on the agenda. If you have a question you would like to ask then please submit it **no later than two working days before the meeting** to the Committee Officer. This will help to ensure that an answer can be provided at the meeting. Contact details for the Committee Officer can be found on the front page of this agenda.

Generally, members of the public will also be able to contribute to the discussion at the meeting. This will be at the Chairman's discretion.

(Please note that the Scrutiny Committees are not able to discuss questions relating to personal or confidential issues.)

## **Remits of Herefordshire Council's Scrutiny Committees**

### **Adult Social Care and Strategic Housing**

*Statutory functions for adult social services including:*

*Learning Disabilities*

*Strategic Housing*

*Supporting People*

*Public Health*

### **Children's Services**

*Provision of services relating to the well-being of children including education, health and social care.*

### **Community Services Scrutiny Committee**

*Libraries*

*Cultural Services including heritage and tourism*

*Leisure Services*

*Parks and Countryside*

*Community Safety*

*Economic Development*

*Youth Services*

### **Health**

*Planning, provision and operation of health services affecting the area*

*Health Improvement*

*Services provided by the NHS*

### **Environment**

*Environmental Issues*

*Highways and Transportation*

### **Strategic Monitoring Committee**

*Corporate Strategy and Finance*

*Resources*

*Corporate and Customer Services*

***Human Resources***

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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 8th August, 2005 at 10.00 a.m.**

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

Councillors: P.J. Dauncey, K.G. Grumbley, J.G.S. Guthrie, T.W. Hunt, J.W. Newman, Miss F. Short and J.B. Williams

**In attendance:** Councillors P.J. Edwards - Cabinet Member ( Environment) , T.M. James, D.B. Wilcox - Cabinet member (Highways and Transportation) and R.M. Wilson

**15. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor G. W. Davis.

**16. NAMED SUBSTITUTES**

There were no substitutes.

**17. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**18. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 6th June, 2005, be approved and signed by the Chairman.

**19. PRESENTATION BY CABINET MEMBER (HIGHWAYS AND TRANSPORTATION)**

The Committee received a presentation by the Cabinet Member (Highways and Transportation).

A report and presentation had been prepared by the Cabinet Member outlining the issues affecting the Highways and Transportation programme area and highlighting the main priorities for 2005/06.

In presenting his report the Cabinet Member highlighted in particular:

- Recent successes had been the extension of the Great Western Cycleway; the refurbishment of Leominster Railway forecourt; opening of the Roman Road scheme; completion of the Leominster Industrial Estate Access Road and the award winning new bridge at Bridge Sollars.
- Proposals for the future included the Local Transport Plan 2006/7 to 2010/11 (LTP2), the draft of which had been submitted to GOWM by the due date. The final version, which would cover the 4 shared priorities between

Government and the LGA of: delivering accessibility; tackling congestion; safer roads and better air quality would be submitted by 31st March 2006. Indications were that Government LTP funding to the County would be at a lower level than in previous years.

- Major schemes included in the LTP2 were: Rotherwas Access Relief Road which needed strong cross-party support; A49-A465 link road including river crossing; monitoring work for a possible North West Herefordshire relief road; and an extension to Ledbury By-pass (possibly funded by PFI).
- Other possible schemes included finishing off both Eastern and Western ends of the Roman Road and addressing air pollution issues at Bargates, Leominster.
- A Director level meeting would be held with the Highways Agency to discuss trunk road issues and in particular those on the A49.
- Monitoring work continued to be undertaken during the trial Widemarsh Street pedestrianisation scheme.
- £2 million had been allocated in the Council budget for the Hereford City centre refurbishment works (undertaken with Economic Development).
- A protocol had been adopted, and was regularly reviewed, to speed up the implementation of traffic orders.
- Following recent development schemes in Bromyard, resulting in the loss of car parking spaces, work was under way to identify possible replacement sites.
- Flood Alleviation Schemes – work was due to start at Ross-on-Wye in 2006. The Cabinet Member was monitoring progress with the Hereford, Belmont roundabout scheme (associated with the Asda development) which was currently being considered by DEFRA.
- The Public Rights of Way improvement plan would be progressed.
- The Council priorities to improve transport and the safety of roads and to sustain vibrant and prosperous communities, provide more efficient, effective and customer-focused services would be pursued, primarily through the LTP which encompassed all the Council's major transport strategies and policies.

The Committee noted the report and presentation by the Cabinet Member. The following is an outline of the questions and responses or comments made during the ensuing questioning of the Cabinet Member:

- In view of the generally disappointing response to questions put to the Highways Agency by Committee on 28th February, the outcome of the Director level meeting with the Highways Agency be conveyed to the Committee.
- In response to concerns over long term parking provision in the County, and in particular Bromyard, the Committee were assured that, the LTP2 contained schemes to help address concerns for the foreseeable future e.g. Park and Ride scheme and the car "2 Share Scheme".

- While the increase in cycle use was applauded, concern was voiced over the number of cyclists riding through pedestrian areas. It was noted that the police undertook enforcement of this offence.
- Had changes to the Highway improvement/maintenance budget resulted in inconsistent information being released to the public? To maximise the funding opportunities capital funding had replaced revenue funding for a number of small schemes. Improvement schemes were prioritised and normally undertaken as capital finance became available whereas highway maintenance was undertaken from revenue funding. Some confusion over when schemes were to start may have arisen due to the change in financing. A view was expressed that a longer term Capital programme would help with the planning process.
- It was noted that often when discussing Traffic Regulation Orders (TRO) at Parish Council meetings the local police often voiced no objection, whereas in response to this authority's official consultation the police had not supported the proposals and no explanation had been given. This resulted in delaying implementation. It was reported that the police will not necessarily offer formal support for TROs which create an additional enforcement demand.
- While acknowledging the recent review of bus services and the significant increase in subsidy, the Committee sought assurances that further reviews, to include the wider community transport schemes, would be regularly undertaken. The Cabinet Member reported that while a major bus contract had been renegotiated, smaller contracts were due for review. Efforts had been made to bring all partners together to ensure that the various community transport schemes worked together. From 1 April 2006, local authorities will be required to replace existing half fare concessionary travel schemes for the elderly and disabled with schemes offering free travel and this would also need to be addressed.
- On seeking assurances that improvements to Hereford Belmont roundabout would be made before Asda started trading, the Cabinet Member assured the Committee that this was part of the planning permission. He was closely monitoring progress by both Asda and the Highways Agency who were responsible for the trunk road.
- Responding to questions regarding the recent publicity regarding Herefordshire Jarvis Services he anticipated no difference to the contracted services. Any additional expenditure e.g. changes to vehicle signs, would be the responsibility of the contractor.
- In response to questions concerning improvements to rail transport the Cabinet Member emphasised that while the rail companies concerned were commercial ventures he intended to up keep pressure on them to make improvements and was in talks with the companies. Realistically he wished to at least maintain the current level of services. The LPT2 contained a number of minor rail related schemes that the Council could influence.
- While the scheme had been included in the LTP2, no costings had so far been made for the proposed Ledbury by-pass extension.
- It was noted that consultation on the Hereford Town Centre refurbishment scheme would be undertaken with the public, all relevant stakeholders and

Local Members.

- Costings and progress concerning the Hereford Park and Ride scheme were set out in the feasibility study, an executive summary of which was available to Members. Proposals were initially to operate a Park and Ride site for the North of the City followed by one for the South. There were no proposals to operate Park and Ride in any of the market towns.
- In reply to a repeated request for the installation of a box junction at the Commercial Road/Stonebow Road junction – particularly to facilitate ambulance access – the Committee was informed that this would be strongly considered. However, the timing would be subject to proposals to resurface this section of Commercial Road.
- While welcoming the increasing success of the Walking Festivals the Committee requested a value for money style report on the events e.g. the full cost of the events compared to the benefits to the local economy; health and educational benefits.
- Responding to a comment concerning the presentation of statistical information e.g. those on agenda page 16 headed “Meeting and Stretching Targets”, the Cabinet Member agreed that, while correct, the information may not convey the information needed and therefore in future these would be presented in a more meaningful way.
- The reference to Network Management duties in the Cabinet Member’s presentation referred to the Council’s legal duty to manage the highway network with regard to congestion.

The Chairman thanked the Cabinet Member (Highways and Transportation) for his presentation and for responding to the Committee’s questions.

**RESOLVED:**

**That**

- a) The presentation by the Cabinet Member (Highways and Transportation) be noted;**
- b) Members be informed of the outcome of the Director of Environment’s meeting with the Environment Agency, concerning trunk roads with particular reference to the A49; and**
- c) Committee Members be provided with a value for money style report on the Walking Festival.**

**20. PRESENTATION BY CABINET MEMBER (ENVIRONMENT)**

The Committee received a presentation by the Cabinet Member (Environment)

A report had been prepared by the Cabinet Member outlining the issues affecting the Environment programme area and highlighting the main priorities for 2005/06.

In presenting the report the Cabinet Member (Environment) highlighted in particular:

- The Environment Directorate was now seen as a high performing part of the Council. The last CPA score indicated an improvement from 1 to 3 out of a

possible 4. The target now was to improve or maintain this position.

- Recent staff re-location had contributed to closer working relationships and reduced accommodation costs. This would be continued in accordance with the Council's property strategy.
- There was now a sharper focus on the management of the whole street environment through the "Streetscene" scheme. The scheme had also benefited from a higher profile through the local press; lay-by "Safari" signs and officer visits to schools. Further aspects of the scheme will be added as more parts of the Clean Neighbourhoods and Environment Act 2005 were enacted.
- Waste Management - Compared with Worcestershire, Herefordshire benefited from being a Unitary Authority. The County now had a number of excellent waste bring sites. While various means were used to promote recycling, further efforts were needed to reduce the overall waste tonnage. In particular he wished to see a reduction in green waste sent to landfill.
- The restructure of the Environmental Health and Trading Standards Section had been successful with positive feedback being received through the Quality Audit in February 2005.
- Implementation of the Licensing Act 2003 had been slow due to the lack of information or guidance from Government. However, the newly formed Licensing Section had developed a licensing policy for Herefordshire.
- Excellent work was being carried out relating to the Good Environmental Management system (GEM) and the ISO 9001 international standard for environmental management.
- Planning – while ICT improvements may not have happened as quickly as some would have liked, many improvements had been made. While increased staff turnover had affected performance in Development Control this had been rectified and performance against statutory performance indicators now exceeded targets. The Unitary Development Plan inquiry had concluded and was due to report at the end of 2005.

The Committee noted the report by the Cabinet Member. The following is an outline of the questions and responses or comments made during the ensuing questioning of the Cabinet Member:

- In response to questions regarding the application response rate under the new Licensing Act, and the likely treatment of those who had not responded, the Committee was informed that despite national and local press coverage and letters to licensees, a high proportion had failed to respond as of the Saturday 6th August deadline. Those who hadn't responded would be dealt with appropriately. Unfortunately the Government had not provided IT software programmes to support the change and therefore each Authority had had to commission its own. The Licensing Section was intended to be cost-neutral.
- While the Council still had area depots, benefits had been derived from centrally locating highway staff at Rotherwas.
- The Council had not joined the national protest concerning the environmental

problem of discarded chewing gum on pavements. However, in view of the cost of cleaning it from pavements, particularly in High Town, he expressed a strong view that Government should do more to address the problem.

- Statutorily the Council did not have to provide public conveniences. Following the outcome of the review of public conveniences, their sale or improvement was progressing as funding permitted.
- Under the Clean Neighbourhoods and Environment Act 2005 the Council would impose a £100 fine for litter (reduced by 50% if paid within 14 days) and press releases had been issued to warn the public accordingly.
- The Council's priority of "reducing death from heart disease ....", set out in the Corporate Plan, was an example of the importance of cross-partnership working to tackle major issues.
- In response to a question on how CO<sub>2</sub> emissions would be reduced across the County, the Cabinet Member highlighted that Cabinet had agreed the Carbon Management Plan. He also highlighted the proposal to harness methane gas from the former waste tip at Stretton Sugwas; that the Council had signed up to using "green electricity"; that more schools were signing up for Eco-school status, and the Unitary Development Plan (UDP) contained policies designed to encourage developers to be more environmentally conscious. In relation to Bio-fuels the Council was co-ordinating efforts in the County, particularly through partnership working and the Marches Agency, towards greater awareness and use.
- Arising from a debate concerning waste management, recycling and the quality of bin bag delivery, the Committee was informed that an 18 month experiment had been carried out whereby a number of householders had been issued with a stock of bin bags. Indications were that there had been a 5 – 6 % increase in recycling by those taking part. However, this method of bag delivery was more expensive and the general issue of bin bag delivery was under review. A view was expressed that the provision of wheelie bins in rural areas was not feasible. It was suggested that if kerbside collection was not implemented in rural areas then there should be a greater provision of recycling facilities in villages.
- It was noted that following the review and introduction of the Code of Practice for the Temporary Agricultural use of Polytunnels, an update was scheduled to be reported to Committee in September 2005. However, the Cabinet Member reported that unfortunately no further government or planning guidance had been received.
- Questioned on the delivery of e-planning (the electronic access and delivery of planning applications and forms) the Committee was informed that major progress had been made in ICT access in the County. However, extending the provision was closely related to the office accommodation issue and the wisdom of installing IT hardware in buildings leased by the Council.
- The Edgar Street Grid redevelopment was a 25 year strategic plan. The relocation of the cattle market would free up a major location in the site. In partnership with other agencies, and with European funding, the acquisition of the Station Road Industrial Estate, Hereford, gave the Council a major foothold in this area of the grid.



- The Government and Council policy on Genetically Modified (GM) crops had not changed, however, the situation would be kept under review. Currently Council smallholders were not permitted to grow GM crops under the terms of their lease.

The Chairman thanked the Cabinet Member (Environment) for his report and responding to the Committee's questioning.

**RESOLVED: That the report by the Cabinet Member (Environment) be noted.**

The meeting ended at 12.30 p.m.

**CHAIRMAN**



## FLOOD RISK MANAGEMENT OF HEREFORDSHIRE'S MAIN RIVERS

Report By: Director of Environment

### Wards Affected

County wide

### Purpose

To consider the Environment Agency's management of flood risk on main rivers in Herefordshire.

### Reasons

1. The Environment Agency is the Land Drainage Authority for Herefordshire and has responsibility for the management of main rivers such as the Wye, Lugg, Teme, Monnow and Arrow. The management regimes of these rivers are of particular interest to local communities because they carry the greatest potential risk of significant flooding to land and property in the County. The Environment Scrutiny Committee requested an opportunity to receive a presentation from the Agency and to seek clarification of the Agency's roles, responsibilities and activities in Herefordshire.

### Considerations

2. Herefordshire lies within the catchment areas of several main rivers, in particular the River Wye which rises in the Welsh mountains to the west and discharges to the Severn Estuary at Chepstow. The Environment Agency has responsibility for the management of the River Wye and the other main rivers, such as the Lugg, Teme, Arrow and Monnow.
3. Flood defence responsibilities for main rivers are discharged by Flood Defence Committees (FDCs) formed from elected and nominated representatives with executive powers to promote flood defence schemes on behalf of the Environment Agency. The Committees have traditionally operated as Local FDCs, normally covering single catchment areas, under the umbrella of Regional FDCs. Until 1 April 2005, the River Wye Local FDC had responsibility for promoting flood defence throughout the River Wye area, including Hereford City.
4. Since April 2005 a series of changes to flood management responsibilities have been taking place. Key to these changes have been:
  - a. The abolition of Local Flood Defence Committees in April 2005. As a result, responsibility for the River Wye catchment passed to a restructured Welsh Regional FDC in April 2005, which included the parts of the River Wye within Herefordshire;
  - b. The establishment of Regional Flood Defence Committees based on the English/Welsh national boundary with effect from 1 April 2006. As a result, responsibility for flood defence on the River Wye in Herefordshire will be

transferred to the Midlands FDC.

- 5 Throughout this period of change, the Environment Agency, on behalf of the Local Flood Defence Committee (and subsequently the Welsh Regional Flood Defence Committee), has been preparing proposals for a flood defence scheme in Hereford. The Department for Environment, Food and Rural Affairs (DEFRA) recently announced that a sum of approximately £4 million had been made available to the Environment Agency to implement a flood defence scheme in the Belmont roundabout area of Hereford from April 2007, subject to a further £2 million being made available from a Section 106 Agreement entered into as part of the ASDA development adjacent to Belmont roundabout.
- 6 These events highlight some of the complexities of flood risk management in the County and form a background to requests from Members of the Environment Scrutiny Committee to meet representatives of the Environment Agency to discuss the way in which the Agency discharges its responsibilities for drainage and flood risk management.
- 7 Members should be aware that the Council is one of the key Land Drainage bodies for watercourses other than main rivers and has powers (but not necessarily duties) to implement flood alleviation schemes. These schemes can range from relatively minor measures, such as provision of overspill channels, to substantial schemes such as the flood tunnel proposed for Ross-on-Wye in 2006.
- 8 In certain areas of the county, traditionally areas where significant drainage and irrigation schemes have been necessary to promote local agriculture, the responsible Drainage Body is an Internal Drainage Board (IDB). The most significant of these in Herefordshire is the River Lugg IDB, which covers areas around the River Lugg from the Leominster area to Hampton Bishop and Mordiford.
- 9 Representatives of the Environment Agency will outline the functions of the Agency in a presentation to the Scrutiny Committee and have agreed to be questioned by the Committee to promote a better understanding of the work of the Agency in the County.

## Risks

- 10 The risk of serious flooding affecting properties in the Hereford and Lower Bullingham areas remains significant but can be partially alleviated by the implementation of a flood defence scheme in the Belmont roundabout area. Elsewhere in the county, flooding continues to be a risk in several areas around main rivers, in particular from the Rivers Wye and Lugg, including Leominster and Ross-on-Wye. Flood defence schemes can reduce but will not eliminate these risks.

## Recommendations

**THAT Members seek to clarify the Environment Agency's priorities for drainage and flood risk management in Herefordshire.**

## Background Papers

- None