

**CHIEF EXECUTIVE'S OFFICE**

Chief Executive: N.M. Pringle

**TO: ALL MEMBERS OF THE COUNCIL**

Your Ref:

Our Ref: NMP/CD

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27th October, 2005

Dear Councillor,

Please note that particular arrangements apply to this meeting of the Council as set out below.

**Presentation by Mr. Paul West, Chief Constable, West Mercia Constabulary - 4th November, 2005**

Prior to the meeting of Council, you are invited to attend a presentation by the Chief Constable as part of a national consultation exercise on the reform of the structure of policing. This meeting will start at 10.00 a.m. and will finish by 11.00 a.m.

**Council**

**YOU ARE HEREBY SUMMONED** to attend the meeting of the County of Herefordshire District Council to be held on **FRIDAY, 4TH NOVEMBER, 2005** at The Council Chamber, Brockington, 35 Hafod Road, Hereford at which the business set out in the attached agenda is proposed to be transacted. The meeting will start at 10.30 a.m. or on the rising of the meeting with the Chief Constable whichever is the later.

Yours sincerely,



**N.E. PRINGLE  
CHIEF EXECUTIVE**





# A G E N D A

## COUNCIL

Date: **Friday, 4th November, 2005**

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Time: **10.30 a.m. or on the rising of the meeting with the Chief Constable, whichever is later.**

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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:*

*Christine Dyer, Members' Services  
Manager and Executive Officer*

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[cdyer@herefordshire.gov.uk](mailto:cdyer@herefordshire.gov.uk)**

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# AGENDA

## for the Meeting of the COUNCIL

To: All Members of the Council

|  | Pages   |
|--|---------|
| <b>1. PRAYERS</b>  |         |
| <b>2. APOLOGIES FOR ABSENCE</b><br>To receive apologies for absence.   |         |
| <b>3. DECLARATIONS OF INTEREST</b><br>To receive any declarations of interest by Members in respect of items on this Agenda.   |         |
| <b>4. MINUTES</b><br>To approve and sign the Minutes of the meeting held on 29th July, 2005.   | 1 - 14  |
| <b>5. CHAIRMAN'S ANNOUNCEMENTS</b><br>To receive the Chairman's announcements and petitions from members of the public.  |         |
| <b>6. QUESTIONS FROM MEMBERS OF THE PUBLIC</b><br>To receive questions from members of the public.   | 15 - 16 |
| <b>7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS</b><br>To receive any written questions.   |         |
| <b>8. NOTICES OF MOTION UNDER STANDING ORDERS</b><br>To consider any Notices of Motion.  |         |
| <b>9. CABINET</b><br>To receive the report and to consider any recommendations to Council arising from the meetings held on 1st, 15th and 29th September and 20th October, 2005.           | 17 - 26 |
| <b>10. STANDARDS COMMITTEE</b><br>To receive the report and to consider any recommendations to Council arising from the meetings held on 26th July and 7th October, 2005.                  | 27 - 30 |
| <b>11. REGULATORY COMMITTEE</b><br>To receive the report and to consider any recommendations to Council arising from the meetings held on 23rd August and 25th October, 2005.              | 31 - 32 |
| <b>12. PLANNING COMMITTEE</b><br>To receive the report and to consider any recommendations to Council arising from the meeting/s held on 26th August and 30th September, 2005.             | 33 - 36 |
| <b>13. STRATEGIC MONITORING COMMITTEE</b><br>To receive the report and to consider any recommendations to Council arising from the meetings held on 26th September and 14th October, 2005. | 37 - 42 |
| <b>14. AUDIT COMMITTEE</b><br>To receive the report and to consider any recommendations to Council arising from the meeting held on 30th September, 2005.                                  | 43 - 46 |
| <b>15. INDEPENDENT REMUNERATION PANEL</b><br>To receive the report and consider any recommendations to Council arising from the meeting held on 3rd October, 2005.                         | 47 - 48 |

|  |                |
|--|----------------|
| <b>16. CASUAL VACANCY IN TUPSLEY WARD</b>  | <b>49 - 50</b> |
| To formally receive notice of the death of Councillor G.V. Hyde and to note the steps to be followed to fill the resulting casual vacancy in Tupsley Ward.   |                |
| <b>17. WEST MERCIA POLICE AUTHORITY</b>  | <b>51 - 56</b> |
| To receive the report of the meeting of the West Mercia Police Authority held on 20th September, 2005. Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority. |                |
| <b>18. HEREFORD &amp; WORCESTER FIRE AND RESCUE AUTHORITY</b>  | <b>57 - 66</b> |
| To receive the report of the meetings of the Hereford & Worcester Fire and Rescue Authority held on 13th June and 23rd September, 2005.  |                |

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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

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**MINUTES of the meeting of COUNCIL held at The Shirehall, Hereford on Friday, 29th July, 2005 at 10.30 a.m.**

**Present:** Councillor J.W. Edwards (Chairman)  
Councillor J. Stone (Vice Chairman)

**Councillors:** Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, Mrs. E.M. Bew, 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, N.J.J. Davies, Mrs. C.J. Davis, G.W. 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, P.E. Harling, J.W. Hope MBE, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, Mrs. R.F. Lincoln, Mrs. M.D. Lloyd-Hayes, G. Lucas, 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, D.C. Taylor, J.P. Thomas, W.J.S. Thomas, Ms. A.M. Toon, P.G. Turpin, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams and R.M. Wilson

**21. PRAYERS**

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

**22. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors G.V. Hyde, Mrs. J. Hyde and R.M. Manning.

**23. DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor Mrs Attfield declared a personal interest in Agenda Item 9, Report of Cabinet, para 13.1(iv) Homelessness and Housing Advice.

Councillor Mrs. L.O. Barnett declared a prejudicial interest in Agenda Item 11, Report of the Planning Committee, Referred Planning Application 1(a).

Councillors Phillips and Wilcox declared personal interests in Agenda item 9, Report of Cabinet, para 1.1 Youth Justice Plan.

Councillor A.L. Williams declared a prejudicial interest in Agenda Item 11, Report of the Planning Committee, Referred Planning application 1(j).

**24. MINUTES**

Councillor A.L. Williams said that he had been present at the meeting held on 13th May but that his attendance was not recorded in the Minutes.

In response to a query by Councillor Mrs. M.D. Lloyd-Hayes, the Chief Executive reminded Members that Standing Order 4.14.4 provides that no discussion should take place on the minutes except on their accuracy and any question of their accuracy should be raised by Motion which should be given to the County Secretary and Solicitor at least 24 hours before the Council meeting in question.

**RESOLVED:** That, with the inclusion of Councillor A.L. Williams, the minutes of the meeting held on 13th May, 2005 be approved as a correct record and signed by the Chairman.

## **25. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman said that he had recently attended a ceremony to mark the completion of the improvement scheme of the Roman Road between Tillington Road, Hereford and Stretton Sugwas. A tree was planted on the new village green and a commemorative plaque unveiled. The Chairman thanked the constructor Alan Griffiths and his staff, Owen Williams and Halcrow consultants as well as Council staff from the Environment Directorate and elsewhere for their assistance in bringing the project to completion.

The Chairman announced that the Oval Advice Centre and the South Wye News had been winners of the Queen's Award for Voluntary Services, representing two of the five awards presented in the West Midlands.

The Chairman congratulated Councillor G.W. Davis on his re-election to the Hereford & Worcester Fire and Rescue Authority and appointment as Vice-Chairman of the West Midlands Regional Fire Authority. He also congratulated the Fire And Rescue Authority on the very recent announcement by the Audit Commission that it had received a "Good" rating in the Comprehensive Performance Assessment which placed it in the upper quartile of all authorities nationally.

He reminded the Members that the Council photograph for this term would be taken at the end of the meeting.

## **PETITIONS**

The Chairman advised that he had received a petition on the subject of denominational transport. Although the petitioners recognised that the position had moved on since the petition was started, they were still concerned about the issue of the provision of free transport to schools. The Chairman presented the petition to Councillor D.W. Rule, MBE, the Cabinet Member (Children's Services).

## **26. 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. No such questions had been received.

## **27. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS**

The Chairman reminded Council that it had amended the Constitution at its previous meeting so that the Chief Executive was no longer required to read aloud the questions submitted by Members. The questions had been listed in the order in which they were received and circulated at the beginning of the meeting.

### **Question asked by Councillor R.I. Matthews:**

*"A large number of the statutory road signs situated along the County's highways have become more or less totally obscured by overgrown hedges and general vegetation in recent months. This obviously has an effect on ROAD SAFETY which*

*we, together with our partners, have been striving to improve over recent years. Can the Cabinet Member tell me what would be the legal implications for this Authority, should someone be injured as a result of these signs not being clearly visible to the motorist? In addition, when does the Highways Department intend doing something about this extremely serious issue?"*

Councillor D.B. Wilcox advised that, in a rural area like Herefordshire, many traffic signs are sited in grass verges and alongside hedgerows, and inevitably, during the summer months there was a risk that vegetation would encroach on the visibility of the signs. He said that responsibility for cutting back hedges rests with the landowner and that the Council had power to issue notices to landowners requiring them to trim back hedges on safety grounds. In practice the Council also intervenes directly where trimming back of hedges is urgently required on safety grounds. Area Maintenance Teams have initiated an additional programme to clear vegetation from signs and marker posts at sites where specific accident reduction measures has been installed. Individual signs have also been cleared where particular problems have been identified or complaints received. As for verges, the Council is responsible for grass cutting and undertakes two cuts a year with additional cutting as necessary for safety and visibility splays. The second cut of rural grass verges is about to start.

In response to a plea to make sure that landowners carry out their duties, the Cabinet Member confirmed that the Council has an ongoing responsibility to check areas of concern and this is done on a regular basis.

**Question asked by Councillor A.C.R. Chappell:**

*"It is now nearly two years since I asked the Cabinet Member, at Council, about the re-location of the market site. At the time Council was assured that officers were looking at alternative sites to the Hospital Farm site.*

*I understand that no alternative site, or one that is in the Council's ownership, has been identified. Rumours that the Cabinet Member has finally agreed that the Hospital Farm site is the only feasible and suitable site abound.*

*Will he confirm that his preferred site for the new market is now the Hospital Farm site at Burghill. If this is not the case will he tell Council which site has been agreed and when will that decision go to Cabinet?"*

Councillor R.J. Phillips, the Leader of the Council confirmed that the Council did reject the Hospital Farm Site and that that was still the situation.

He reminded Council that the feasibility study into the best location for a new market facility preferred the area to the north west of Hereford City. This was also the geographical area preferred by Hereford Market Auctioneers. He said that three sites were being considered. Options were being explored but because of commercial sensitivity it would be inappropriate to reveal the sites at this stage.

In response to a comment from Councillor Chappell that the relocation of the market was a major obstacle to the development of the Edgar Street Grid and that the Council would lose the confidence of both members and local people if it was not resolved, the Leader replied that important negotiations of this kind needed to be dealt with properly and that getting information to Local Members would be a priority when the time was right.

**Question asked by Councillor A.C.R. Chappell:**

*"Has the Cabinet Member thought how Herefordshire can take advantage of the 2012 Olympic Games being staged in London?"*

*"As many other local authorities will wish to take advantage of the Games being held in this country, and with additional tourists coming into the country, will the Cabinet Member take the lead and seek ways of putting Herefordshire on the Olympic map?"*

The Leader said that he was delighted that London had been successful in securing the Olympic Games for 2012 and that a great deal of thought had already gone into capitalising on the impact the games could have on Herefordshire as evidenced by the fact that Herefordshire was one of only three local authorities in the West Midlands proactively involved in supporting the Olympic bid prior to the announcement.

A Herefordshire Olympic Group including the Royal National College for the Blind, Herefordshire Sports Council, Herefordshire Riding for the Disabled, Halo Leisure Trust and Herefordshire Council had been working very closely with the West Midlands Olympic Committee for some time in order to address, take advantage of and support the London 2012 bid.

The group had analysed the County's strengths and opportunities in relation to hosting training/holding camps and Olympic teams as well as being a potential tourism destination for visitors to the UK during the Games. It is clear that there is a real opportunity to build on the facilities at the Royal National College for the Blind, Halo Leisure Trust and proposals for Herefordshire Riding for the Disabled to attract teams associated with the Paralympics to the County.

He said that, in addition to 2012 being Hereford's year to host the Three Choirs Festival there would clearly be an opportunity to promote a range of cultural activities in Herefordshire which could significantly boost the tourism sector in the County during the Olympics and beyond.

The facilities we are able to provide for those competing in the Olympic Games will also provide a legacy which should not only provide better sporting opportunities/facilities for local people but should also enable the County to take part in bids to host future events which could include the 2022 Commonwealth Games.

Councillor Chappell, welcomed the Leader's answer and said that he hoped hotels, B&Bs and other retailers would be encourage to play their part. He was concerned about a potential lack of accommodation and said something would have to be done now or it would be too late.

Councillor Phillips, replied that Herefordshire was already more proactive than many other authorities in the West Midlands region.

**Question asked by Councillor Miss F. Short:**

*"The Scouts and Guides who are based at Westfaling Street cater for over 300 children a week, and have a long waiting list for places as this is virtually the only facility for children in the area. Will the Cabinet Member join me in acknowledging the magnificent efforts of the volunteer staff, and pledge to offer them support to enable them to continue this vital work?"*

Councillor Stockton, Cabinet Member (Community Services) stated that Council officers had been in correspondence with officers of the organisation for some time

and had recently requested a meeting to discuss issues relating to their lease. Unfortunately for the organisation, the premises had been continually subjected to bouts of vandalism and anti-social behaviour which had led to a significant drain on their resources. He advised that officers were aware of some of the reasons for this behaviour and were taking steps to alleviate the situation. He acknowledged that the local Residents' Association had a strong desire to work with the Scouts organisation to secure wider community use of the premises and additional funding for security and investment in the site, and said that officers would be happy to be able to facilitate this process and provide advice on the future management of the area.

In response to a further query he assured Councillor Miss Short that officers would give any assistance they could to resolve the current problems.

**Question asked by Councillor Miss F. Short:**

*"I have heard rumours that the original cast iron RAF gates which were donated to the city when the RAF left their base at Credenhill are currently on the council 'tip' at Rotherwas. Could the Cabinet Member elaborate on their current condition and whereabouts?"*

Councillor Stockton reminded Councillor Miss Short that she had originally raised this matter in an e-mail. He confirmed that there was no truth in the rumour that the gates were, or ever had been, at the Council tip at Rotherwas. They were currently being restored by a specialist company in Ledbury. It was still the intention to erect them at the entrance to the Aylestone Hill Park. An order had been placed with Herefordshire Jarvis Services and a start date for the works is imminent. The works at the entrance to the Park should be completed by the autumn.

Councillor Miss Short acknowledged that the Chief Executive had responded to her original e-mail query but felt that, because of the rumours surrounding the whereabouts of the gates, it was appropriate to raise it again so that a public answer could be recorded.

**Question asked by Councillor Ms A. Toon:**

*"At the local community Forum in January 2005 provision for North of the city was requested and the comment from the head of the HCC Youth services was that it was acknowledged that there was a lack of youth facilities north of the river Wye, and highlighted the problems of staff shortages even where facilities were available. With the potential availability of Wiggins Bowling hut could I now request for 2 hours per week of a youth workers time given that The Lads Club handles more than 400 children and young people per week?"*

*Scouts and Guides at 1 location has 300 children and young people per week and also has a waiting list. I feel the community is doing its share and young people are being let down by the Council.*

*I would like to ask the Council how many hours per week do youth workers put into supporting the young people North of the city and has any action been taken since January 05?"*

Councillor Stockton advised that there were 1.3 full time equivalent youth workers allocated to the Northern area of the City, He said Property Services were currently seeking definitive legal evidence of the ownership and covenants related to the Wiggins Bowling Hut and until these could be established occupation could not be granted. He confirmed that the Youth Services Team had recently met with representatives from the voluntary sector and West Mercia Police to ascertain the

feasibility of a partnership project with community groups.

**Question asked by Councillor Ms A. Toon:**

*"On behalf of Will Marsh, Paul Jarvis, Ryan Harrison, Kori and Aiken Lee, Bradley Harrison, Ryan Harris, Tom Fenton, Jordan Lloyd, Marshall Farmer and Matt Combstock, 11 young people, children of members of the Moor Farm Residents Association, who presented a film to a recent meeting before local councillors, Paul Keetch MP and representatives of HHL and HHC Transportation Dept on how and where they skate in the city.*

*On behalf of the residents, who are backing the skaters and skateboarders, I would like to know what action is being taken for the provision of a skate park in the area North of the city. With Westfaling Street Skatepark being taken out of action on Health and Safety reasons, what else is there for young people to do?*

*There are presently over 7,000 young people aged between 10 – 19 years old in Hereford City accessing 1 official skate park and many unofficial ones including shops, schools, bus stations, churches etc. Compare this with Ross with only 1200 has 1 skatepark and Leominster 1200 about to get 1 as well. (source data 2001 census from HCC library population services )*

| AGE          | Bromyard | Hereford City | Kington | Ledbury | Leominster | Ross-on-Wye |
|--------------|----------|---------------|---------|---------|------------|-------------|
| 10 - 14      | 257      | 3,626         | 165     | 489     | 645        | 620         |
| 15           | 47       | 781           | 26      | 92      | 131        | 119         |
| 16 - 17      | 90       | 1,376         | 52      | 159     | 258        | 237         |
| 18 - 19      | 82       | 1,281         | 50      | 127     | 213        | 233         |
| <b>Total</b> | 476      | 7,064         | 293     | 867     | 1,247      | 1,209       |

*This is now a second group of young people who have made representation to me in this way.*

*In Sept 04 InSITE the magazine of the Youth Times a Herefordshire Partnership Project reported on the matter interviewing 6 young people at both the Newton Farm and Westfaling street sites. It stated that 100 young people per week attend the Westfaling Street site and a Youth worker is quoted as saying **"Skateboarding is a sport – not just a phase. It's not going to go away. There are even rumours that it will be included in the next Olympics,"** a youth worker from Y-Zone, Hereford.*

*Skating and skateboarding keep young people healthy and active, it is a sport, it keeps young people together and safe, it keeps them away from crime and anti-social behaviour and on this per capita basis shouldn't we have more than 1 skatepark in the Hereford City area to meet the needs of these young people and isn't it the duty of this Council to promote healthy activities and lifestyles for this very large sector of our communities as part of government guidelines and targets?"*

Councillor Stockton replied that the Council's partners halo, the Courtyard and various youth and community aided programmes were providing extensive activity schemes both in the City and County-wide. There was also a number of holiday programmes being provided for young people of all ages.



He stated that skatepark facilities were not provided according to any per capita formula, nor was there a statutory duty to provide skateparks to promote healthy activities or lifestyles. Elsewhere skateparks have been provided for a number of reasons and often on the basis of time-limited funding opportunities. No sustainable funding has been available for their upkeep or development. He stated that each of the market towns in Herefordshire had taken on the provision and maintenance of skateparks at a local parish or town council level as evidence had shown that catchment areas for such facilities was essentially local.

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

At what stage are Members informed of the receipt of liquor and public entertainment licensing applications for premises affecting their wards?

Councillor Edwards, Cabinet Member (Environment) advised that, in its new role as Licensing Authority, the Council had a relatively large number of statutory consultees who were required to receive copies of applications for licences.

The Licensing Team were currently receiving between 30 and 50 licence applications per day and the Team was working under huge pressure within very tight statutory timescales.

Notifying Members about individual applications in their Wards (or that border their Wards) would be a relatively substantial task and there is currently no capacity to deliver this. Arrangements are being made to ensure that lists of all premise licence applications are made available to Members on a weekly basis. Once the initial transfer process is dealt with more comprehensive information will be made available.

Councillor Mrs. Lloyd-Hayes said this was disappointing. Advances in ICT should make it possible to provide Members with the necessary information.

In response to a further question Councillor Edwards advised that there were a number of strands to the new legislation including clearing up litter. He said the Council would be working hard in association with the Hereford City Council to ensure that litter would be cleared up.

**Question asked by Councillor Miss F. Short**

*"Could the Cabinet Member please explain the reasons for the closing down of the Skate Park on Westfaling Street? What is proposed for the future use of the site?"*

Councillor Stockton said that the Skatepark was being closed due to persistent vandalism of the structure and the high risk it posed to public safety. Work to provide temporary repairs intended to last for the duration of the summer holidays was completely destroyed within 10 days of its completion and there had been several attempts to burn down the facility. A health and safety inspection had deemed the facility beyond repair and the site will be safeguarded as public open space and re-instated to an acceptable standard to ensure public safety.

In response to a query from Councillor Miss Short about when Hereford would get a skatepark to match Leominster, Councillor Stockton advised that Leominster did not have a skatepark at present. The skatepark was part of a proposed sporting scheme. He advised that the Council may be able to make some land available in Hereford for a skatepark but it would need the backing of residents and the local council. He said the Council would be happy to assist in any such venture.

**Question asked by Councillor W.L.S. Bowen:**

*"Planning Guidance document PPS22 has a recommendation that all new buildings should include a provision for getting 10% of their energy needs from renewable on-site resources. Does Herefordshire Council ever make such demands of planning applicants? If not – why not? Do you not think it important that we should encourage all possible uses of renewable energy systems in our buildings? What are you going to do about it?"*

Councillor P.J. Edwards confirmed that the Herefordshire Unitary Development Plan contained a number of policies encouraging and requiring new developments to include measures that address energy conservation. These policies promote regenerating or recycling previously used resources and increasing energy conservation, energy efficiency and energy generation from renewable resources. These were intended to meet the PPS22 aspirations.

In response to a query about the number of applications that satisfy these requirements, Councillor Edwards, reminded Councillor Bowen that he had assisted in drafting the wording of the Unitary Development Plan which addresses the energy efficiency in new housing including sustainable energy generation. He said Councillors could ask for this to be included as a condition in appropriate planning applications.

**28. NOTICES OF MOTION UNDER STANDING ORDERS**

There were no Notices of Motion.

**29. CABINET**

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 19th May, 9th and 23rd June and 14th July, 2005.

**In relation to Item 1.2 - Herefordshire Provisional Local Transport Plan (LTP) 2006/07-2010/11** – the Leader and Cabinet Member (Highways and Transportation) responded to a number of queries as follows.

**Road Safety** – The Leader reminded Council that the A49 was the responsibility of the Highways Agency and that the Council was in constant dialogue with them over issues of road safety which remained a matter of great concern to the Council. The next meeting involving the Highways Agency, the Cabinet Member (Highways and Transportation) and Council officers was due to take place in September. The Cabinet Member confirmed that issues important to the Council were discussed at these meetings. He also confirmed that the reduction of road traffic accidents was an important LPSA target and, although the numbers were reducing, the Council needed to maintain its focus and also involve its partner organisations in improving the situation.

**Increased Air Pollution at Bargates, Leominster due to the new Business Park and proposed additional housing at Baron's Cross** – The Leader advised that the key aims of the LTP included improved accessibility, safer roads, reduced congestion and better air quality but that the Council needed to be realistic in what it could achieve with the resources available. The Cabinet Member (Highways and Transportation) confirmed that the need for improvements to the air quality at the Bargates was now included in the Plan.

**Speed Limit Policy** – The Leader acknowledged that the number of road accidents in the County continued to be a concern, but confirmed that there had been some

improvement at identified accident black-spots. He spoke of the work being undertaken with the Police and Highways Agency to educate drivers of the dangers and the necessity to drive at a safe speed. The Cabinet Member (Highways and Transportation) acknowledged that there was a problem with the weight and speed of vehicles using 'rat-runs' and although there was a long-term programme to deal with problems around the A465 and A49 these would not be solved in the immediate future.

**Vehicles in High Town, Hereford** – Councillor Wilcox, the Cabinet Member (Highways and Transportation) said he was investigating the implementation of the necessary road order to improve the situation.

**Proliferation of Road Signs** – He said that the Council was obliged to comply with the statutory requirements of the Department of Transport.

**Extension of the Roman Road** – It was confirmed that the need for an extension of the Roman Road west and improvements to the eastern skew bridge was now included in the Plan.

**In relation to Item 4.1(i) Social Care Budget** – In response to a number of comments and queries the Leader stated that the case had already been made for extra investment in Social Care and thanked those Members who had supported the extra investment in the service. He said he was continuing to lobby Government to take account of the 2001 census figures and not the 1991 figures which clearly disadvantaged Herefordshire with its disproportionate aging population. With regard to the disaggregation of the Children's Budget, he commented that while it was easy to lay down legislation to separate the Children's and Adults' Social Care services it was not so easy to divide the budget due to the complexity of the issues involved. He spoke of the concerns over the demands on the Learning Disabilities budget and the underlying trend in Adult Social Care. He acknowledged that severe winter weather would cause additional pressure on the budget which needed to be managed as one of the Council's corporate priorities.

**In relation to Items 4.1(xii) and 4.2(iv) – Herefordshire Jarvis Services (HJS)** – In response to a number of queries the Leader confirmed that the losses incurred by HJS would not be met by the Council-Tax payers of Herefordshire. The contract with Jarvis provided that the Council would not be responsible for any losses or charges for the first 10 years of operation. However, the Council would be entitled a share of any profit made by the company. This was in contrast to the previous situation with Herefordshire Commercial Services whose losses did need to be met by the Council. He spoke of the national difficulties of the parent company and welcomed the transfer of shares to Accord.

He praised HJS for the significant improvements it had made in delivering services and advised that the interests of local subcontractors were being protected and that, after from a few initial difficulties, all invoices were being paid on time.

**In relation to Item 5.1(v) – Review of Denominational Transport** – Councillor Rule, the Cabinet Member (Children's Services) was congratulated for his sensitive handling of this issue and for taking account of the Scrutiny Committee's views when formulating the new policy. However, there were still some concerns that large or low income families would be denied access to their preferred schools, whether on denominational or other grounds. Councillor Rule reminded Council that the Government was preparing a paper on Home to School transport as part of the new Education Act. He said there was an opportunity to develop a pilot scheme in the County and although there were many suggests for not-for-profit schemes these would need separate Government funding. He confirmed that those families in

receipt of full housing benefit and council tax benefit would be entitled to free transport for denominational reasons.

The Leader announced that Councillors Mrs. A. Gray and Mrs. J. Hyde had been nominated to assist the Cabinet Member with his portfolio.

**In relation to Item 6.1(i) – Destination Herefordshire** - In response to a number of comments and queries the Leader and Cabinet Member (Community Services) responded as follows:

Both agreed that Destination Herefordshire would bring together public and private sector organisations for the benefit of residents, businesses and visitors and acknowledged the importance of both the river and the livestock market to tourism in the County.

Councillor Stockton repeated his earlier advice that that Council would not be able to provide a skatepark for Hereford City but would be willing assist other bodies that may be in a position to do so.

The Leader asked Councillor Hunt, the Council's representative on the West Mercia Police Authority to investigate whether licensing regulations which affected events such as town and village carnivals, festivals and fetes were being too strictly applied and whether it would be possible to ease the burden for the organisers of these events.

**In relation to Item 7.1(vii) – Members' ICT Policy** – In response to a query on information about licensing applications Councillor Mrs. J.P. French, Cabinet Member (Corporate and Customer Services and Human Resources) advised that the policy was concerned with the provision of equipment and the sending and receiving of information. It was for officers and Members to decide what information was included.

Councillor P.J. Edwards, Cabinet Member (Environment) reminded Council of his previous answer relating to this issue and the scale of the task involved in informing all Members of every application within or close to their ward. In response to a further question the Leader acknowledged that he was aware of the cramped accommodation the licensing staff were working in and that there were plans for improvements. He also said that he had written to the local MPs about his concerns about the burden not just to Council staff but also to the individual licensees.

**In relation to Item 9.1(ii) - Grafton Travellers' Site** - In response to a query Councillor Edwards, the Cabinet Member (Environment) said he could not give an absolute assurance that the site would have CCTV and 24 hour warden control. He said that the grant did not provide for either of these services. He said that the Council would be creating the best possible site for the travelling community at their preferred location and he was confident that the families themselves would wish to maintain the site to a good standard with appropriate assistance from Council officers. In response to a further question he stated that there were plans for an additional transit site for families who did not wish to live on a permanent site.

**In relation to Items 13.1(ii) and 13.1(vii) - Homelessness Budget and Improvement Plan** - The Leader responded to a number of comments and queries. He said that the additional funding, agreed by Cabinet, would take the pressure off the budget and that a clear plan for dealing with the problem had been approved. He spoke of the need for investment in preventative measures. He said he would welcome the involvement of the Scrutiny Committee in dealing with this difficult issue.

**In relation to Item 13.1(v) - Joint Team with the Pension Service** - In response to a query about Council Partnerships and the temporary reduction in the 'ABLE' service in particular, the Leader advised that the Government required Councils to avoid duplication and to make best use of public money.

**RESOLVED:** That the reports from the meetings of Cabinet held on 19th May, 9th and 23rd June and 14th July, 2005 be received and the recommendations set out below be adopted:

- That (a) the Youth Justice Plan be approved;
- (b) the Provisional Local Transport Plan 2006/07-2010/11 be approved for submission to Government, and that minor editorial changes to the draft be delegated to officers with any significant changes being subject to the approval of the Director following consultation with the Cabinet Member (Highways and Transportation);
- (c) the current level of minimum prudent reserves be maintained at £3,000,000 and continues to be reviewed annually as part of the budget process. The level of balances will continue to be assessed and influenced by the formal risk management process, which includes the corporate and service risk logs and the nature of council expenditure.
- (d) general balances be maintained at a level between 1½% and 3% of net revenue budget.
- (e) in line with current practice, general balances be utilised in support of one-off, non-recurring items of expenditure rather than for recurring expenditure.
- (f) notwithstanding the above, reserves be only utilised in exceptional circumstances, to mitigate increases in Council Tax.
- (g) the application of reserves, amounting to £175,000, to meet exceptional property related expenditure, primarily as a consequence of dilapidation works and other costs associated with rationalising the Council's office accommodation.
- (h) the establishment of a new provision in 2004/05, amounting to £108,000, in respect of the likely repayment of European Social Fund Grant to the Learning and Skills Council in respect of project work for disaffected pupils.

### **30. REGULATORY COMMITTEE**

Councillor R.I. Mathews presented the report of the meetings of the Regulatory Committee held on 24th May and 19th July, 2005.

In response to a number of queries Councillor Matthews responded as follows:

% of public houses who have applied for new licences - he advised that the Council was receiving between 50 and 60 applications a day and he would investigate what percentage this was of licence holders and notify Members.

He advised that no provisions were currently in place for late applications as it was

hoped that all the necessary applications would be made before the statutory deadline. He also advised that, although the Council had made every effort to inform landlords of the requirements of the new legislation, it was the landlords' responsibility to know whether they needed to apply for a new licence. He agreed to investigate the provisions for enforcement at those premises which had not applied. He said it was intended that public notices containing lists of applications would be published in the local press once the current workload had eased.

Use of CCTV - He supported a suggestion that CCTV cameras should be monitored 24 hrs a day to assist in meeting the targets set out in the Crime and Disorder Strategy.

Knowledge test for taxis - Councillor Matthews advised that this test was being introduced with the full support of local taxi firms and would be operating very soon. It was aimed at improving the service to the public and ensuring good working practices.

**RESOLVED: That the report of the meetings of the Regulatory Committee held on 24th May and 19th July, 2005 be received.**

### 31. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meetings of the Planning Committee held on 3rd June and 15th July, 2005.

**RESOLVED: That the report of the meetings of the Planning Committee held on 3rd June and 15th July, 2005 be received.**

### 32. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meetings of the Strategic Monitoring Committee held on 9th June and 1st July, 2005.

In response to a query Councillor James advised that it was likely Best Value Reviews would be phased out.

**RESOLVED: That the report of the meetings of the Strategic Monitoring Committee held on 9th June and 1st July, 2005 be received.**

### 33. STANDARDS COMMITTEE

Mr Robert Rogers presented the report of the meetings of the Standards Committee held on 17th June and 8th July, 2005 and the Committee's Annual Report for 2005/06.

In response to a number of queries on the Protocol on the Use of Council Resources he advised that the use of a separate e-mail address would be required for personal use to prevent the impression of seeking preferential treatment. He could see no objection to using the Council provided equipment for parish council business. He did not wish to be overly prescriptive about a definition on modest use but advised that personal use should not exceed Council use.

In response to a query about Standards hearings, he said he did not anticipate any major change in how hearings would be conducted.

Councillor J.W. Edwards moved the recommendation.

**RESOLVED:**

- That (a) the report of the meetings of the Standards Committee held on 17th June and 8th July, 2005 be received; and
- (b) the revised protocol on the Use of Council Resources by Members, as set out in Appendix 1 to the report be approved.

**34. STATUTORY ACCOUNTS COMMITTEE**

Councillor R.J. Phillips presented the report of the Statutory Accounts Committee held on 11th July, 2005.

**RESOLVED:**

- That (a) the report of the Statutory Accounts Committee held on 11th July, 2005 be received;
- (b) Standing Order 4.31.1 (Changes to the Constitution) be suspended in accordance with Standing Order 4.32 to allow the Council to consider the proposed variations to the Name, Composition and Terms of Reference of the Statutory Accounts Committee as detailed in the Report;
- (c) Standing Order 9.7 be revised so that the Statutory Accounts Committee be re-named the Audit Committee and that its membership be increased, if necessary, to reflect political proportionality;
- (d) Standing Order 9.7.2 be revised so that the terms of reference of the Audit Committee be as follows:
- (e) *To provide independent assurance of the adequacy of the Council's risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process through consideration of :*
- (a) *the terms of reference for Internal Audit*
  - (b) *the Internal Audit strategy*
  - (c) *the resourcing of Internal Audit*
  - (d) *the periodic plans of Internal Audit, progress against and material changes made to these plans, and any implications arising from their findings and opinion*
  - (e) *the adequacy of management response to Internal Audit advice and recommendations*
  - (f) *the Head of Internal Audit's annual report*
  - (g) *the arrangements made for co-operation between Internal Audit, External Audit and other review bodies*
  - (h) *periodic reports by External Auditors*
  - (i) *approval of the Council's Statement of Accounts and associated reports.*
- and
- (f) the Chief Executive be requested to execute his delegated powers to make, following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality, and to make appointments to the Audit Committee in accordance with the nominations of the political group leaders.

**35. WEST MERCIA POLICE AUTHORITY**

Councillor B. Hunt presented the report of the West Mercia Police Authority held on 7th June, 2005.

He reminded Members to restrict their questions to those items which appeared in the report and invited them to approach him after the meeting, or at any other time, if they had any other questions.

He responded to a number of queries as follows:

He reported that there was provision in the Capital Programme for a substantial upgrade to the Hereford Police Station and would provide further written details.

He advised that a number of new recruits were expected to make a difference to the number of police on duty in High Town and would provide more information as it became available. It was noted that police numbers had risen from 2000 to 2400 over the last few years.

He referred to the dates of Police/Community Consultative Group meetings set out in his newsletter and agreed to provide further information as it became available.

He advised that the arrangements for shared border working had virtually no cost implications as the two police forces covered the same area more efficiently.

**RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 7th June, 2005 be received.**

The meeting ended at 12.50 p.m.

**CHAIRMAN**



**6. QUESTIONS FROM MEMBERS OF THE PUBLIC**

**Report By: Members Services Manager and Executive Officer**

**Wards Affected****Purpose**

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

**Background**

2. Standing Order 4.24 of the Constitution states that: A member of the public may 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 that question is deposited more than six clear working days before the meeting i.e. by close of business on a Wednesday in the week preceding a Friday meeting. No supplementary questions may be asked.
3. A total of 25 minutes shall be set aside for the answering of questions from members of the public save that the Chairman, or Vice-Chairman, if presiding, shall have absolute discretion to vary the period of time by making it shorter or longer as he/she considers appropriate. Any questions unanswered at the expiry of the time limit shall be dealt with by way of written reply to the questioner.
4. Any question which contains defamatory material or the publication of which is likely to be detrimental to the Council's interests, may be rejected.

**Questions**

5. One question was received by the deadline. It is attached at Appendix 1.

**Questions from Mr. D. Parkhill, Hereford.**

- (a) The Environment Agency (EA) has been asked by the council to remove the boats from the river in Hereford. When did this become council policy?
- (b) In 2002 when the EA became Navigation Authority the river in Hereford was navigable and had a daily boat service which provided a much needed and popular tourist attraction for the City. Why has the council not asked the EA to maintain the river to at least this standard?
- (c) When will the council be a significant player in matters relating to the river?

## REPORT OF THE MEETINGS OF CABINET

**Held on 1st, 15th and 29th September and 20th October, 2005**

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**Cabinet Members:** R.J. Phillips (Leader of the Council),  
Mrs. L.O. Barnett, P.J. Edwards, Mrs. J.P. French, J.C. Mayson, D.W.  
Rule, MBE, R.V. Stockton, D.B. Wilcox, R.M. Wilson.

This is the second report submitted to Council for the current year and covers proceedings of the meetings listed above.

### 1. DECISIONS RESERVED TO COUNCIL UNDER PART 4 OF THE CONSTITUTION

- 1.1 No such decisions were considered by Cabinet since the previous meeting of Council.

### 2. NOTICES OF MOTION

- 2.1 No motions to Council were considered by Cabinet during the reporting period.

### 3. KEY DECISIONS BY INDIVIDUAL EXECUTIVE MEMBERS WHICH WERE NOT INCLUDED IN THE FORWARD PLAN

- 3.1 **Enforcement of Clean Neighbourhood and Environment Act 2005** - The new Clean Neighbourhood and Environment Act 2005 has brought into sharper focus the issue of enforcement of Environmental Crime legislation, particularly through Fixed Penalty Notices (FPNs). The issue is also of significance to the Council in view of its Corporate Priorities and commitment to Streetscene.

The main Streetscene focus is to improve the cleanliness of the City and Market Towns of Herefordshire through a comprehensive co-ordinated approach to cleansing, brought about by the partnership between Herefordshire Council and Herefordshire Jarvis Services.

The Cabinet Member (Environment) has therefore agreed that fixed penalty fines for litter, fly-posting and graffiti be set at £100, reduced to £50 if paid within 14 days of issue (fixed penalty fine for dog-fouling offences is fixed at £50); newly appointed Highways Inspectors with specific Streetscene enforcement responsibilities, dog wardens and other 'outside' officers (as required) be authorised to issue fixed penalty notices for the offences as outlined above.

### 4. CORPORATE STRATEGY AND FINANCE (Chairman of Cabinet – Councillor R.J. Phillips)

#### 4.1 Report on Decisions Taken

- (i) **Capital Strategy** – Cabinet has approved a revised strategy for capital investment which will influence capital programme considerations in future years and also provides a comprehensive view on all capital issues. Cabinet has noted:

- The Capital Strategy is intrinsically linked to the Herefordshire Plan and

the Council's Corporate Plan and their objectives and priorities, and there needs to be a balance between the investment in existing assets and in new initiatives.

- The relaxation of borrowing powers through the Prudential Code has had a significant and positive impact on the Council's capital programme.
- Prudential borrowing within the constraints of capped Council Tax increases.
- The policy of increasingly seeking to fund assets over their actual life will continue, thus minimising the build up of debt over the long term.
- There are several major strategic issues which will affect the capital programme in the future eg the Edgar Street Grid, Local Area Agreements, office accommodation and associated projects.

The County Treasurer was thanked for the work he had carried out on the Capital Strategy since his appointment and he paid tribute to the staff who had assisted him.

- (ii) **Local Area Agreements (LAA) Framework** – On 19th May, Cabinet gave consent for interest to be registered with Government Office West Midlands (GOWM) in obtaining a Local Area Agreement. The Council was successful in its bid and was required to submit an outline proposal by 30th September, 2005. The LAA has to be jointly agreed by the Local Strategic Partnership and the Council. The LAA work will continue to run in parallel with the re-launch of the Herefordshire Plan and provide further focus for the work of the Herefordshire Partnership. Cabinet has approved the submission noting that the Agreement will be negotiated over a six-month period which will give further opportunity to comment on its content. It has also thanked the staff involved for their efforts in completing this work within a very tight timescale.
- (iii) **Race Equality Annual Report** - The Race Equality Scheme was introduced in May 2002 and a revised action plan approved in May 2005. Cabinet has received a report which sets out progress against that Action Plan. It has noted that, in recognition of Herefordshire's relatively low Black and Minority Ethnic Population, a partnership approach has been adopted with many of the larger projects being undertaken in conjunction with other agencies. Over the last 12 months the Herefordshire Equality Partnership has changed its remit and has now broadened its scope within Herefordshire to address issues that cover, not just Race, but the wider equality agenda. Best Value Performance Indicator (BVPI) 2b sets out a number of actions against which the Council's performance is measured. The target for 2004/05 was 60% - the actual performance was 47%. Cabinet has suggested that the report be updated, and where targets had not been achieved revised targets be included. It has noted a number of key initiatives aimed at monitoring and promoting race equality during 2004/05, including awareness sessions for Members and staff, anti-racism week of action in football and the appointment of a Traveller Liaison Officer. Cabinet has noted the arrangements in place to provide a translation service, across a number of organisations and is keen to encourage those who do not have English as their first language to attend English lessons, feeling that this would help them to integrate better into the community.

Cabinet has requested that the annual report be updated before publication.

#### 4.2 Report on Items of Interest

- (i) **Audit Services Assurance Report 2004/05** - Cabinet has received a report on Audit Services activity during the year 2004/05. It has noted that, following assessment of the Council's overall level of internal control, a satisfactory level of control has been achieved. Core financial systems had been identified and annual review of their effectiveness showed that all except one were given satisfactory audit opinions or better. Although issues have been identified at service level, there are no material issues that affect the Council's overall level of internal control. However, it is likely that the Audit Commission's annual management letter will refer to fundamental systems which have a marginal or worse opinion. The key issues relate to the overspend in Social Care and the Council overall disaster recovery arrangements. Management continues to respond positively to recommendations and has agreed to take action on 95% of the recommendations made, which is broadly the same as last year. Audit follow-up of previous recommendations has shown that action was being taken on some 89%. Critical recommendations and progress being made on them will be highlighted in future reports to the Audit Committee who can recommend further action, if required.
- (ii) **Treasury Management Activities 2004/05** - Cabinet has received the annual report on the Council's treasury activities for the period 1st April, 2004 to 31st March, 2005 and the outturn of prudential indicators for 2004/05. Cabinet noted that regarding transactions for the financial year 2004/05 the cost of borrowing was below budget and the investment income was above budget. The return on internally managed investments exceeded the index benchmark for 2004/05. The net return on externally managed funds was in line with the index benchmark for 2004/05 and the treasury limits and prudential indicators were complied with during 2004/05. Cabinet congratulated staff on their hard work.
- (iii) **Community Forums** - Cabinet has received a report on the September/October 2005 round of Community Forum meetings. It has noted that the standards of presentations are good and the topics interesting, but is concerned that attendance across all Forums remains low despite additional publicity. The Leader and Community Forum Chairmen are due to meet in early November to discuss the future of the meetings and how attendance and facilities can be improved.
- (iv) **Strategic Monitoring Committee** - Cabinet has received and noted the report of the Strategic Monitoring Committee which is the subject of separate report to Council.

### 5. CHILDREN'S SERVICES (Cabinet Member and Deputy Leader: Councillor D.W. Rule, MBE)

#### 5.1 Report on Items of Interest

- (i) Cabinet has received progress reports on a number of issues affecting Children's Services.

## **Safeguarding Children**

The second joint national Chief Inspector's Report on Arrangements to Safeguard Children, published in July 2005, found that:

- some agencies still give insufficient priority to safeguarding and children's interests;
- there are still considerable concerns about the differing thresholds applied by social services in their child protection and family support work and about the lack of understanding of the role of social workers by other agencies; and
- continuing difficulties in recruitment and retention in some services affect their ability to safeguard children effectively and may restrict their capacity to deliver the new Every Child Matters arrangements.

Cabinet has noted the number of children in the different categories of education, fostering and adoption placements and the costs which ranged from £300 per child per week to £4,500 depending on their individual circumstances and whether the placement was in or out of area. Cabinet has also noted that, officially, children placed 20 miles from Hereford are considered to be "out of area" even though some of those placements are within the County.

The final Adoption Service report has judged that the service provides excellent practice and although there were some deferrals before placements, all these were now deemed safe.

## **Integrated Services for Children and Young People in Herefordshire**

Cabinet has been informed of a consultation exercise on integration of services for children, currently underway with key partners and stakeholders, including schools. The strategy proposes an arrangement which will combine local primary schools, extended schools and children's centres, alongside multi-professional teams covering the seven proposed locality partnership areas - Bromyard, Golden Valley, Hereford City, Kington/Weobley, Ledbury, Leominster, and Ross-on-Wye.

Cabinet has been assured that partnership arrangements for the three children's centres at Leominster, Greencroft and Hunderton/Hollybush are working well and there is a commitment to providing more centres based in the other market towns and the Golden Valley.

## **Moving towards a Children's Trust**

The Council has reviewed progress in meeting the requirements of the Government's policy for Children's Services.

**6. COMMUNITY SERVICES  
(Cabinet Member - Councillor R.V. Stockton)**

**6.1 Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this programme area during the reporting period.

**7. CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES  
(Cabinet Member - Councillor Mrs. J.P. French)**

**7.1 Report on Decisions Taken**

- (i) **Customer Services Strategy** - Cabinet has received a report on the Strategy which outlines the Council's vision for Customer Service over the next three years. The Strategy aims to "put the customer first", and recognises the importance of the diversity of customers' needs in Herefordshire. It sets out an ambitious plan to ensure the Council provides levels of customer services that are among the highest of any council in the country.

The changes required to achieve these aims fall into four main categories:

- the attitudes the Council has and the way the Council behaves;
- the way the Council does things;
- where the Council is located and how it is structured;
- the ICT Systems the Council uses.

It is intended that the Council adopts a front and back office approach. This will allow the public to contact the Council through one point, Info, and to have a dedicated member of staff assigned to their query. The Strategy requires a fundamental change in the way services are delivered. Advances in IT mean that the ICT system will play a crucial role in the success of the scheme.

Cabinet has agreed the proposed way forward.

- (ii) **Communications Strategy 2005/06** - The Council's Communications Strategy has been updated to ensure that the aims and ambitions within the Council's Corporate Plan and the Herefordshire Plan are communicated to all its audiences, internally and externally. The Strategy provides an overarching framework for all communications activity within the Council. It also aims to communicate the achievements of the Council and its partners and emphasises the crucial role every elected Member and member of staff plays in communications. The key messages have been revised to incorporate the Corporate Plan's strapline "Action for a better Herefordshire". Cabinet has approved the revised Communications Strategy for 2005/06.

## 7.2 Report on Items of Interest

- (i) **Integrated Performance Report** - Cabinet has received a progress report on the Council's performance, integrating progress on the Annual Operating Plan, risk management and financial information. The integration of these key areas into a single report is central to the implementation of the Corporate Plan by means of an effective performance management system. Further reports will be presented for the periods ending September, November, January and March and will include and highlight progress on the Local Area Agreement when it is agreed. Cabinet has noted that there are about 10 areas of particular concern relating to progress on the Annual Operating Plan. In addition the section on Financial Performance and Risk Management reveals concern about likely overspends on Social Care (including the carry-forward from 2004/05) and Housing (mostly arising from the costs of temporary housing). These overspends are also identified in the Risk section as needing early attention.

Cabinet has asked that the format of the report be reviewed, and that, in future, the Cabinet Member be given the opportunity to approve the report before publication.

- (ii) **Staff Opinion Survey 2005** - Cabinet has received a report on the key findings of the Staff Opinion Survey 2005 which was carried out in July.

40% of employees took part in the survey compared to 38% in 2004. The work the Council has done, and is doing, to improve has clearly made a difference to what employees think and there are a number of areas which received more positive responses than previous years; eg

- more employees think that the Council is good to work for,
- more employees think that their targets and standards are achievable,
- more people are confident that they will still be working for the Council in 12 months time,
- more people agree communications in their service is working well,
- confidence in immediate managers continues to be high and confidence in senior management has improved,
- over two thirds agreed that they have a Staff Review and Development discussion annually and the quality of the discussion has also improved,
- employees were far more confident that there were opportunities for development,
- more agreed that the Council takes into account the views and diverse needs of its service users, that the Council is open, honest and accountable to all its customers and that customer/client relationships are well managed.

There were two main areas where employees said things had not improved: the requirement to work long hours and the physical work environment.



The Council compares well against the average for local government in many areas, including: the Council being a good employer and providing recognition for a job well done; understanding about job priorities and objectives, being kept informed about plans and priorities and being involved in decisions and being consulted over changes; training opportunities, having adequate resources for the job, physical work conditions and work-life balance.

**8. ENVIRONMENT  
(Cabinet Member: Councillor P.J. Edwards)**

**8.1 Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this programme area during the reporting period.

**9. HIGHWAYS AND TRANSPORTATION  
Cabinet Member - Councillor D.B. Wilcox)**

**9.1 Report on Decisions Taken**

- (i) There were no decisions by Cabinet relating to this programme area during the reporting period.

**10. RESOURCES  
(Cabinet Member - Councillor R.M. Wilson)**

**10.1 Report on Decisions Taken**

- (i) **Asset Management Plan** - Cabinet has received a report on the Council's Asset Management Plan (AMP) for 2005. The AMP gives details of the property portfolio of the Council and outlines property issues and action to be taken in the short-term and details the results of actions taken over the last twelve months. Contained within the AMP are fifteen performance indicators that cover property issues such as energy, maintenance, rates of return and costs. These performance indicators are submitted to the Institute of Public Finance to enable comparison with other Councils. Cabinet were advised that the performance indicator trends were positive. Cabinet noted the importance of this corporate document covering key areas for the Council.
- (ii) **Small Business Friendly Concordat** - Cabinet has received a report on the principles set out in the Small Business Friendly Concordat, which is a voluntary, non-statutory code of practice, and the Small Business Event in Shrewsbury on 5th October 2005. The Concordat sets out what organisations supplying local government can expect when tendering for Local Authority contracts. The purpose of the Concordat is not to intentionally give smaller suppliers an advantage when tendering for contracts, but to ensure that all suppliers are treated equally. The Concordat also sets out the standards that public sector buyers should expect from their suppliers. The National Procurement Strategy for Local Government sets a target for all local authorities to have adopted the Concordat by the end of 2005.

## 10.2 Report on Items of Interest

- (i) **Audit Services Assurance Report 2004/05** - A report on this item is to be found at paragraph 4.2(i) of this report.

## 11. RURAL REGENERATION AND STRATEGY (Cabinet Member - Councillor J.C. Mayson)

### 11.1 Report on Decisions Taken

- (i) **Herefordshire Thinks Rural** - Cabinet has received a report on "rural proofing", the means by which local authorities and other organisations, test out their service delivery, policies and strategies in a rural context. In Herefordshire the need to reflect this was originally demonstrated through the impact assessments required to comply with the Race Relations Amendment Act within the Diversity agenda. During various inspections Officers and Members have been asked to evidence what we do differently or what is the result of operating in a rural area and what impact this has on our thought process. The Council's response, in the past has been that this is almost intuitive. However, as the question was raised so often, it was considered that a study be made to define what it is that makes Herefordshire distinctive, to look at current practice in relation to rural proofing and to construct an action plan which the Council could use to move its thinking in this area forward.

Cabinet has endorsed the contents of "Herefordshire Thinks Rural" and agreed an Action Plan which deals with those areas designated "quick wins". Councillor J.C. Mayson, Cabinet Member (Rural Regeneration and Strategy) has been appointed as the Council's "rural champion".

- (ii) **Relocation of the Livestock Market** - Cabinet has received a confidential report identifying a preferred site for a new livestock market. It had agreed that officers be instructed to develop a partnership agreement with the landowner and submit a planning application for the redevelopment of the preferred site.

Following a call in of this decision by the Strategic Monitoring Committee, Cabinet has reconsidered its decision. The Cabinet Member (Rural Regeneration and Strategy) has recommended and Cabinet has agreed that a site search for relocating the Hereford Livestock Market be recommenced and that all options in the north west quadrant of the County should be examined with full public involvement. This is expected to last six months.

The Strategic Monitoring Committee has requested that, in considering alternative sites, Cabinet be mindful of environmental issues such as flooding and terrain, consider carefully whether it is realistic to seek to link a livestock market to a rural business park and ensure that the report to Cabinet on options be detailed and robust, including a clear assessment of the costs of each of the options and in particular the cost to the Council of developing a site outside its ownership.

- (iii) **Herefordshire Council Community Involvement Strategy** – Cabinet has approved a revised Community Involvement Strategy and related action plan. The strategy outlines the Council's commitment to involving residents of

Herefordshire in decisions that affect them. An important aspect of consultation is to feed back to those who have been consulted as well as local Members on issues affecting their wards.

## **12. SOCIAL CARE ADULTS AND HEALTH (Cabinet Member Councillor Mrs. L.O. Barnett)**

### **12.1 Report on Decisions Taken**

- (i) **Housing Strategy for Herefordshire** - Cabinet has noted that the Council is no longer required to submit an annual Housing Investment Strategy but is required to develop a Housing Strategy that is rated as "Fit for Purpose" following assessment by the Government Office for the West Midlands. The Housing Strategy for Herefordshire 2005/08 has been developed to encompass the requirements set out for achieving Fit for Purpose. In doing so appropriate consideration has been given to the evaluation of the challenges faced within Herefordshire, the relative priorities and the actions planned to achieve the agreed priorities. Appropriate regard has been given to the important role of partnership working to identify and deliver the priorities including reflection on the successes that have been achieved to date.

The priorities for action over the three year period covered by the strategy are: to achieve a more balanced housing market; to address the increasing levels of homelessness in the County; to ensure that vulnerable people needing housing linked to support have their needs met in all parts of the area; and to improve housing conditions in Herefordshire across all tenures. Cabinet has approved the Housing Strategy for Herefordshire 2005/08, subject to any alterations required to achieve Fit for Purpose rating from the Government Office for the West Midlands.

- (ii) **Herefordshire Older People's Strategy** – Cabinet has received a report on the County-wide strategy for older people in Herefordshire. Members noted the importance of the strategy especially as the profile within the County is for an aging population. The work is to be carried out in partnership with strategic organisations and will touch upon all areas across the Council.
- (iii) **National Health Service Organisational Change** – In July 2005 the Department of Health published "Commissioning a Patient Led NHS" which sets out a framework for improving commissioning of services alongside improvements in health and service. Cabinet strongly supports the case for the retention of a sovereign NHS body commissioning service for the residents of Herefordshire. Members were advised of the potential impact for service delivery should a combined PCT come into being. A three month public consultation period will commence in November.

**COUNCILLOR R.J. PHILLIPS  
LEADER OF THE COUNCIL**



## **REPORT OF THE STANDARDS COMMITTEE**

### **Meetings held on 26 July and 7 October 2005**

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#### **Membership:**

Robert Rogers (Independent Member) (Chairman); Councillor John Edwards, Councillor John Stone; Richard Gething (Town and Parish Council Representative); John Hardwick (Town and Parish Council Representative); David Stevens (Independent Member),

#### **STANDARDS COMMITTEE HEARINGS ON 26 JULY 2005**

1. The Standards Board for England referred two complaints against local parish and town councillors to the Council for investigation under the provisions of the Local Authority's (Code of Conduct)(Local Determinations) Regulations 2003 (as amended). These were the first two cases to be investigated locally (by officers from the County Secretary and Solicitor's department), under the greater powers granted to Local Authorities. Both hearings took place on 26 July 2005.
2. We heard allegations against Councillor John Lane of Bromyard and Winslow Town Council, that on 18 April 2005, he breached the Code of Conduct by failing to register a personal interest. We imposed no sanction in this instance, having found that the advice he was given at the time was unclear. We agreed to monitor Bromyard and Winslow Town Council's training programme.
3. We heard allegations against Councillor Albert Hussey of Kington Town Council, that on 17 May 2004, he failed to declare a personal interest, and inappropriately sought to influence the Town Council's consideration of a matter. We found that he had breached the Code on both counts; and we imposed a sanction of censure, and required Councillor Hussey to undertake appropriate training with the Herefordshire Association of Local Councils (HALC).
4. At our meeting on 7 October, we considered a report updating us on the progress made with training, and we were glad to learn that members from both Town Councils have attended training. Together with HALC, we are continuing to develop our support role in relation to this.
5. In line with our usual practice, we have reviewed the conduct of the hearings and have identified minor improvements in their procedure and administration.

#### **COMPREHENSIVE PERFORMANCE ASSESSMENT**

6. A member of the CPA Team interviewed the Chairman about the role of the Standards Committee, as part of the wider assessment of the Council's ethical structure and practice. It was an opportunity to explain how the Committee is at the cutting edge of Standards Committees, with its growing experience in hearings and investigations, and its active role both locally and nationally.

#### **APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS**

7. We have granted dispensations to four members of Garway Parish Council in relation to their commoners' rights on Garway Common; and to three members of Sutton Parish Council in respect of a school and community hall project in Sutton-St-Nicholas.

## **CODE OF CONDUCT FOR MEMBERS AND OFFICERS DEALING WITH PLANNING MATTERS**

8. We have given consideration to paragraphs 38 and 39 of the Planning Code of Conduct (Appendix 13 of the Constitution), which deal with applications in which a Member of the Council has an interest. The advice in these paragraphs is clear in that members who have a prejudicial interest must take no part in the determination of the application, although they may appoint an agent to speak on their behalf at the Committee. The advice is not clear, however, on whether or not this ability to appoint an agent also applies to applications submitted by a relative or partner.
9. We took advice from the Standards Board about this issue in February 2005, and on the basis of that advice, paragraph 39 was left as originally drafted, allowing members to appoint an agent. Recently, the issue has arisen in connection with an application by a son of one of the Herefordshire Councillors for a planning permission, and we feel that the Code would benefit from revision in order to address the following:
  - To clarify that the affected relative or partner may speak at committee meetings or appoint an agent to speak for them;
  - To provide information as to which member, if any, the relative or partner can approach for advice and support, especially when the “conflicted” member is also their local member;
  - To recognise the role of the town and parish council in the planning process. It is the local member’s role to provide advice to their local town/parish councils, and again, if the member has a prejudicial interest, this does deprive the town/parish council of important advice and assistance.

**RECOMMENDATION TO COUNCIL:** That two additional clauses be included in the Herefordshire Council Code of Conduct for Members and Officers Dealing with Planning Matters (Appendix 13 of the Council’s Constitution) as follows:

40. **If an application is submitted by a relative or partner (as defined in the Code of Conduct for Members) of a Member of the Herefordshire Council, the applicant may speak at committee meetings (subject to Standing Order 5.11 – Public Speaking at Meetings of Planning Committees and Area Planning Committees) or appoint an agent to speak on his or her behalf.**
41. **The Chairman of the Planning Committee which will determine the planning application in which a Member of the Council has an interest will also appoint another Member of the Council to provide procedural and other advice and information to the applicant, and to the town or parish council concerned.**

## **CO-OPTED MEMBERS**

10. We have noted the arrangements to ensure compliance with the Code of Conduct by co-opted members of Herefordshire Council. The Council has appointed co-opted members to several scrutiny committees and the Standards Committee, and all have recently been reminded of the need to keep their Register of Interests up-to-date, and of the requirements of the Code. They have also been invited to participate in the Council’s training for Councillors in relation to the Code of Conduct, and some attended the first training event on 14 October 2005.

## **INDEPENDENT MEMBERS' FORUM**

11. The Standards Board for England has encouraged the development of regional forums to support independent members of Standards Committees with their roles and responsibilities. The West Mercia region has a forum comprising Standards Committees from Shropshire, Herefordshire and Worcestershire, and our independent members attended a meeting in Worcester on 18 August 2005. We feel that our Standards Committee has a balanced membership which works well together, and we are extremely well supported by Herefordshire Council in staff and resources. It is clear however, that many independent members from other areas feel isolated and lacking in support and information, and in this the Forum has a valuable role to play. We have offered to host the next meeting, which will be held at Brockington on Friday 3 February 2006.

## **PARISH AND TOWN COUNCILS – CHAIRMEN AND CLERKS' TRAINING EVENT**

12. Richard Gething reported on a recent informal briefing for parish council chairmen and clerks, hosted by HALC, and in which the Committee Chairman and the Monitoring Officer took part. Those attending discussed chairing skills, and the Code of Conduct, and in particular issues relating to prejudicial and personal interests. HALC had also launched an information leaflet for parish and town councils, which details the roles of the Standards Committee, the Monitoring Officer, the Parish Council Liaison Officer and HALC.

## **QUALITY PARISH AND TOWN COUNCILS**

13. Shane Smith, Parish Council Liaison Officer, briefed us on his role and the Quality Parish and Town Council Scheme in Herefordshire

## **ANNUAL ASSEMBLY OF STANDARDS COMMITTEES**

14. We attended the Fourth Annual Assembly of Standards Committees held on 5/6 September 2005 at the International Conference Centre in Birmingham. We took an active part in the seminars and workshops, and after the Assembly suggested to David Prince, Chief Executive of the SBE, that the focus of the next Assembly should be on developing techniques and skills of Standards Committees, whose experiences vary widely. We also suggested that the conference papers should be distributed to delegates well in advance to allow more time for discussion. He was receptive to our ideas, and will explore the idea of an induction course for new Standards Committee members.

## **DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND**

15. We have considered progress reports on current investigations by the Standards Board for England.

## **MONITORING OFFICER**

16. We expressed our good wishes to Marie Rosenthal, who was relinquishing her role as County Secretary and Solicitor and Monitoring Officer to take up a Directorship at Swindon Borough Council. We are extremely grateful to her for her sound guidance and support since the Committee was established, and for the enormous amount of work that she has put into making it a success. Her commitment and enthusiasm have served the County very well.

**ROBERT ROGERS  
CHAIRMAN  
STANDARDS COMMITTEE**

**BACKGROUND PAPERS:**

- Agenda papers of the hearing of the Standards Committee held on 26 July 2005, and of the meeting held on 7 October 2005



## REPORT OF THE REGULATORY COMMITTEE

### Meetings Held on 23rd August and 25th October, 2005

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**Membership:**

**Councillors:** R.I. Matthews (Chairman), Brig. P. Jones CBE (Vice-Chairman) Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.G.S. Guthrie, J.W. Hope, T.W. Hunt, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin.

#### **HIGHWAYS ACT 1980 SECTION 119 PROPOSED PUBLIC PATH DIVERSION ORDER FOOTPATH CZ13 (PART) IN THE PARISH OF CRASWALL**

1. An application for a Public Path Diversion Order has been granted in respect of footpath CZ13 (Part) at Craswall. The application had been made to take the path away from a farm building and a house and garden at the 'Three Horseshoes'. An alternative route has been provided which is acceptable under the provisions of the Act following successful consultation with interested parties, the local parish council and the local Ward Councillor.

#### **KNOWLEDGE TEST – DUAL DRIVERS LICENCES – THE TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

2. The Committee has approved the introduction of a knowledge test as part of the application process for dual Hackney Carriage and Private Hire Drivers Licence applications. The test has been introduced for new applicants and investigation is being made into the costs of implementing it for existing licence holders.

#### **INCREASE IN HACKNEY CARRIAGE FARES 2005/2006 - THE TOWN POLICE CLAUSES ACT 1847 AND LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

3. The Committee has looked at the taxi fares which were last reviewed and increased in November 2004. Proposals for an increase in charges for taxi fares were published in the Hereford Times on 20 October 2005 with a two week period of consultation which is due to end on 3 November 2005. The fares are reviewed annually and the changes are due to be implemented in November 2005. The proposed increases are based on the annual inflation indices and also submissions from the Herefordshire Hackney Carriage and Private Hire Association. It is proposed that the fare increase should take effect from 7 November 2005 subject to the results of the consultation process being satisfactory.

#### **APPLICATIONS FOR DUAL HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

4. Ten applications for the renewal or grant of Hackney Carriage/Private Hire drivers licences were referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions. The applicants and their representatives gave details of the grounds for their applications and the provided the Committee with the circumstances about their offences.
5. Having considered all the facts put forward by the Licensing Manager, the applicants and their representatives, the Committee decided that the Licensing Manager should

be authorised to grant 4 applications because they considered that the applicants were fit and proper persons under the meaning of the Local Government (Miscellaneous Provisions) Act 1976. The Committee refused 6 applications because they considered that the applicants were not fit and proper persons under the meaning of the Local Government (Miscellaneous Provisions) Act 1976.

**R.I. MATTHEWS  
CHAIRMAN  
REGULATORY COMMITTEE**

#### **BACKGROUND PAPERS**

- Agenda papers from the meetings of the Regulatory Committee held on 23rd August and 25th October, 2005.

## REPORT OF THE PLANNING COMMITTEE

### Meeting Held on 26th August and 30th September, 2005

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**Membership:**

**Councillors:** TW Hunt (Chairman), JB Williams (Vice-Chairman),  
BF Ashton, MR Cunningham, Mrs CJ Davis, PJ Dauncey, DJ Fleet, PE Harling,  
JW Hope, B Hunt, Mrs JA Hyde, Brig P Jones CBE, Mrs RF Lincoln, RM Manning,  
RI Matthews, Mrs JE Pemberton, R Preece, Mrs SJ Robertson, DC Taylor,  
WJ Walling

#### REFERRED PLANNING APPLICATIONS

1. The following Planning Applications were determined by the Committee because (i) they related to the Council's own development or to the development of land owned by the Council; (ii) they were applications referred to the Committee by the Head of Planning Services because the Area Planning Sub-Committees are mindful to approval/refuse them contrary to officer recommendations and Council's Policies; or (iii) they were applications by Members or their relatives.
  - (a) DCNE2005/0709/F – Demolition of existing home and new build extra care home and day centre, with associated facilities at Leadon Bank Old Peoples Home, Orchard Lane, Ledbury, Herefordshire, HR8 1DQ FOR: Shaw Healthcare, Herefordshire Ltd per Pentan Partnership, Beaufort Studio, 1 Atlantic Wharf, Cardiff, CF10 4AH – approved as recommended
  - (b) DCSW2005/0720/F - Demolition of existing buildings and erection of 24 houses with parking and/or garages, together with associated roads and sewers, Land at Whitehouse Farm, Kingstone, Herefordshire – approved as recommended
  - (c) DCNE2005/1352/F - conversion of barns to one dwelling in support of agricultural holding at Upper House Barns, Putley, Herefordshire. HR8 2QR for: Messrs D J Pardoe Per Mr N J Teale, Brambles Farm, Naunton, Upton-Upon-Severn, Worcestershire WR8 0PZ - approved contrary to recommendation because of the exceptional need for the dwelling as part of the agricultural business
  - (c) DCNW2005/1542/O - demolition of existing dwelling, garage and outbuildings. site for construction of a residential development of six dwellings at Burnside, High Street, Leintwardine, Craven Arms, Herefordshire, SY7 0IQ For: Wicks Consultancy Per Mr Stephen Funge, Architectural Design, Dartmoor View, Queen Street Winkleigh, Devon, EX19 8JB – approved as recommended
  - (d) DCCW2005/2163/N - retention of earth bund at Hereford City Sports Club, Grandstand Road, Hereford, HR4 9NG FOR: Hereford City Sports Club Per TBA Consulting Engineers, Pitch Farm, Dilwyn, Hereford, HR4 8JH – refused as recommended
  - (e) DCCW2005/2654/F - change of use to public open space and provision of play equipment and kickabout area at land behind 10 - 80 Dorchester Way, Belmont, Hereford, HR2 7ZP for: Herefordshire Council per Parks & Countryside, Queenswood, P.O. Box 41, Leominster, Herefordshire, HR6 0ZA - deferred for a site inspection

(f) DCNE2005/2182/T - 14.7M high slim line telecommunications monopole, 2 no. antennae, cabinets and ancillary development at The Old Road adjacent to A449, Chances Pitch, Colwall, Malvern, WR13 6EJ - the Committee received details about the proposed erection of the Pole on Council owned land.

## **AREA PLANNING SUB-COMMITTEES**

2. Information reports have been received from the three Area Planning Sub-Committees which have dealt with the following matters:

### **(a) Northern**

The Sub-Committee has met on three occasions and has dealt with the planning applications referred to it as follows:-

- applications approved as recommended - 29
- applications refused as recommended - 2
- applications refused contrary to recommendation - 6 (not referred to Planning Committee by the Head of Planning services)
- applications approved contrary to recommendation – 0 (referred to Planning Committee by Head of Planning Services).
- deferred - 3
- site inspections - 5
- number of public speakers - 27 (10 supporters, 12 objectors, 5 parish councils)
- appeals - 5 have been received and 12 determined (2 withdrawn, 1 upheld and 9 dismissed).

### **(b) Central**

The Sub-Committee has met on three occasions and has dealt with the planning applications referred to it as follows:-

- applications approved as recommended – 19
- applications refused contrary to recommendation - 6 (not referred to the Head of Planning services)
- applications approved contrary to recommendation - 1 (not referred to the Head of Planning Services).
- deferred - 1
- site inspections - 6
- number of public speakers - 21 (5 parish, 8 supporters, 8 objectors)
- appeals - 6 appeals have been received and 4 determined (2 upheld and 2 dismissed).

### **(c) Southern**

The Sub-Committee has met on two occasions and has dealt with the planning applications referred to it as follows:-

- applications approved as recommended – 12
- applications refused as recommended – 1
- applications refused contrary to recommendation – 1 (not referred to the Head of Planning Services)
- applications approved contrary to recommendation - 1 (not referred to the Head of Planning Services).
- deferred - 0
- site inspections - 0
- number of public speakers - 4 (3 supporters, 1 objectors)
- appeals - 6 appeals have been received and 15 determined (1 upheld, 1 withdrawn, 13 dismissed).

### **WHITECROSS HIGH SCHOOL DEVELOPMENT BRIEF**

3. A draft Development Brief has been prepared for the existing Whitecross High School in Baggallay Street, Hereford and commended to the Cabinet Member (Environment) for public consultation. The Brief contains proposals which reflect those set out in the Herefordshire Unitary Development Plan Policy H2. The northern part of the site has been identified for approximately 60 dwellings, twenty-one of which will be affordable housing to meet local needs. It is also proposed that the site will accommodate a new educational establishment to fulfil the community element of the scheme. There will also be improvements to the open space to the benefit of the wider public and the new school site at Three Elms Road Hereford will provide a wide range of sporting facilities for the general public.

### **STATEMENT OF COMMUNITY INVOLVEMENT**

4. The Planning and Compulsory Purchase Act 2004 has introduced a new planning system which affects the way Development Plans are made and how planning applications are dealt with. The new system is intended to:
  - speed up Development Plan preparation;
  - be more effective in involving the community;
  - produce shorter, more flexible plans that were more responsive to change; and
  - draw together those strategies of other agencies which influenced the nature of places and how they functioned.

Under these arrangements (Local Planning) Authorities must prepare a Statement of Community Involvement (SCI) which sets out how the Council will consult on planning matters. The SCI forms part of a Local Development Framework which sets development plans for the next few years. It seeks to encourage the public to participate more directly in the preparation of planning documents and to be more aware of the medium and long term proposals which will affect their neighbourhood. It is hoped that this will help to strengthen the evidence base as well as encourage a sense of local ownership and commitment to plan policies and their delivery. It is also hoped that this approach will help to resolve conflicts and to reach a consensus on essential issues in the early stages of the process, thereby reducing the time taken

by Public Inquiries and revisions in the later stages. An SCI has been prepared and commended to the Cabinet Member (Environment) for approval.

### **ALMELEY PARISH PLAN**

5. The planning elements of the Almley Parish Plan have been commended to the Cabinet Member (Environment) for adoption as further planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation. The purpose of the Plan is to:

- set out the hopes and concerns of parishioners and proposals for meeting them over the next ten years; and
- guide the policies of the Parish Council in its work for the residents and in its dealings with outside bodies and individuals.

The Committee expressed its appreciation for the hard work undertaken by the local community in helping to prepare the document

**T.W. HUNT  
CHAIRMAN  
PLANNING COMMITTEE**

### **BACKGROUND PAPERS**

- Agenda for the meeting of the Planning Committee held on 26th August and 30th September, 2005.

## REPORT OF THE STRATEGIC MONITORING COMMITTEE

### Meetings Held on 26th September, 2005 and 14th October, 2005

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**Membership:**

Councillors: T.M. James (Chairman), Councillor Mrs. P.A. Andrews (Vice-Chairman), H. Bramer, W.L.S. Bowen, A.C.R. Chappell, J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes, J.P. Thomas, W.J.S. Thomas.

**BUDGET PREPARATION**

1. It was reported to Council in July that the Chairmen and Vice-Chairmen of the Scrutiny Committees had held a seminar with Directors to look at how to improve scrutiny in Herefordshire using the Centre for Public Scrutiny self-evaluation framework. An improvement plan agreed as a result was circulated to all Members of the Scrutiny Committees in September.
2. One part of that exercise focused on how scrutiny could effectively challenge the Authority's corporate strategy and budget. The Committee has now received a report on the preparation of the annual revenue and capital budgets. This set out the role of the Budget Panel in undertaking the detailed analysis of the budget and budget pressures before reporting on its findings and making initial recommendations to Cabinet and the acceptance to date that the Budget Panel should be representative of the political groups the executive and the scrutiny function.
3. The Committee was advised that it was important to review the effectiveness of the Budget Panel process and it was suggested that the appointment of the new Director of Resources provided an opportunity to do so. However, it was thought that it would not be practical to complete a review in time to contribute to the preparation of the 2006/07 budget and that the Director of Resources should therefore be asked to make recommendations to both the Committee and Cabinet on the process for the preparation of the 2007/08 budget.
4. The Committee has accepted the advice that a review of the process should take place with a view to any changes being implemented for the 2007/08 process. It has, however, also made the general observation that it would be helpful if provision could be made in the budget preparation timetable for a slightly longer period between the executive making a firm proposal and the recommendation of the budget to Council for adoption.
5. The Leader of the Council indicated his intention to re-emphasise to all Members the opportunity to make representations to Cabinet Members on their priorities as part of the 2006/07 process.

**CAPITAL STRATEGY**

6. The Committee has noted the position regarding the Council's revised Capital Strategy.
7. In discussing the Strategy it was suggested that Members of the Council were not sufficiently well informed about the Strategy and were unaware, for example, of the detail of the planned disposals of surplus Council properties consequent upon the Council's rationalisation of its accommodation in accordance with its Accommodation Strategy. The Leader of the Council has agreed to review current arrangements with the Group Leaders.

## **STAFF OPINION SURVEY**

8. The Committee has received an update on the findings of the Staff Opinion Survey 2005, noting the advice that the overall message from the survey was a positive one, although progress needed to be sustained.
9. The Committee acknowledged that there were sound reasons why it had been the practice in recent years not to include school based staff in the survey. However, given the developing agenda for Children's Services it has suggested that it might be timely to consider whether some form of survey of school based staff might be helpful.

## **REVIEW OF THE HEREFORDSHIRE PLAN**

10. The Committee has been informed of the work undertaken to date on the review of the Herefordshire Plan and the next steps in the review process.
11. It has noted that the Plan's new vision is that contained in the new Local Area Agreement ("*Herefordshire is a place where people, business and an outstanding natural environment will together bring about sustainable prosperity and well being for all*") and the new Plan is to be structured around the Agreement's four themes: economic development and enterprise, safer and stronger communities, children and young people and healthier communities and older people. The outcomes agreed within the Agreement are to form the major part of the Partnership's work plan.
12. The timetable presented to the Committee envisages a draft Herefordshire Plan and a first proposal for a new Herefordshire Partnership structure being circulated for consultation in November 2005. Consultees will involve those already involved in the first stage, and any other group or organisation who may be affected by the changes. Specific consultation meetings will be held with Ambition Groups and other Groups, and a specific Members briefing will be held on 22nd November 2005. After the consultation period the feedback will be analysed and changes made as appropriate. New ways of working in the Herefordshire Partnership will also be confirmed. It is intended that the new Herefordshire Plan will be launched in early 2006
13. The Committee has noted the position and requested that as part of the process consideration is given to ensuring that reporting on the work of the Partnership is improved, with future reports being standardised and providing clear evidence of progress against the Plan's objectives.

## **BEST VALUE REVIEWS**

14. It was reported to Council in July that given the resources involved in Best Value Reviews and the changes which had taken place since the introduction of the Best Value regime the Committee had called for a report on the future approach to the Best Value review process.
15. The Committee has been advised that whilst the original prescriptive Best Value Regime has been modified the broad principles for Best Value reviews remain. The Council's Corporate Plan is now its Best Value and Improvement Plan providing the basis for Best Value review.
16. The Committee has noted that it was for both it and the other scrutiny committees to consider which areas of the Corporate Plan should be made the subject of review as part of their work programmes.



## ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

17. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review), the first four of which are identified as key roles in the report on “The Development of Overview and Scrutiny in Local Government published by the Office of the Deputy Prime Minister”. Issues considered by the Strategic Monitoring Committee not all of which are dealt with above because they arise from its role in fulfilling its remit to scrutinise corporate matters, rather than being of Council-wide significance, are listed for completeness.
18. **The Adult Social Care and Strategic Housing Scrutiny Committee** held a short, formal meeting on 17th October, 2005 to consider performance information and the budget. The Committee has noted the increase in the projected overspends on both adult social care and the strategic housing budget. It has recommended that the Cabinet Member
19. The meeting was followed by an informal homelessness scrutiny event for Members of the Committee and key stakeholders. The outcomes will inform the Committee’s ongoing work on the major issue of homelessness in the County.
20. **The Children’s Services Scrutiny Committee** met on 3 October 2005 and considered the following issues:

| Theme   | Reports                         |
|---|---------------------------------|
| Holding the Executive to Account                |                                 |
| Best Value Reviews                              |                                 |
| Policy Development and Review                   | Briefing on School Support      |
| External Scrutiny                               |                                 |
| Improvement (Performance Management and Review) | Inspection of Fostering Service |
| Other   | Review of Co-opted Membership   |

21. **The Community Services Scrutiny Committee** met on 5 October 2005 in the evening in Ledbury and considered the following issues:

| Theme   | Reports  |
|---|--|
| Holding the Executive to Account                | Presentation by Cabinet Members (Rural Regeneration and Strategy) and (Community Services).  |
| Best Value Reviews                              |  |
| Policy Development and Review                   | Herefordshire Festivals 2004/05<br>Youth Matters – Green Paper<br>Ledbury Library and Tourist Information Service<br>Review of The Courtyard Centre for the Arts |
| External Scrutiny                               |  |
| Improvement (Performance Management and Review) | Community Services Performance Report  |
| Other   | -  |

22. The meeting attracted about 35 members of the public and generated some lively debate on both the relocation of the Ledbury library and tourist information centre and the development of festivals in Herefordshire. It also provided a public forum for

the Cabinet Members (Rural Regeneration and Strategy) and (Community Services) to comment on policy issues affecting their programme areas, their main priorities and answer questions.

23. The Committee's scrutiny review of how to retain 18-35 year olds within Herefordshire or attract them to the County is progressing.
24. **The Environment Scrutiny Committee** met on 26th September 2005 to consider the Environment Agency's management of flood risk on main rivers in Herefordshire, highlighting to the Agency a range of issues affecting the County. The meeting was productive with the Agency explaining their role and responsibilities in relation to flood management rather than defence and how their management in the region had changed since the reorganisation of the Agency. The Committee questioned the Agency on a number of strategic issues of importance to the County including the future funding of schemes, the accuracy of flood maps, and progress being made on the flood defence scheme near Belmont roundabout in Hereford. This was a further example of the Committee's work in scrutinising external agencies following its scrutiny of the Highways Agency's management of trunk roads in Herefordshire earlier in the year.
25. The Committee held a further meeting on 24 October to consider progress on the voluntary code of practice for the use of polytunnels in Herefordshire, the biodiversity conservation strategic framework and budget and performance monitoring reports. The update on the voluntary code of practice for the use of polytunnels in the light of experience of the 2005 growing season attracted 25 members of the public to the meeting. A number of questions were also submitted in accordance with the enhanced provisions for public involvement in scrutiny committee meetings. A review of the Code's operation is scheduled to be undertaken in 2006.
26. **The Health Scrutiny Committee** met on 22 September, 2005 and considered the following issues:

| Theme   | Reports  |
|---|--|
| Holding the Executive to Account                |  |
| Best Value Reviews                              |  |
| Policy Development and Review                   | Follow up to Review of The Management of the outbreak of Legionnaires Disease in Herefordshire   |
| External Scrutiny                               | Presentations by the Chief Executives of the Herefordshire Primary Care Trust and the Hereford Hospitals NHS Trust.<br>Update on Reviews of Communication and GP Out of Hours Services |
| Improvement (Performance Management and Review) |  |
| Other   | Response to National Health Service Organisational Change<br>Presentation on Health Commission Health Check  |

27. The Committee is making progress on its reviews of Communication and the GP out of hours service and the Council will be advised of the findings.

28. The business conducted by the **Strategic Monitoring Committee** at its meetings on 26th September and 14th October, 2005 is summarised below.

| Theme   | Reports  |
|---|--|
| Holding the Executive to Account                | Call in of Cabinet Decision to relocate the livestock market<br>Budget Consideration   |
| Best Value Reviews                              | Best Value Review Process  |
| Policy Development and Review                   | Capital Strategy<br>Review of the Herefordshire Plan<br>Review of the Strategic Service Delivery Partnership<br>Review of ICT services |
| External Scrutiny                               |  |
| Improvement (Performance Management and Review) | Staff Opinion Survey   |
| Other   |  |

29. As referred to in the Cabinet report to Council the Committee called-in Cabinet's decision to identify a preferred site for a new rural business park which would incorporate a new livestock market in a location at Stretton Sugwas. The Cabinet Member (Rural Regeneration and Strategy) informed the Committee that he proposed to recommend to Cabinet that all options for a site to the north west of Hereford City (the north west quadrant) should be examined with full public consultation. The Committee recommended that the Cabinet should start again as the Cabinet Member proposed. It added that in considering alternative sites Cabinet needed to be mindful of environmental issues such as flooding, and terrain and consider carefully whether it was realistic to seek to link a livestock market to a rural business park and ensure that the report to Cabinet on options would be detailed and robust including a clear assessment of the costs of each of the options and in particular the cost to the Council of developing a site outside its ownership
30. Cabinet subsequently amended its original decision and consideration of the options is now underway.
31. The Committee has also commenced its review of the Council's Strategic Service Delivery Partnership with a review of ICT services to follow later in the year.

**T.M. JAMES**  
**CHAIRMAN**  
**STRATEGIC MONITORING COMMITTEE**

**BACKGROUND PAPERS**

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 26th September and 14th October, 2005.



## **REPORT OF THE AUDIT COMMITTEE**

### **Meeting held on 30th September, 2005.**

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#### **Membership:**

Councillors: A.C.R. Chappell (Chairman), Mrs. P.A. Andrews, Mrs. J.P. French, T.M. James, R.I. Matthews, R.J. Phillips, Mrs. S.J. Robertson.

#### **CHAIRMAN**

1. Councillor A.C.R. Chappell was elected Chairman of the Committee for the ensuing year.

#### **AUDIT COMMITTEE TERMS OF REFERENCE**

2. Council, at its meeting on 29th July, 2005, agreed that an Audit Committee be established with membership broadly reflecting the political proportionality of the Council. At this, its inaugural meeting, the Committee has noted its terms of reference which are: to provide independent assurance of the adequacy of the Council's risk management framework and the associated control environment. Also independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment and to oversee the financial reporting process.
3. In order to ensure its independent status the Committee has elected a Chairman who is not a member of the Executive. It has proposed that for the future, the membership of the committee be revised to allow a Chairmen who is not an elected Member.

#### **CIPFA POSITION STATEMENT ON AUDIT COMMITTEES**

4. The Committee has received a position statement from CIPFA which recognises that individual councils will have different arrangements for managing and governing themselves. However, it has identified a number of features which should be common to all. A Statement of Purpose should be approved which identifies core functions, highlights good Audit Committee characteristics and highlights structure and administration good practice. The Position Statement is being developed into practical guidance which will be made available shortly. The Committee will receive an update as the position develops. The Committee felt that having a non-elected member as Chairman would be key to demonstrating the Committee's independence from Cabinet and Scrutiny.

## **EXTERNAL AUDIT 2004/05**

5. The Committee has received a progress report as the external audit for the financial year 2004/05 approaches its conclusion. A number of issues have been raised by the Auditors and ongoing discussions are taking place. A copy of the final Statement of Accounts will be circulated to all Members when approved.

## **AUDIT SERVICES ASSURANCE REPORT**

6. The Committee has considered a report on Audit Services activity during the year 2004/05 and on the council's overall level of internal control. It has noted that the Audit Opinion is satisfactory. Two areas identified for attention are the Council's overall business continuity arrangements and the overspend in the Social Care budget. The Committee has discussed the benefits of the Emergency Planning Unit reporting directly to this Committee on this aspect of its work. It has noted that an action plan has been put in place to minimise the risk relating to the Social Care budget. This includes control of spending decisions relating to non-staffing budgets; modernisation of the Learning Disability Service to include assessment practice improvements, accommodation and modernisation of day opportunities, and negotiations with the Primary Care Trust on sharing risk.

## **CORPORATE INTERNAL CONTROL AUDIT OPINION 2004/05**

7. To comply with the CIPFA Code of Practice for Internal Audit in Local Government, the Committee has considered a report on the approach and level of the Audit Opinion on the Council's overall internal control environment, based on the Audit Strategy, which was previously approved by Cabinet. The Head of Internal Audit has reported a satisfactory system of internal control.

## **FUNDAMENTAL SYSTEMS, AUDIT OPINIONS AND RESULTING RECOMMENDATIONS**

8. The Committee has received a progress report on the Council's fundamental Systems, the types of Audit Opinion given by Audit Services and the proposed action that will be taken by Audit Services on critical audit recommendations. The Council has currently identified 17 systems as business critical. All Fundamental Systems are reviewed annually and the procedure notes updated.
9. As part of the audit process, all audit reviews are given an audit opinion ranging from unsound (major risks identified; fundamental improvements are required) to good (a few minor recommendations (if any)). In addition audit recommendations are ranked in relation to their level of risk. It is intended that all recommendations at Level 1/Critical (non-compliance will be a high risk to the Council), and the actions taken by management, will be reported to the Audit Committee.

## **CORPORATE RISK MANAGEMENT AND AUDIT PLANNING**

10. The Committee has received a report on the link between the Council's Corporate Risk Management and Audit Planning. It has noted that a revised Risk Management Strategy had been approved by Cabinet on 15th April, 2004. The approach to preparing the Annual and Strategic Plan is based upon the Council's Risk Strategy and covers risk assessments in the following areas: fundamental systems, non-fundamental systems, corporate governance arrangements to include anti-fraud arrangements, best value performance indicators, risk management arrangements, ICT protocols and controls, establishment visits and verification and probity reviews. In addition to each area being assessed for potential risk, consideration is also given to residual risk for specific functions or establishments based on their last audit opinion and current knowledge, including risk management reports to the Corporate Management Board. The final version of the Audit Plan is cross referenced to the Corporate and Directorate Risk Registers.

**A.C.R. CHAPPELL  
CHAIRMAN  
AUDIT COMMITTEE**

### **BACKGROUND PAPERS**

- Agenda papers of the meeting of the Audit Committee held on 30th September, 2005.





## REPORT OF THE INDEPENDENT REMUNERATION PANEL

### Meeting Held on 3 October 2005

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#### Membership:

R Hunt (Personnel Manager, (Special Metals, Wiggins Ltd)  
W Lindesay (Chief Executive, Herefordshire Voluntary Action)  
S Marlor (Financial Controller, Sun Valley Foods Ltd)  
Ms L Griffin (Editor, The Hereford Times)  
C Osborne (Editor Hereford/Ross/Leominster Journal)  
E Clark (Branch Secretary, UNISON)

#### HEREFORDSHIRE COUNCIL - MEMBERS' ALLOWANCES

The Panel has received a written report on a meeting organised by Bath and North East Somerset Council for Chairs of Independent Panels and their advisers together with an oral update on a similar meeting organised by the Institute of Local Government Studies.

Issues discussed at the meetings included:

roles and responsibilities of the Panel including recruitment and retention/replacement of members

a discussion on the level of Basic Allowances and variations across the country;

a recommendation that Panels should identify exactly what the Basic Allowance was intended to cover;

Special Responsibility Allowance and how it relates to the Basic Allowance;

Transparency and Accountability;

Dependent Carers' Allowance

Travel and Subsistence;

Co-optees Allowance;

Pensions for Councillors;

Rewards for Licensing Committee Members;

Performance Management;

Allowances for Parish and Town Councillors.

The Panel was particularly interested in the issue of performance management which it suggested may be an area for it to explore in the future.

The Panel has considered the additional workload and responsibility of the Chairman of the Regulatory Committee following the recent introduction of the Licensing Act 2004 and recommends an increase as set out below, pending further analysis of the workload and frequency of meetings once the initial round of applications has been completed.

The Panel recognised the need to meet again to re-consider the Allowances Scheme prior to the Herefordshire Council elections in May 2007.

#### RECOMMENDATIONS:

**That (a) The Councillors' Allowances Scheme be amended to provide that the Special Responsibility Allowance payable to the Chairman of the Council's Regulatory Committee be increased from Band 4 to Band 3 on an interim basis until the next review of the scheme, from 1 April 2005, to reflect the recent increase in responsibility**

and frequency of meetings;

- (b) **the Panel meet during 2006/07 to review the Council's Members' Allowance Scheme in advance of the May 2007 local elections and taking into account practice elsewhere in the County; and**
- (c) **work be carried out on measurement of Members' performance and a report submitted to a future appropriate meeting.**

## **TOWN AND PARISH COUNCIL ALLOWANCES**

The Panel has received a report in response to a request from the Herefordshire Association of Local Councils (HALC) that the Panel consider the payment of allowances to town and parish councillors. The issue arose as a result of recent changes in the law which permit allowances to be paid to parish councillors, and a recent request from Breinton Parish Council.

The Panel has considered the request and expressed the view that it would not wish parish councillors to be out of pocket as a result of their voluntary activities as parish councillors. They have therefore recommended that town and parish councillors be eligible to claim travel expenses. However, as most meetings take place in the evening, it does not feel it appropriate to recommend a subsistence allowance.

As HALC has not expressed any opinion in favour or against the payment of allowances to parish councils, the Panel requested that its views, together with the views of the Market Towns Councils and Hereford City Council be sought and, if they are in favour, they should be requested to present information on time commitment and level of responsibility and supporting material to the Panel for further consideration.

## **RECOMMENDATION**

- That**
- (a) **Town and Parish Councillors be eligible to claim reimbursement for travel associated with their parish council duties at the same level as Herefordshire Council elected Members (currently 40p per mile);and**
  - (b) **before any recommendation be made by the Panel on level of allowances, HALC, the Market Town Councils and Hereford City be asked about interest in introducing a scheme for payment of a Parish Basic Allowance, and, if interested, to present information on time commitment and level of responsibility and comment in support.**

**17. CASUAL VACANCY IN THE TUPSLEY WARD****Report By: Returning Officer****Wards Affected**

Tupsley.

**Purpose**

1. To formally receive notice of the death of Councillor G.V. Hyde and to note the steps to be followed to fill the resulting casual vacancy in Tupsley Ward.

**Financial Implications**

2. The revenue budget includes provision for meeting the costs of elections to fill casual vacancies.

**Notice of Casual Vacancy**

3. Notice of the casual vacancy in Tupsley Ward was given in the edition of the Hereford Times published on 29th September, 2005 and by public notice in the Tupsley Ward of the Parish of Hereford.
4. An election to fill the vacancy is required to be held within 35 days after notice in writing requesting an election is given to the Chief Executive, as Returning Officer, by two local government electors for the area. Saturdays, Sundays and Bank Holidays do not count in the calculation of the 35 days.
5. The requisite notices have now been received and an election to fill the casual vacancy will take place on Thursday, 1st December 2005 in conjunction with an election to fill the casual vacancy in the Tupsley Ward of the Parish of Hereford.

**RECOMMENDATION****THAT the information be noted.****BACKGROUND PAPERS**

None identified.



**REPORT OF THE MEETING OF THE  
WEST MERCIA POLICE AUTHORITY  
HELD ON 20 SEPTEMBER 2005**

***Deputy Chief Constable***

1. The members of the Authority have paid tribute to the Deputy Chief Constable, Mr Alan Bridge, who retires in October 2005 after thirty-five years of public service, the last three and a half years of which have been with West Mercia Constabulary. Mr Ian Arundale, who is currently Assistant Chief Constable, will succeed him.

***Honours and Awards***

2. The Authority has recorded its congratulations to Miss Louise Hickey (Senior Contracts Manager), PC Julian Turner and Mr Mike Watkins (Traffic Warden) on their award of MBEs in the Queen's Birthday Honours. The Authority also congratulated Sergeant Roberts Matthews on winning the Police Federation/Sun's Regional Bravery Award and Mr Nigel Waterworth who won the national Ferrers Trophy for the Special Constabulary.

***Police Restructuring***

3. Arising from the publication of a Her Majesty's Inspectorate of Constabulary report 'Closing the Gap', the Home Secretary has outlined his proposals for significant changes to the manner in which police forces in England and Wales are structured to deliver effective policing services to the public and in particular to deliver what are termed 'Protective Services'.

4. The Home Secretary has identified four key levels of policing:

- Strong, local neighbourhood policing presence, so that every citizen knows their local police.
- Strong basic command presence.
- A Strategic level above that for the wider issues.
- A national level to address national issues and challenges.

5. Options for change include greater collaboration, lead specialist forces, lead regional forces, federation of forces, the creation of new and strategic forces, with the Home Secretary making the latter his clear preference.

6. The Police Authority is convinced that people living in the West Mercia Constabulary area already receive very good policing service given current levels of funding. The force has outstanding performance figures, which compare very favourably nationally and has made significant advances in tackling criminality at local and regional level and in refocusing its activities in order to ensure it is best placed to deliver even more 'local policing' in line with the Government's Police Reform agenda.

7. Over the next couple of months the Police Authority will be considering the options and will be consulting with stakeholders to ensure that all views and suggestions are taken into consideration in determining the best way forward.

### ***Annual Report 2004/2005***

8. The Authority has agreed the Annual Report for 2004/2005 on the policing of the area and this will be available on the internet at [www.westmercia.police.uk](http://www.westmercia.police.uk) .

9. The excellent performance delivered by the Constabulary over the last year is a credit to the officers and staff who have worked relentlessly on behalf of their local communities, both on the front line and behind the scenes.

10. The Authority and the Constabulary place great importance on listening to the needs and concerns of local people and ensuring that they have a voice in how their neighbourhood is policed. This helps form strong relationships which result in citizens being willing and able to play an active role in the fight against crime.

11. Regular surveys are carried out to ensure that the delivery of services is appropriate and sensitive to individual people's needs. For example, there are 140,000 people in West Mercia who have some form of hearing or speech impairment and a text messaging system has recently been introduced to make it easier for those who find it difficult to dial 999 in an emergency.

12. The year has seen continued recruitment campaigns including a successful Positive Action drive to encourage more applications from minority ethnic groups and women. 2005 also saw the publishing of revised Race Equality Schemes for both the Authority and Constabulary and these set out how equality of opportunity will be promoted for all employees and equality of service for all communities.

13. Successes in tackling drugs crime led to national recognition for the Constabulary. Over £370,000 in assets and cash was seized and retained from a Shropshire drug dealer and an operation in Worcestershire has led to a significant impact being made on the supply of Class A drugs in the area. This has helped rebuild community confidence through a sustained campaign targeting street dealers.

14. The 'Knock knock' campaign, aimed at cracking distraction burglaries – people who trick their way into people's homes to steal, often targeting elderly people – was also successful and combined with on-going work with Trading Standards, has led to a 13% reduction in this type of crime.

15. Operation Turn Up, launched in February 2005, put 401 bail dodgers back before the courts. The initiative led by the Constabulary, on behalf of the Local Criminal Justice Board, targeted individuals who had 'Failed to Appear' warrants issued against them.

16. Providing reassurance to communities by increasing the visible presence of police officers and community support officers on patrol is an important priority. Much work was done in this particular aspect of policing especially at Christmas with Operation Crackdown (to address alcohol related crime) and throughout the year by

putting more officers on the street and working with licensees to discourage binge drinking.

17. Being located between the West Midlands conurbation and Wales, West Mercia's roads are very popular with motorcyclists. Although motorcyclists account for only 1% of traffic, they account for one sixth of all road deaths. The 'Knights of the Road' initiative has focused on enforcing speed limits on the most dangerous routes while continuing to provide riders with a chance to improve their skills through the Bikesafe scheme. Other traffic campaigns have included the use of seatbelts and enforcement activities targeted at collision hotspots.

### ***Summary Policing Plan***

18. The Summary Policing Plan, which sets out the Force's key priorities for 2005/06, will also be available on the Authority's website at [www.westmercia.police.uk](http://www.westmercia.police.uk) and copies will be distributed to local authorities and police/community consultative groups. Copies are also available from the Director's office.

### ***Financial Results 2004/2005***

19. The financial results for 2004/2005 revealed that the gross cost of operational policing activity had increased by 7.8% over the previous year to £166.6m.

20. The 2004/05 budget improved a number of operational activities including providing additional resources for tackling regional crime and supervising front line officers. In addition, procedures for call handling, court case preparation, performance management and embracing diversity were strengthened.

21. Whilst at the same time improving the level of service in 2004/05 and for future years, the Authority was successful in continuing its strategy to strengthen the Authority's financial reserves.

### ***Formula Grant Distribution***

22. The Office of the Deputy Prime Minister (ODPM) has issued a discussion paper about proposed changes to the distribution of grants to local authorities and police authorities.

23. The proposals would see West Mercia receiving only the minimum levels of grant increases and is, therefore bad news. The underlying trend of Government grant allocation has always appeared to disadvantage this area, a point that has been consistently made to the thirteen local MPs.

24. The range of reduction in government support is exemplified to be between £5.4m and £10.5m, which would represent a very significant reduction in available resources.

25. The Police Authority has made a submission to the ODPM setting the case for West Mercia and will be arranging appropriate briefings with local MPs and partner agencies.

### ***Leominster Police Station***

26. Plans to increase the police presence in Leominster by building a larger station and doubling the number of custody cells have been approved. The £4.3m scheme will, subject to planning approval, involve the building of a new station off Southern Avenue in Leominster and will provide accommodation for other partner organisations, including the Crown Prosecution Service.

27. The existing station at Ryelands Road will eventually be sold to offset the cost of the new development. It is intended to maintain a police base in the town centre and possible locations are being explored with partner agencies.

### ***Sponsorship***

28. During 2004/2005 West Mercia Constabulary received sponsorship to the value of £34,926. Sponsorship of vehicles amounted to £22,740 and £12,186 related to other donations.

### ***Direction and Control Complaints***

29. The Police Authority and Chief Constable have agreed a protocol for handling complaints from members of the public relating to the direction and control of the force. These types of complaints relate to operational policing policies, organisational decisions, general policing standards in the force and operational management decisions, rather than complaints against the conduct of police officers and staff for which a statutory procedure is already in place.

30. Issues concerning the direction and control of a force, by their nature, have the potential to have an impact on a force's efficiency and effectiveness. The Police Authority has a statutory responsibility for the efficiency and effectiveness of its police force and it is also accountable to local communities for the delivery of policing. Reports will be presented to the Human Resources Management Panel of the Police Authority, including any identifiable trends.

### ***Stop and Search***

31. During 2004/2005 there were 10,100 Stop Searches recorded under the Police and Criminal Evidence Act in West Mercia, representing a 43.28% increase on the previous year.

32. Drugs accounted for 41% of searches and were the most frequent object of search followed by Stolen Property. The Force recorded a positive search rate of 19.75%, which was reasonably consistent across all Divisions.

33. The arrest rate across the Force is 17%, which is well above the national average, and as in the previous year the greatest numbers of arrests arose from searches for stolen property.

34. The greatest number of searches was on people aged between 10 and 19 years, followed by the 20 to 29 years age group. In total these two age groups accounted for 81% of all searches.



35. When people are stopped they are asked to state their ethnicity based on the 16+1-ethnicity classification system. West Mercia's figures indicate that the rate of Stops for people from Minority Ethnic Groups is 8.86 per 1000 of the resident population and for white people 7.88 per 1000 of the resident population.

36. Further details about the use of Stop and Search and people's rights can be found on the Authority's website at [www.westmercia.police.uk](http://www.westmercia.police.uk). Leaflets are also available at police stations and from the Director of the Police Authority's office.

### ***Livescan Fingerprint Service***

37. Livescan is a digital on-line facility in custody suites, which links a person's fingerprints to the national fingerprint database and provides an identification of the subject instantly. It replaces the old style ink-and-paper fingerprint record, which entails a delay of several days before computerised links can be made.

38. The custody suite at Worcester has had the benefit of a Livescan unit for several years and the Authority has agreed to extend this facility to the other custody sites over the next two years, in line with the Home Office's national plan to make greater use of the National Fingerprint Board's service.

### ***Independent Custody Visiting Scheme***

39. The Independent Custody Visitors Scheme provides the opportunity for members of the local community to observe, comment and report upon the conditions under which people are detained in police stations, and the operation in practice of the statutory and other rules governing their welfare, with a view to securing greater public understanding of these matters.

40. The Independent Custody Visitors are volunteers and during 2004/2005 they made a total of 306 visits. This meant that the Police Authority's target for each of the six designated stations (Hereford, Kidderminster, Redditch, Shrewsbury, Telford and Worcester) to be visited on a weekly visit was achieved in respect of two stations and that the overall performance was 94%. This was an excellent achievement and testimony to the dedication shown by the Area Panel Co-ordinators and Independent Custody Visitors (ICVs).

41. There were 1153 people in police custody at the time of the visits and of these 614 (53%) consented to a visit.

42. Whilst there were no major areas of concern where issues were raised these were dealt with satisfactorily and reported to the Police Authority as appropriate. Issues raised included the effectiveness of the heating and cooling systems in custody units and this is an area that will be subject to specific monitoring during the coming year.

43. Both the Herefordshire and Shropshire Panels have commented for some time on the overall adequacies of the custody facilities at Hereford and Shrewsbury and, therefore, welcomed the decision of the Police Authority to improve the custody facilities in these two counties.

44. There are at present 70 ICVs across West Mercia and the Police Authority is always keen to recruit. Applications are welcome from all people over the age of eighteen and the Police Authority is particularly keen to encourage people in the 20 - 40 year age bracket and those from ethnic minority backgrounds as they are currently under-represented. Application forms and further details are available from the Director of the Police Authority's office.

Signed on behalf of the  
West Mercia Police Authority

Paul Deneen  
Chair

*Further Information*

Any person wishing to seek further information on the subject matter of this report should contact David Brierley or Ian Payne on Shrewsbury (01743) 344314

*List of Background Papers*

In the opinion of the proper officer (in this case the Director of the Police Authority) the following are the background papers relating to the subject matter of this report:

Agenda papers for the Annual Meeting of the West Mercia Police Authority held on 20 September 2005.

# REPORT OF THE HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY TO THE CONSTITUENT AUTHORITIES

Meetings Held on 13 June 2005 and 23 September 2005.

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## OPERATIONAL ACTIVITY

1. During the period 1 April 2005 to 30 September 2005 the Service attended a total of 4,885 incidents. (This includes all types of Fire, All False Alarms and Special Service Incidents). More statistics and details of notable incidents have been reported to the Authority and can be found on the Service's website ([www.hwfire.org.uk](http://www.hwfire.org.uk)).

## CHIEF FIRE OFFICER'S FIRST IMPRESSIONS

2. The Chief Fire Officer has reported to the Authority on his first impressions of the organisation. These were formed following a series of visits and discussions undertaken with the aim of meeting as many members of staff as he could to discuss issues affecting the Service and gain a feel for the organisation.
3. His findings were that the Service had much to be proud of and was undertaking a number of cutting edge initiatives. Whilst challenges lay ahead foundation stones in place included great people proud of the job they did, great frontline kit and the conclusion, supported by current statistics and public satisfaction levels, that a great service was being provided.
4. He explained that these initial findings would now be analysed. Whilst it had already been possible to address some practical issues identified, through efficiencies within existing budgets, other matters would be considered through the existing business planning processes.

## COMPREHENSIVE PERFORMANCE ASSESSMENT

5. In July 2005 the Audit Commission published the result of its assessment of Fire Services in England under the Comprehensive Performance Assessment process. This placed Services in five categories: excellent, good, fair, weak and poor.
6. The Authority was rated in the "good" category. Of the 47 Services assessed only 2 were rated excellent, with 20 rated good, and 25 in the other categories. Only five authorities achieved a higher "raw score" than Hereford & Worcester.
7. The Authority has welcomed this positive result and noted the Chief Fire Officer's intention to continue to strive toward excellence.

## INTEGRATED RISK MANAGEMENT PLAN

8. The Constituent Authorities have previously been advised of the requirement under the Fire and Rescue National Framework that all Fire and Rescue Services must produce an Integrated Risk Management Plan (IRMP) and associated annual action plans. The purpose of the Plan is to provide a strategic overview of all aspects of service delivery and determine current and future policy. It is intended to make the service more responsive to locally identified needs and better able to deliver community safety. Plans must undergo a full public consultation process for twelve

weeks before being adopted by the Authority.

9. The Authority's first IRMP was approved in December 2003 for the period 2004/2005. Many of the original objectives have either been completed or become statutory duties under the Fire and Rescue Services Act 2004 and are now core activities for the Service. Those not yet completed are ongoing and contained within the Annual Action Plan.
10. The Authority has now approved a draft Plan for consultation covering the period 2006-09.
11. The main themes of the proposals in the draft Plan are:
  - Strengthen capacity to improve community safety and reduce risk;
  - Ensure that operational resources are best aligned to areas of greatest risk and need;
  - Realign management resources in order to improve support to frontline services.
  - Update incident command structures and arrangements to assess operational performance;
  - Provide improved support to Fire Stations in rural areas and those Firefighters who work the retained duty system;
  - Prepare for anticipated changes to fire safety legislation and enforcement, principally the Regulatory Reform (Fire Safety) Order; and
  - Ensure that Fire Stations are appropriately located and have the necessary facilities to provide an efficient, effective and economic service in compliance with statutory duties.
12. The draft Plan contains five new objectives in support of these proposals which include:
  - Changing the crewing arrangements for the second fire appliances at Kidderminster and Redditch (increasing the number of wholetime Firefighters at Kidderminster and Redditch Fire Stations during daytime hours thereby providing a faster response to fires and other emergencies and increasing capacity to deliver community safety programmes);
  - Relocating a number of Fire Stations within the Service area using the national Fire Service Emergency Cover model to help identify the most appropriate sites. (It is planned to relocate and build new Fire Stations, in the following Towns: Bromsgrove, Hereford, Pebworth, Redditch, Worcester (2 sites), Droitwich and Malvern);
  - Reducing the number of staff conditioned to the flexible duty system;
  - Improving the management and support to Retained Stations and rural areas; and
  - Improving capacity to deliver fire safety in support of the Regulatory Reform (Fire Safety) Order.
13. The consultation period runs until 12th December 2005. Copies of the draft Plan are available on the Authority's website ([www.hwfire.org.uk](http://www.hwfire.org.uk)) or upon request to Service Headquarters (2 Kings Court, Charles Hastings Way, Worcester WR5 1JR (Tel 0845 12 24454). A series of consultation events will also be held across the two Counties.

## **REGIONAL FIRE CONTROL CENTRE**

14. In 2004 the Government initiated a project as part of its modernisation of the Fire and Rescue Service to replace the existing 46 local Fire Service control rooms across the Country with 9 regional control centres by the end of 2009.
15. The Authority was informed of the Government's announcement in August 2005 that the Regional Fire Control for the West Midlands was to be located in Wolverhampton, with the expectation that a new Centre would be operational by 2008-09.
16. Government expectations are that the regional fire control project will deliver an improved service at local level as well as when dealing with major or widespread incidents. As with any major project there are a number of risks and these are being addressed by a national project team.
17. However, the Authority has been advised that there are also a number of significant local risks for the Authority in the short to medium term. These include the maintenance of existing control and communications provision; the continued ability to deliver locally determined and locally accountable services; the costs during the project phase in retaining key staff, supporting existing ageing systems, regional project work and the eventual contributions to the running costs of the regional control and the expected operating costs of the replacement radio system; and the implications for the Authority's medium to long term planning in terms of service delivery, ICT provision, property and finance given that much of the detail of the fire control project is still awaited.
18. The Authority has been assured that work is being undertaken at local level to manage these risks, which were not unique to the Authority, and that teams at local, regional and national level were working to ensure that the project was successful. It has noted that managing the risk will nevertheless be complex and time consuming, posing a significant additional burden for the Authority.
19. The Authority has authorised the Chief Fire Officer to write to the ODPM expressing concerns about the significant local risks which had been identified as facing the Authority and seeking the ODPM's constructive engagement in reducing these risks. The Authority will also receive regular reports as the project progresses.

## **URBAN SEARCH AND RESCUE**

20. The national New Dimension Programme was designed to provide the Fire and Rescue Service with a national capability to respond to major emergencies. One part of the programme includes the development of a national Urban Search and Rescue (USAR) capability. Each USAR unit consists of four large containers and a van for canine transport. The containers will carry a range of equipment for heavy lifting, shoring, lighting, cutting and drilling.
21. The Authority was one of 16 Fire and Rescue Authorities approached to take provision of USAR facilities largely based upon its geographical location but also due to the Authority's perceived ability to deliver the service.
22. The Authority has been informed of the staffing and financial arrangements associated with the project and that it will not have an adverse impact on the Service. It has, therefore, accepted the Office of the Deputy Prime Minister's (ODPM) request to take receipt of a Unit.

## **CIVIL CONTINGENCIES ACT 2004**

23. Following the fuel crisis and the severe flooding in Autumn/Winter 2000, the Deputy Prime Minister announced a review of emergency planning arrangements. The review concluded that existing legislation no longer provided an adequate framework for modern civil protection efforts and that new legislation was needed.
24. The Civil Contingencies Act 2004 will deliver a single framework for civil protection in the United Kingdom to meet the challenges of the 21st century and is in two parts: local arrangements for civil protection (Part 1) and emergency powers (Part 2). The overall objective is to modernise outdated legislation.
25. Part 1 of the Act establishes a new statutory framework for civil protection at the local level. This sets out clear expectations and responsibilities for front line (Category 1) responders at the local level (local authorities, emergency services, national health service bodies and the Environment Agency to ensure that they are prepared to deal effectively with the full range of emergencies. Part 2 of the Act allows the making of special temporary legislation to deal with the most serious of emergencies.
26. The Authority has been advised of the steps the Service has taken to ensure compliance with the Act.

## **ARRANGEMENTS FOR MANAGING MAJOR INCIDENTS**

27. In the light of the bombings in London in the summer the Service has reviewed practices and procedures for dealing with potential terrorist events and major incidents. Particular attention has been paid to communication and command structures for dealing with major incidents, and the practical and support arrangements required to deploy resources from Hereford & Worcester in support of a major incident elsewhere in the Country. This work included reviewing the arrangements for receiving and handling security information with partners in West Mercia Constabulary.
28. A bomb scare in Birmingham City Centre in July necessitated the evacuation of over 20,000 people. Although the incident proved to be a false alarm and no resources were eventually deployed from Hereford & Worcester, the advantages of having improved command and communication links with colleagues across the region was clearly demonstrated. Lessons learned are to be considered by the Regional Resilience Forum.

## **THE MANAGEMENT OF MAJOR FLOODING EVENTS**

29. Increasingly frequent devastating flood events, both in the UK and around the world, have raised a number of issues for Emergency Services. In Herefordshire and Worcestershire the natural geography places many of communities at risk from significant flooding events making it an important issue for the Service.
30. The Chief Fire Officer has been extensively involved in this area of work, and was recently invited to address a national conference, outlining progress being made within the UK to manage incidents of this type. Other speakers came from North Carolina in the United States, sharing the lessons they had learnt from managing the consequences of widespread flooding following hurricanes.
31. There is a growing international interest in how major flooding events can be managed, both to save lives and to mitigate the long-term consequences for the communities affected. The subject will be raised at this year's national Fire Conference in Manchester and the Chief Fire Officer has been invited to chair the session. His American colleagues will also be addressing the conference, and whilst visiting the UK, will be coming to Hereford & Worcester to evaluate the Service's

practices and procedures with a view to establishing best practice guidelines.

32. A local seminar was held at Service Headquarters on 31 October 2005, providing an informative insight in to the risks posed by major flooding events, and identifying current best practice for dealing with them. The event facilitated information sharing with colleagues from Emergency Services, Health and Local Government who are designated Category 1 responders under the Civil Contingencies Act.

### **ENVIRONMENT AGENCY LOCAL AREA AGREEMENT**

33. The Service has recently signed a Local Area Agreement with the Environment Agency that will lead to a greater understanding and synergy at operational incidents when working together. The Agreement formalises the respective roles and expectations of those attending incidents that pose a threat to the environment and ensures safe working practices are implemented at a very early stage. It contains information sharing expectations, roles and responsibilities, anticipated attendance times and contact details as well as charging mechanisms and protocols for instances where environmental protection is required beyond a Fire Service emergency incident.
34. The Environment Agency has previously supplied two Environmental Protection Units, based at Stourport-on-Severn and Evesham, and environmental Grab Packs for all front line appliances to prevent or mitigate the environmental impact of many incident types. This Local Area Agreement further cements the positive and proactive relationship that exists between the Service and the Environment Agency.

### **COMMUNITY SAFETY**

35. The Authority has noted progress on a wide range of Community Safety initiatives.

#### **'Dying To Drive'**

36. The initial pilot of the new road safety initiative 'Dying to Drive' was held at Bishop Perowne School, Worcester in July. This programme, led strategically by the Service, is designed to highlight a range of road safety issues in a hard-hitting format in which pupils watch a mock road traffic collision. The scene is deliberately graphic as pupils watch passengers cut from a car. The crash is then followed by a series of workshops in which all of the agencies involved put across their specific message. The pilot proved to be highly successful attracting a great deal of media attention and support from partner agencies. Evaluation from pupils confirms that the programme is extremely effective and that pupils were likely to remember the key messages. Pupils were particularly impressed with the Fire and Rescue Service input. The Steering Group plans to meet again in September with a view to running the programme in a further three target schools in the next academic year. Following the immense success of the pilot, all partner agencies are fully committed to the programme ensuring input from West Mercia Police, YOT, Worcestershire County Council, Road Safety Team, Ambulance Service and the Casualty Union.

#### **Key Stage 3 Programme**

37. The first year of the new Key Stage 3 programme is now complete and has reached 6,869 Year 8 pupils. The programme was piloted successfully at the start of the academic year and is proving to be an extremely popular extension of Hereford & Worcester Fire and Rescue Service's prevention activity in schools. This furthers the spiral learning approach by extending input to the higher age group and dealing with the issues of arson and hoax calls. Demand is high for the programme with visits booked into 2006. A full evaluation will be carried out at the start of the new academic year in September.

### **After School Club – ‘Hot Squad’**

38. The highly successful After School Club – ‘Hot Squad’ piloted in three target schools: Woodrow First School - Redditch; Leominster Junior School - Hereford; Madley Primary School - Hereford in the last academic year has provided extensive opportunities for partnership working and will be offered to a range of schools in the next academic year who are currently suffering a range of problems. Again, this idea has been extremely well received by Headteachers, staff and parents and will hit the heart of local communities, providing safety information from a range of agencies in a fun and informative way.

### **New Work Experience Programme**

39. A new work experience programme was piloted in July at Redditch Fire Station specifically aimed towards disaffected pupils. The programme was designed in partnership with Worcestershire’s Black and Minority Ethnic business development manager to raise the expectations and self esteem of Year 10 pupils and in particular those from ethnic minorities. The pupils took part in a range of practical and operational exercises including team building and discipline and also assisted the organisation in the ‘Dying to Drive’ initiative. The week concluded with a passing out parade attended by teachers, governors and parents and was extremely successful having produced a noticeable difference in the youngsters involved. Again, demand is high from schools wishing to undertake a similar programme. It is planned that this provision will be continued following the successful recruitment of a ‘Youth Services’ post as identified in the Service’s Youth Strategy.

### **Higher Education**

40. A number of initiatives have been introduced into local Higher Education institutes in order to reduce the disproportionate high number of false alarm calls received by the Service from these premises. The Service will be maintaining a high profile during Freshers Week and the colleges involved have agreed to inflict harsh penalties on any offenders. It will also be speaking to students as part of the introduction to their accommodation and drawing attention to key safety messages.

### **Special Needs Provision**

41. The Community Safety Team is continuing research into provision for Special Needs Pupils. It will be working closely with a number of other Fire and Rescue Services and has formed a close working relationship with local schools. It is hoped that this relationship will be further enhanced by the contribution to two partnership schemes in the north of the Service area. Firstly the team will be supporting the ‘Technology Tree’ initiative in partnership with Connexions and Hunters Hill School. This residential school provides for young people with a range of emotional and behavioural difficulties, frequently excluded from mainstream schooling. It is hoped that by embarking on this scheme, the team can provide support to pupils and teachers and get the messages across to this key target group. The team will also support the ‘Young Enterprise Scheme’ at Chadsgrove School for pupils with Severe Learning Difficulties. This scheme will encourage pupils to set up and run their own business and give them an insight into the business world. Again it is hoped that, working closely with specialist teachers, this will prepare the pupils for independent living.



## **Marketing**

### **National Campaign**

42. The Service attended a briefing hosted by the National Community Fire Safety Campaign Forum to launch the next national fire safety campaign which commenced in September 2005. The theme of this campaign is, "A Fire Doesn't Have To Kill You To Take Your Life". The campaign involves a range of high profile television, radio and press advertising which will be supported locally by posters and banners placed in strategic locations.
43. Part of this campaign will promote DIY Home Fire Safety Checks. The Service's Marketing Officer is working closely with West Midlands Fire and Rescue Service to jointly promote the Fire Service Home Fire Safety Check Scheme to 'at risk groups' within the individual Service areas across the greater West Midlands Region. It is planned that this campaign will make best use of the bigger regional broadcast media (such as Heart FM which covers the majority of high risk areas) in conjunction with local media.

### **Arson Prevention**

44. All 26 wholetime watches have now received training in Arson Prevention Advice. Community Fire Safety staff whose work takes them out into the community have also received the training and selected Retained Units are being prioritised as part of the programme to reduce deliberate fires.

### **Building Control Consultation**

45. Specialist Fire Safety Officers have attended a joint meeting with Building Control Officers representing the Local Authority Departments. This enabled Officers to explore mutual areas of working practices at both a practical and technical level. This also resulted in a greater degree of working knowledge between the two sectors to the benefit of both parties and to the consulting professional bodies.
46. The Fire Safety technical guidance documents used by the Officers are currently being reviewed and Officers will play a role in the consultation process. The Procedural Guidance issued by ODPM, which formalises the consultation process between Building Control Officers and Fire Safety Officers, is due to be amended during the coming months. This may well impact on the way that consultation between the two parties is carried out in the future and to what level of response and responsibility for specific fire safety measures are appropriate.

### **Licensing Act 2003**

47. Following the introduction of the new style of licence, under the Licensing Act 2003 for commercial premises that have held either drinks licences or other forms of entertainment licences, Fire Safety Officers have been involved in the conversion process which allows existing premises to obtain the new style licence. Concern that applications would be concentrated at either the beginning or end of the period to convert was borne out by experience with rush of applications before the deadline for the conversion process of 7 August. Premises who did not convert their licence will need to make new applications to the relevant Authorities by 24 November or will be in a position where they will have to cease trading.

## **LOCAL PUBLIC SERVICE AGREEMENT – SECOND GENERATION (LPSA2)**

48. In March 2005 Worcestershire County Council put forward 13 priorities in its initial proposals under the LPSA2 bid. Hereford & Worcester Fire and Rescue Service are heavily involved in three of the priorities to improve the quality of life of people living in identified hotspot areas. Working in partnership with the Police and the Crime and Disorder Safety Partnerships in Wyre Forest, Redditch and Worcester, projects have been developed to tackle crime, deliberate fire setting and environmental issues. The Service also expressed the wish to be fully involved in Herefordshire Council's LPSA2 bid but as that Agreement has been developed the Service will only be involved in a supporting role.
49. At present the Service is negotiating with ODPM to stretch the BVPI 206 target (deliberate fires) for the three-year duration of the project and determining the necessary pump-priming funding for the partnership targets. The project will have a cost benefit to the community and is likely to be linked to the forthcoming Local Area Agreements.

## **EQUAL OPPORTUNITIES**

### **Equality and Diversity**

#### **The Equality and Diversity Strategy**

50. Progress is continuing against the objectives outlined in the strategy, including the recruitment strategy, induction, and the Rights and Responsibilities document. This document has been expanded to include an employee code of conduct.
51. Following the review of the Race Equality Scheme (outlined below), and in preparation for the 'positive duty' on disability due next year, an "Equalities Scheme" will be developed from the existing Equality and Diversity Strategy, and the current Race Equality Scheme, thus consolidating the two pieces of work into one document. This approach follows recent advice received from the Worcester Race Equality Council.

#### **The Disability Discrimination Act**

52. Following the access audits undertaken by the organisation, consultants have approved the audit methodology and outcomes. They are currently analysing the results to establish priorities for change which maximise the support for people with disabilities, and ensure the Service has a considered and positive approach to making adjustments to premises based on need.

#### **The Race Equality Scheme**

53. The review of the Race Equality Scheme has been completed, and a report of findings, progress and recommendations is being devised. This will include the strategy for incorporating the requirements of the Race Relations (Amendment) Act 2000 into a single "Equalities Scheme".

## **REPORT OF THE STANDARDS COMMITTEE**

54. The Committee has received the annual report of its Standards Committee covering the period April 2004 to March 2005. The Committee has sought to avoid duplicating the work of the Constituent Authorities in such matters as training and to ensure that its work is proportionate. It has, therefore, operated on the basis that it will meet as business requires and in addition hold an annual review meeting.

55. The Committee has reviewed the 10th report of the Committee on Standards in Public Life, the national review of the Code of Conduct for Members, the Code of Corporate Governance, the Authority's code on confidential reporting and the Members' Development programme.

## **CORPORATE ISSUES**

### **New Headquarters**

56. The Authority has completed its move to a new headquarters building at 2 Kings Court, Charles Hastings Way, Worcester WR5 1JR (Tel 0845 12 24454) on time and on budget. The building will accommodate the Authority's Headquarters and support staff.
57. The new Headquarters project supports the Authority in achieving a range of strategic objectives and is critical to the development of its Asset Management Strategy. Benefits include increased efficiencies, reduced costs, improved communications and better working conditions for staff. The Comprehensive Performance Assessment assessment team commented particularly positively on this project, its impact on improving the culture and working conditions for staff, and its key role in releasing Authority assets to support the outcome of the Fire Services Emergency Cover process.

### **Finance**

#### **Statutory Financial Statements**

58. The Authority's external auditors have issued an unqualified audit opinion on the 2004/05 accounts. The Authority has also received the auditors' findings on the audit of 2004/005 financial statements, and accepted the findings. It has also noted the 2004/05 Audit letter and approved the 2005/06 External Audit Plan.

#### **Council Tax/Government Grant Distribution**

59. The Authority has responded to the Government consultation on changes to the Formula Grant Distribution.
60. The Authority has made it absolutely clear in responding that it cannot afford to see resources diverted away from Herefordshire and Worcestershire.
61. The response has asserted that the following facts warrant consideration:
- 5.3% of the land area of Combined Fire Authorities is protected by Hereford & Worcester Fire and Rescue Service;
  - 3.3% of the resident population of Combined Fire Authorities live in Herefordshire and Worcestershire;
  - 3.1% of the total net budget requirement of the Combined Fire Authorities is attributable to Hereford & Worcester Fire and Rescue Authority;
  - 2.5% of the total Revenue Support Grant and redistributed non-Domestic Rates allocated to the Combined Fire Authorities is payable to Hereford and Worcester;
  - Of the 24 Combined Fire Authorities 5 (21%) have a higher Band D tax;
  - 14 (58%) have a higher cost per citizen; and
  - 22 (92%) have greater government grant per citizen.

62. Any diversion of resources cannot be balanced by adding to the Council Tax burden or jeopardising public safety by budget cuts.
63. The fundamental point remains that Council tax-payers in Herefordshire and Worcestershire are already financing a disproportionately high share of Fire and Rescue Service expenditure compared to other parts of the country.
64. A number of technical observations have been made separately.

#### **Performance Plan**

65. The Authority has approved the Performance Plan for 2005/06.

**PAUL HAYDEN  
CHIEF FIRE OFFICER/CHIEF EXECUTIVE  
HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY  
OCTOBER 2005**

#### **FURTHER INFORMATION**

Any person wishing to seek further information on this report should contact Carole Williams on 0845 12 24454

Further information on the Fire and Rescue Authority and the Fire and Rescue Service can also be found on the Internet at ([www.hwfire.org.uk](http://www.hwfire.org.uk)).

#### **BACKGROUND PAPERS**

Agenda papers of the meeting of the Fire and Rescue Authority held on 13 June 2005 and 23 September, 2005.