

A G E N D A

Strategic Monitoring Committee

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

Time: **2.00 p.m.**

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

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

For any further information please contact:

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Strategic Monitoring Committee

To: Councillor T.M. James (Chairman)
Councillor Mrs. P.A. Andrews (Vice-Chairman)

Councillors B.F. Ashton, W.L.S. Bowen, H. Bramer, A.C.R. Chappell,
J.H.R. Goodwin, Mrs. M.D. Lloyd-Hayes, J.P. Thomas and W.J.S. Thomas

	Pages
1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. DECLARATIONS OF INTEREST	
To receive any declarations of interest by Members in respect of items on this agenda.	
3. MINUTES	5 - 10
To approve and sign the Minutes of the meeting held on 1st July, 2005.	
4. CALL IN OF CABINET DECISION TO RELOCATE THE LIVESTOCK MARKET	11 - 18
To consider the Cabinet's decision on the relocation of the livestock market, which has been called in by three Members of the Committee.	
 NOTE: If in the opinion of the Proper Officer, during the discussion of this item it is considered that there is likely to be disclosure of exempt information as defined in Schedule 12 (A) of the Local Government Act 1972 it will be recommended that the public and press be excluded.	

PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

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

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

The principal roles of Scrutiny Committees are to

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

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Strategic Monitoring Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday, 1st July, 2005 at 10.00 a.m.

Present: Councillor T.M. James (Chairman)
Councillor Mrs. P.A. Andrews (Vice-Chairman)

Councillors: B.F. Ashton, W.L.S. Bowen, A.C.R. Chappell,
J.H.R. Goodwin and J.P. Thomas

In attendance: Councillors J.W. Edwards, P.J. Edwards, Mrs. J.P. French,
R.J. Phillips and R.M. Wilson

5. APOLOGIES FOR ABSENCE

Apologies were received from Councillor H. Bramer, Mrs M.D. Lloyd-Hayes and W.J.S. Thomas.

6. DECLARATIONS OF INTEREST

There were no declarations of interest.

7. MINUTES

RESOLVED: That the Minutes of the meeting which commenced on 9th June and reconvened on 15th June, 2005 be confirmed as a correct record and signed by the Chairman, subject to recording Councillor W.L.S. Bowen as having been present on 15th June, 2005.

8. BEST VALUE REVIEW OF PRIVATE SECTOR HOUSING SERVICES - STAGE 3 REPORT

The Committee was asked to consider and approve the Stage 3 report and outcomes of the Best Value Review of Private Sector Housing.

A copy of the detailed review report considered by the Adult Social Care and Housing Scrutiny Committee had been circulated separately to Members of the Committee.

The Head of Strategic Housing Services presented the report explaining how the Review had been conducted to comply with the Best Value regime.

In the course of discussion the following principal points were made:

- It was acknowledged that whilst comparative data had been available for statutory areas of service, benchmarking had been more difficult in discretionary areas of service.
- The Committee discussed the work underway on energy efficiency, the difficulty in attracting specialist staff for enforcement work and the proposed employment,

in conjunction with the Primary Care Trust of an Occupational Therapist dedicated to housing activities.

RESOLVED: That the recommendation of the Adult Social Care and Strategic Housing Scrutiny Committee on the Stage 3 report of the Best Value Review of Private Sector Housing, that the in-house team be developed, be endorsed and the findings referred to the Cabinet Member (Social Care Adults and Health).

9. BEST VALUE REVIEW OF COMMERCIAL ENFORCEMENT - STAGE 3 REPORT

The Committee considered the Stage 3 report and outcomes of the Best Value Review of Commercial Enforcement.

A copy of the detailed review report considered by the Environment Scrutiny Committee had been circulated separately to Members of the Committee.

The Head of Environmental Health and Trading Standards presented the report explaining how the Review had been conducted to comply with the Best Value regime.

The Committee noted the implications of the Hampton Review on regulatory inspections and enforcement for the Service; the conflict between national regulatory requirements and the wish to shape regulatory services to meet local needs and priorities; and how the Review proposed to increase efficiency by re-engineering the current services.

It was also noted that the Review had taken a significant amount of time and effort. It was suggested that the Committee should ask for a report on the future approach to the Best Value Review process, examining whether in conducting Best Value Reviews resources were being applied to the best effect.

RESOLVED:

That (a) the recommendation of the Environment Scrutiny Committee on the Stage 3 report of the Best Value Review of Commercial Enforcement, that the services are re-engineered to deliver more efficient services, be endorsed and the findings referred to the Cabinet Member (Environment) for consideration;

and

(b) a report be made to the Committee on the future approach to the Best Value Review process.

10. PERFORMANCE MANAGEMENT FRAMEWORK

The Committee was invited to note the revised Performance Management Framework.

The report to Cabinet on 23rd June 2005 was appended to the report.

Attention was drawn to the way in which risk management was now embedded in the framework, the importance of verification and quality assurance systems and the performance management timetable.

RESOLVED: That the revised Performance Management Framework be noted.

11. INTEGRATED ANNUAL OUTTURN REPORT 2004/05

The Committee was invited to note the 2004/05 outturn information for Best Value Performance Indicators, the Capital Programme and Revenue Budget and to receive an update on strategic risks facing the Council.

The report to Cabinet on 23rd June, 2005 was appended to the report.

In the course of discussion the following principal points were made:

- Concern was expressed that the number of households receiving intensive home care was significantly below the upper quartile performance. In response it was stated that the executive was mindful of the situation. However, there was concern that in the Social Care area generally the additional investment which had been made did not appear to be improving service delivery as had been expected. This required further analysis.
- Performance in preparing proposed Statements of Special Educational Needs was also identified as having declined since 2003/04 and was again below the upper quartile. An assurance was given in reply that the matter was receiving attention.
- Performance in determining planning applications was below the 2003/2004 level and below the upper quartile. The Cabinet Member (Environment) reported that there was now a full complement of planning officers and he expected performance to improve.
- That the Housing and Council Tax benefit performance was also a cause for concern. The County Treasurer commented that the transition onto a new software system had had an adverse impact on performance in the short-term but improvements were now being made.

In conclusion performance in relation to homelessness, the social care budget and performance in determining planning applications were highlighted as areas which should be subject to more detailed scrutiny.

RESOLVED:

That (a) the report be noted;

and

(b) performance in relation to homelessness, the social care budget and performance in determining planning applications should be subject to more detailed scrutiny.

12. LOCAL PUBLIC SERVICE AGREEMENT

The Committee was invited to note progress towards developing the second Local Public Services Agreement (LPSA2) with the Government and receive an update on performance against the targets in the first round LPSA (LPSA1).

The report to Cabinet on 19th May, 2005 was appended to the report.

The Assistant County Treasurer presented the report drawing attention to the projected level of Performance Reward Grant the Council could expect to receive from LPSA 1, and the ongoing negotiations with partners and Government offices for LPSA2.

In terms of the cost of LPSA 1 the County Treasurer advised that no specific costings had been made because resources had been expended on activities that were in any event the Council's priorities.

In relation to LPSA 2 it was noted that one of the targets related to tackling anti-social behaviour and proposed that this needed to be scrutinised as part of the work programme.

RESOLVED: That the report be noted and the approach to tackling anti-social behaviour scrutinised as part of the work programme.

13. ANNUAL EFFICIENCY STATEMENT - 2004/05

The Committee received a report on the Council's Backward Looking Annual Efficiency Statement (BLAES) looking back over 2004/05.

The report to Cabinet on 9th June, 2005 was appended to the report.

It was noted that there had been no formal corporate exercise carried out by the Council as part of the 2004/2005 budget to identify cash efficiency savings for 2004/05 and the BLAES, which had had to be prepared for submission to the Government, had proved difficult to construct. The production of a forward looking Annual Efficiency Statement (AES) had been required by the Government for 2005/2006. This clearly set out savings to be achieved during the current year and would make the preparation of the BLAES for 2005/06 less problematic and a key report. The Committee emphasised that the AES 2005/06 would require careful monitoring by the Committee as the year progressed.

RESOLVED: That the report be noted and progress in making the savings set out in the 2005/2006 Annual Efficiency Statement be the subject of regular reports.

14. PAY AND WORKFORCE DEVELOPMENT STRATEGY

The Committee was asked to note the Council's Pay and Workforce Development Strategy 2005-8, and operating plan for 2005-6.

As requested by the Committee an appendix to the report had been prepared providing detail on the proposals to improve recruitment arrangements.

The Head of Human Resources presented the report explaining the basis on which the Strategy had been prepared.

In response to questions he commented that the Strategy did contain proposals for developing employees skills. However, the Authority had a low turnover of staff and could not meet the aspirations of all employees for promotion, especially at management level. He also confirmed that the Council was seeking efficiencies at every stage of the recruitment process.

RESOLVED: That the report be noted.

15. HEALTH AND SAFETY ANNUAL REPORT

The Committee received a report on actions taken during the last year on Health and Safety issues.

The Head of Human Resources outlined the action which had been undertaken to improve the health, safety and well-being of the workforce, including the management of sickness absence.

The Committee expressed concern about the level of sickness absence, whilst noting the management action which had been taken. It received an assurance that further work was being carried out to separate out long-term sickness from the statistics and identify the percentage of days lost which this represented.

RESOLVED: That the report be noted.

16. WORK PROGRAMME

The Committee considered how to develop strategic scrutiny reviews as part of its work programme.

The report noted that the Committee had previously identified a need to scrutinise ICT services and the operation of the Council's contract with Herefordshire Jarvis Services. It was suggested that the Chairman and Vice-Chairman should give consideration to the scoping of the Reviews and composition of Review Groups.

RESOLVED: That scoping statements and the appointment of Review Groups be finalised following consultation with the Chairman and Vice-Chairman of the Committee.

17. PUBLIC PARTICIPATION AT HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

The Committee considered a proposal to increase public participation at all of Herefordshire Council's Scrutiny Committee meetings along the lines piloted by the Community Services Scrutiny Committee.

The Chairman of the Community Services Scrutiny Committee reported on the arrangements piloted at that Committee's last meeting. A protocol which had been used to govern the new arrangements was appended to the report.

The consensus was that it was important that the Scrutiny Committees were able to operate flexibly and responsively. Rather than adopting a prescriptive approach it was therefore proposed that each Committee should determine how best to encourage public participation in its work, drawing on the experience of the other Scrutiny Committees.

It was also noted that the inter-relationship of the Community Forums and the Scrutiny Committees required further consideration.

RESOLVED: That each Scrutiny Committee take responsibility for seeking to encourage public participation in its work.

18. SCRUTINY ACTIVITY REPORT

The Committee noted the work being undertaken by the Scrutiny Committees.

The meeting ended at 12.50 p.m.

CHAIRMAN

**CALL-IN OF CABINET DECISION ON RELOCATION OF
THE LIVESTOCK MARKET****Report By: County Secretary and Solicitor****Wards Affected**

Credenhill and Three Elms.

Purpose

1. To consider the Cabinet's decision on the relocation of the livestock market, which has been called in by three Members of the Committee, namely, Councillors Mrs P.A. Andrews, A.C.R. Chappell and T.M. James.

Reason For Call-In

2. On the 1st September 2005, Cabinet identified a preferred site for a new rural business park which would incorporate a new livestock market in a location at Stretton Sugwas.
3. The stated reasons for the call-in by the Strategic Monitoring Committee are:
 - There are alternative sites.
 - Environmental Issues - flooding
 - No survey has been done to discover if rural business units needed.
 - There is no definition of 'Rural Industries'
 - Cost. There are no indications of the cost to the Council of developing a site outside our ownership.
4. The decision notice of Cabinet (Ref No. 2005.CAB.081) is attached at Appendix 1 together with the report made to Cabinet as amended at the meeting at Appendix 2. Because the decision has been called in it has not been implemented.
5. It is for the Committee to decide whether it wishes to accept the decision of the Cabinet or to refer the decision back to Cabinet for further consideration and if so what recommendations it wishes to make.

BACKGROUND PAPERS

- None

WRITTEN STATEMENT OF A KEY DECISION CABINET

ITEM:	RELOCATION OF THE LIVESTOCK MARKET
Members Present:	Councillors RJ Phillips (Leader), Mrs LO Barnett, PJ Edwards, Mrs JP French, JC Mayson, DW Rule MBE, RV Stockton, RM Wilson.
Date of Decision:	1 September 2005
Exempt:	No
This is a key decision because it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000. It is significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.	
The item was included in the Forward Plan.	
Purpose:	To note that a preferred site has been identified for a new Rural Business Park which would incorporate a new livestock market.
Decision:	THAT (a) officers be instructed to develop a partnership agreement with the landowner and submit a planning application for the redevelopment of the preferred site; (b) the local Member be kept informed of developments; and (c) update reports be submitted to Cabinet as necessary.
Reasons for the Decision:	<ol style="list-style-type: none"> 1. The site is in the right geographical area as identified in the DTZ Pieda Development Study and by the market operator. 2. The possibility of working in partnership reduces the Council exposure to risk. 3. Working in partnership will enhance the quality of the final development and give the project a high regional profile.
Options Considered:	None
Declaration of Interest:	None
Date the key decision is due to take effect:	8 September 2005

COUNCILLOR RJ PHILLIPS..... Date:.....
LEADER OF THE COUNCIL

To be completed by officer:	
Date consent received from Chairman of Scrutiny Committee:	
Subject to Call-in:	Yes
If yes was the decision modified?	
If yes Cabinet Member (.....) decision reference:	
Date original decision took effect:	8 September 2005

RELOCATION OF THE LIVESTOCK MARKET

PROGRAMME AREA RESPONSIBILITY: ECONOMIC DEVELOPMENT

CABINET

1ST SEPTEMBER, 2005

Wards Affected

Credenhill, Three Elms

Purpose

To note that a preferred site has been identified for a new Rural Business Park which would incorporate a new livestock market.

Key Decision

This is a key decision it is likely to result in the Council incurring expenditure above agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000; and is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards. It was included in the Forward Plan

Recommendation

That Officers be instructed to develop a partnership agreement with the landowner and submit a planning application for the redevelopment of the preferred site.

Reasons

1. The site is in the right geographical area as identified in the DTZ Pleda Development Study and by the market operator.
2. The possibility of working in partnership reduces the Council exposure to risk.
3. Working in partnership will enhance the quality of the final development and give the project a high regional profile.

Considerations

1. The relocation of the existing Livestock Market is essential to the success of the Edgar Street Grid project. Failure to relocate the livestock market will prevent the regeneration of the city and have significant effects on the status of Hereford as a sub-regional centre.

Further information on the subject of this report is available from
Stuart Gent, Head of Property Services on 01432 260684

2. The DTZ Pidea Development study indicated that a site to the north west of the city is the best location for a livestock market.
3. The landowner of the preferred site is willing to treat and wishes to play a major role in supporting the local economy through the creation of a rural business park. The business park will serve the agricultural industry and will become a resource centre for farming and rural businesses not just in the County but the whole region.
4. Other potential sites have been examined but the site chosen is considered to be best in location terms and from planning and environmental aspects.
5. The preferred site has good access off the improved Roman Road.

Risk Management

A satisfactory agreement with the potential partner cannot be reached. The risk is mitigated by adopting a flexible approach to the negotiations.

Planning consent is not given. The risk is mitigated by good public consultation and by undertaking full traffic and environmental impact assessments.

