

# A G E N D A

## Environment Scrutiny Committee

Date: **Monday, 4th December, 2006**

---

Time: **10.00 a.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:*

*Paul James, Members' Services, Tel:01432  
260 460 Fax:01432 260286*

***e-mail [pjames@herefordshire.gov.uk](mailto:pjames@herefordshire.gov.uk)***

---

**County of Herefordshire  
District Council**



# AGENDA

## for the Meeting of the Environment Scrutiny Committee

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

Councillors Mrs. W.U. Attfield, P.J. Dauncey, K.G. Grumbley, J.G.S. Guthrie,  
T.W. Hunt, J.W. Newman, Ms. G.A. Powell, Miss F. Short and J.B. Williams

	Pages
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b>	
To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
<b>3. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>4. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY</b>	
To consider suggestions from members of the public on issues the Committee could scrutinise in the future.	
<b>5. MINUTES</b>	1 - 6
To approve and sign the Minutes of the meeting held on 25th September, 2006.	
<b>6. GOOD ENVIRONMENTAL MANAGEMENT (GEM) REVIEW</b>	7 - 22
To review the Council's environmental management / ISO 14001 system to ensure that it continues to be suitable, adequate and effective, delivering improvement in environmental performance and full compliance with all relevant legal and other requirements.	
<b>7. POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG</b>	23 - 64
To consider the draft Policy statement for the use of the Rivers Wye and Lugg as the basis for public consultation.	
<b>8. ENVIRONMENT REVENUE BUDGET MONITORING</b>	65 - 72
To advise members of the financial position for the Environment Programme Area budgets for the period to 30th September 2006. The report lists the variations against budget at this stage in the year.	
<b>9. ENVIRONMENT CAPITAL BUDGET MONITORING</b>	73 - 80

	To advise Members on the progress of the 2006/07 Capital Programme for Environment Areas within the overall context of the Herefordshire Council Capital Programme.	
<b>10.</b>	<b>MONITORING OF 2006/07 PERFORMANCE INDICATORS - APRIL TO SEPTEMBER 2006</b>	81 - 100
	To update Members on the exceptions to the targeted progress made by the Environment Directorate for the six months April to September 2006 towards achieving: <ul style="list-style-type: none"> <li>• the targets that appear in the Council's Corporate and Annual Operating Plans and which are reported monthly to respective Cabinet Members and, by exception, bi-monthly to Cabinet</li> <li>• the targets that appear in the Directorate Plan which are reported monthly to the respective Cabinet Members and, by exception, bi-monthly to Cabinet.</li> </ul>	
<b>11.</b>	<b>DRAFT TRAVELLERS POLICY</b>	101 - 102
	To consider the recommendations of the Environment Scrutiny Committee Review Group who have reviewed the Draft Travellers' Policy.	
<b>12.</b>	<b>UPDATE ON THE SCRUTINY REVIEW OF HOUSEHOLD WASTE RECYCLING IN HEREFORDSHIRE</b>	
	To update Members on progress with the scrutiny review in to Household Waste Recycling in Herefordshire.	
<b>13.</b>	<b>COMMITTEE WORK PROGRAMME</b>	103 - 106
	To consider the Committee work programme.	

## **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

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

## **PUBLIC INFORMATION**

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

You can contact Councillors and Officers at any time about Scrutiny Committee matters and issues which you would like the Scrutiny Committees to investigate.

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

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

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

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

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

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

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

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

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

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

*Statutory functions for adult social services including:  
Learning Disabilities  
Strategic Housing  
Supporting People  
Public Health*

### **Children's Services**

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

### **Community Services Scrutiny Committee**

*Libraries  
Cultural Services including heritage and tourism  
Leisure Services  
Parks and Countryside  
Community Safety  
Economic Development  
Youth Services*

### **Health**

*Planning, provision and operation of health services affecting the area  
Health Improvement  
Services provided by the NHS*

### **Environment**

*Environmental Issues  
Highways and Transportation*

### **Strategic Monitoring Committee**

*Corporate Strategy and Finance  
Resources  
Corporate and Customer Services  
**Human Resources***

# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- 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.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.



## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The Council Chamber where the meeting will be held is accessible for visitors in wheelchairs, for whom toilets are also available.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.



Where possible this agenda is printed on paper made from 100% Post-Consumer waste. De-inked without bleaching and free from optical brightening agents (OBA). Awarded the Nordic Swan for low emissions during production and the Blue Angel environmental label.

## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 25th September, 2006 at 10.00 a.m.**

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

Councillors: K.G. Grumbley, J.G.S. Guthrie, J.W. Hope MBE,  
J.W. Newman, R. Preece, Mrs. S.J. Robertson and J.B. Williams

**In attendance:** Councillors A.C.R. Chappell, J.W. Edwards, P.J. Edwards (Cabinet Member - Environment), J. Stone, D.B. Wilcox (Cabinet Member - Highways & Transportation) and R.M. Wilson

**13. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors: PJ Dauncey, TW Hunt, Ms GA Powell and Miss F Short.

**14. NAMED SUBSTITUTES**

Councillor J.W. Hope MBE substituted for Councillor T.W. Hunt and Councillor Mrs S.J. Robertson substituted for Councillor Ms G.A. Powell.

**15. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**16. MINUTES**

**RESOLVED:** That subject to the deletion of "alleged" from the 2nd bullet point of minute No. 9 - Biofuels Briefing - the minutes of the meeting held 5th June, 2006 be approved and signed by the Chairman.

**17. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

No suggestions were received from members of the public.

**18. REVIEW OF THE TRAVELLERS POLICY**

The Committee were invited to nominate a small team to review the Draft Travellers' Policy before it was passed to the Cabinet Member (Environment) for approval.

The Head of Environmental Health and Trading Standards reported that the Herefordshire Traveller's Policy had been agreed by Cabinet on 28th November 2002 and was now subject to review. An officer team had undertaken a preliminary review and produced a draft policy. It was now considered appropriate for a small team of Members from this Committee to undertake a further review of the draft policy before it was passed to the Cabinet Member for approval.

He highlighted that a number of issues would have to be taken in to account when undertaking the review and these were identified in the report. He also suggested that the Review Team determine and make representations to the Cabinet Member on the acceptability of the draft policy; identify any areas that required amendment, addition or deletion and identify any further areas of work that needed to be undertaken.

**RESOLVED: That**

- a) **A review of the Herefordshire Traveller Policy be undertaken along the lines indicated in the report; and**
- b) **The Review Team be comprised of:**
  - **Councillor W. L. S. Bowen (Chair of Review).**
  - **Councillor J. B. Williams.**
  - **Councillor Miss F. Short.**
  - **Councillor T. Hunt.**

**19. PROPOSED REVIEW OF HOUSEHOLD WASTE RECYCLING IN HEREFORDSHIRE**

The Committee considered a scoping statement for a proposed review of Household Waste Recycling in Herefordshire.

The Strategic Monitoring Committee had identified a number of issues for possible scrutiny, one of which was Household Waste Recycling in Herefordshire. Based on the issues identified by the Strategic Monitoring Committee a suggested scoping statement was attached to the agenda report at appendix 1.

The Committee considered the scoping statement and questioned the short timescale for the review and whether the review could make assumptions regarding the Estech planning application at Madley. The Director of Environment responded that in his view the Committee should still aim to complete this review by December 2006. In relation to Estech no assumptions should be made concerning the planning application.

The Committee noted that a seminar on Waste Management would be held for all Council Members immediately following the Committee meeting.

**RESOLVED: That**

- c) **The Scoping Statement for the review of Household Waste Recycling in Herefordshire as appended to the report be approved;**
- d) **The review Group be comprised of:**
  - **Councillor K.G. Grumbley (Chairman)**
  - **Councillor J.W. Newman**
  - **Councillor J.G.S. Guthrie**
  - **Councillor P.J. Dauncey**

**20. CAPITAL BUDGET MONITORING**

The Committee was informed of the latest position with regard to the Environment Capital Programme for 2006/07.

The Director of Environment and the Director of Resources' representative reported that the total of the Capital Programme had been increased to £13,216,000 from the £12,554,000 notified to the previous meeting. A brief overview of the forecast was set out in the report together with, at Appendix 1, the capital budgets for the programme areas. A correction was made to paragraph 7 of the report confirming that the total spent or committed to 31st July was £6.193 million or 46.8%.

While scrutinising the Capital Programme monitoring report the Committee noted the following points in response to questions raised:

- Questioned on the Hereford Intelligence Transport System expenditure the Committee was informed that Owen Williams Ltd. were undertaking a study in accordance with the Local Transport Plan (LTP) objectives.
- Rural Footway Improvements – expenditure on the Bodenham footway project had been delayed due to ongoing land purchase problems.
- Rural Rail Improvements – currently a study was being undertaken as a precursor to improving pedestrian and disabled access at Hereford, Leominster and Ledbury stations (stations with pedestrian bridges). Improvement work would initially focus on the Worcester bound platform at Ledbury. Additional grant funding was being sought from the Department for Transport. In relation to rail transport the Cabinet Member (Highways and Transportation) noted the Committee's comments concerning the longer term use of the rail spur currently used by Tarmac at Morton-on-Lugg and concern about overcrowding and cleanliness of trains serving the Hereford 6th Form/College students from Ludlow and Leominster.
- Safer Routes to Schools – the Director of Environment reported that schools had been prioritised and a detailed approach was needed for each scheme. However, Safe Route schemes were now being rolled out at a number of schools.
- Hereford Crematorium – while delays had been experienced the plans to improve Hereford the Crematorium were progressing.

**RESOLVED: That the Capital Budget monitoring report be noted.**

## 21. ENVIRONMENT REVENUE BUDGET MONITORING

The Committee was advised of the budget monitoring position for the Environment Programme area revenue budget for the period to 31st July, 2006.

The Director of Environment and the Director of Resources' representative reported that the total Environment Budget for 2006/07 had increased to £26,576,350. This was mainly due to revisions to the Central Support Budgets, which were further detailed in the report and appendix 1. In overall terms the budgets were expected to come in on budget, although Planning Fee income (due to a temporary reduction in planning applications) and Car Park income was being closely monitored. The total of £389,000 shown in Appendix 1 - "Highways and Transport Over (Under) spend" column, was corrected to £165,000.

During the course of scrutinising the monitoring report the Committee noted the following points in response to questions raised:

- That any variation to the Planning Fee and Car Park income streams would be managed corporately in line with the Council's Medium Term Financial Management Strategy.
- The funding application for £33,000 lodged with the Food Safety Act Fighting Fund in respect of the clean up operation at Cabury's factory had been successful.
- While the revenue side of the road maintenance budget had been reduced by

£400,000 to meet various revenue pressures the Director of Environment reported that appropriate changes had been made to the Capital side of the budget to ensure the maximum benefit to the highway network.

**RESLVED: That the Environment Revenue budget monitoring report be noted.**

## **22. MONITORING OF 2006/07 PERFORMANCE INDICATORS - APRIL TO JULY 2006**

The Committee received an update on the exceptions to the targeted progress made by the Environment Directorate for the four months April to July 2006 towards achieving:

- The targets that appear in the Council's Corporate and Annual Operating Plans and which are reported monthly to the respective Cabinet Members and, by exception, bi-monthly to Cabinet
- The targets that appear in the Directorate Plan which are reported monthly to the respective Cabinet Members and, by exception, bi-monthly to Cabinet.

The Director of Environment was pleased to report that for the four-month period to July 2006 none of the indicators for which the Environment Directorate and the Cabinet Members for Environment and Highways and Transportation had responsibility had been identified in the Integrated Performance Report to be of concern e.g. receiving a red 'traffic light'. For Members information the list of indicators contained in the Integrated Performance Report was set out at appendix 1 to the report. He informed the Committee that performance against all other indicators was within 10% of target. In addition performance, where ascertainable, against those indicators where data was not available either monthly or quarterly also appeared to be on target.

The Committee noted that the target for the "number of bus passenger journeys per year..." was 3,817,000 not 3,817 as printed and further noted that journeys related to journeys started in the County. While statistics were collected from bus operators at the end of the year the Cabinet Member (Highways and Transportation) reported that early indications for the first quarter were that, following changes to the pensioner travel scheme, journey numbers had increased.

Questioned on the use of 'cleaner fuels' the Director of Environment reported that bus operators had been investing in vehicles to meet the national legislation on disabled accessibility and he thought it may be some time until bus fleets would be renewed and therefore able to take advantage of up-coming 'cleaner fuel' technology.

**RESOLVED: That the performance indicators – April to July 2006 monitoring report be noted.**

## **23. HYDROPOWER BRIEFING**

Members were informed about the potential for developing hydropower within the County and how any proposals may relate to the Unitary Development Plan, the Economic Development Strategy, the Council's commitment to reduce carbon dioxide emissions through its Carbon Management Action Plan, and the recently adopted Herefordshire Partnership Climate Change Strategy.

The Sustainability Manager reported the background to hydropower, including references to plans and strategies regarding renewable energy sources; the Regional Energy Strategy for the West Midlands stretch regional targets; the power outputs of micro and mini hydro plants; the possibility for local development; the

regulatory considerations and grants and funding available to develop such hydro systems. She also indicated that more research was needed in order to determine whether the potential for such schemes would be of sufficient benefit to Herefordshire.

The Committee debated the low water flow rates particularly in feeder streams, following changes in farming practice and the effect of climate change and expressed an interest in the outcome of the future study being undertaken by the British Hydropower Association and the pilot work being undertaken by South Somerset District Council. The Committee also questioned whether water utility companies should be encouraged to take a positive interest in such schemes.

The Committee noted that while the Council itself was unlikely to undertake a hydropower scheme it could, through the Cabinet Member (Environment), facilitate further research and meetings between interested parties.

**RESOLVED: That the report be noted and the Cabinet Member (Environment) be supported in facilitating further research and meetings between interested parties to further the possible development of hydropower schemes in the County.**

#### **24. SAFETY ON THE A49 & A465 TRUNK ROADS**

The Director of Environment updated the Committee on safety issues on the A49 and A465 trunk roads following meetings with the Highways Agency on the issue.

The Director of Environment circulated at the meeting a report entitled "Highways Agency Liaison Update" and he highlighted key issues recently discussed with the Highways Agency in relation to: the A49 Ashton bends and the anticipated timetable for improvement; the introduction of a speed limit at Wellington Marsh; traffic congestion due to works associated with the A49/A465 roundabout (ASDA); and participation with the Highways Agency and other Local Authorities in the further development of a Road Safety Strategy. He undertook to provide appropriate updates following further meetings with the Highways Agency on the management and improvement of trunk roads in the County.

The Committee noted that safety improvements were being progressed on the A49 trunk road by the Highways Agency. However, comment was made in relation to the safe access to Queenswood Country Park by visitors using service buses and the possible incorporation of speed limit warning signs prior to the Wellington Marsh speed limit area.

**RESOLVED That the report be noted and Committee Members be further updated on safety issues on trunk roads as appropriate.**

#### **25. COMMITTEE WORK PROGRAMME**

The Committee considered its work programme for the remainder of 2006/07.

The Democratic Services Officer reported upon the Committee work programme, a copy of which was set out at appendix 1 to the report which also included a number of issues for consideration as the programme was further developed.

The Committee noted that while the Polytunnel Review Group were awaiting the outcome of a High Court decision the Herefordshire Code of Practice to Control the siting of Polytunnels continued to provide information prior to possible planning application or enforcement.

**RESOLVED That the Committee work programme as set out at Appendix 1 be approved and reported to Strategic Monitoring Committee.**

The meeting ended at 11.23 a.m.

**CHAIRMAN**



## **GOOD ENVIRONMENTAL MANAGEMENT (GEM) REVIEW**

**Report from: Director of Environment**

### **Wards affected**

County-wide

### **Purpose**

1. To review the Council's environmental management / ISO 14001 system to ensure that it continues to be suitable, adequate and effective, delivering improvement in environmental performance and full compliance with all relevant legal and other requirements.

### **Financial implications**

2. Ensuring compliance with legal requirements in respect of environmental obligations will require expenditure. Bids have been made for inclusion in the capital programme.

### **Considerations**

3. ISO 14001 requires that top management review the environmental management system regularly. Corporate Management Board undertook a Management Review on 21<sup>st</sup> November, based on a report prepared and agreed by the corporate GEM group. Key findings from the report, which covers the period from October 2005 to September 2006, are appended
4. Reviews at top level by CMB, Cabinet Member for the Environment and Environment Scrutiny are designed to ensure that possible need for changes to the policy, objectives and other Environmental Management System (EMS) elements are addressed, bearing in mind audit results, performance against objectives and targets, concerns of relevant interested parties, changing circumstances and the commitment to environmental improvement.
5. The Review includes key findings from a recent Legal Compliance Review in respect of Council environmental obligations, undertaken to meet the requirements of the ISO 14001 standard.

### **Background**

6. GEM (Good Environmental Management) plays a key role in delivering
  - The Council's commitment to deliver a sustainable environment through everything in the Corporate Plan (1.5)
  - The Council's Corporate Plan priority to 'protect the environment, including by producing much less waste, recycling much more of what remains and significantly reducing carbon emissions' (5.1)

---

Further information on the subject of this report is available from Trish Marsh, Sustainability Manager on 1930

- Its environmental policy commitment to “demonstrable and continuous improvement of its environment performance” across all Directorates
- The Council’s contribution to the Community Strategy for Herefordshire’s guiding principle to “Protect and improve Herefordshire’s distinctive environment”, which states:-“Herefordshire has a rich and diverse environment with many unique features. This resource must be conserved and enhanced through raising awareness and education so that communities and future generation can continue to enjoy and benefit from the distinctive environment. This includes improving local public areas across the county, developing access to the countryside, protecting our biodiversity and tackling climate change through waste minimisation and energy efficiency measures. “

## **RECOMMENDATION**

**THAT: The committee consider the report and submit any observations to the Cabinet Member Environment.**

# GEM / ISO14001 Management Review October 2005 to September 2006

## SUMMARY

GEM (Good Environmental Management) plays a key role in delivering

- Council commitment to deliver a sustainable environment through everything in the Corporate Plan (1.5)
  - The Council's Corporate Plan priority to 'protect the environment, including by producing much less waste, recycling much more of what remains and significantly reducing carbon emissions' (5.1)
  - its [environmental policy](#) commitment to "demonstrable and continuous improvement of its environmental performance" across all Directorates
  - The Council's contribution to the Community Strategy for Herefordshire's guiding principle to "Protect and improve Herefordshire's distinctive environment", which states:-

"Herefordshire has a rich and diverse environment with many unique features. This resource must be conserved and enhanced through raising awareness and education so that communities and future generations can continue to enjoy and benefit from the distinctive environment. This includes improving local public areas across the county, developing access to the countryside, protecting our biodiversity and tackling climate change through waste minimisation and energy efficiency measures."

## HIGHLIGHTS

- The Council successfully extended its **certification to ISO 14001**, the international environmental management standard, to cover provision of all Unitary Council functions in July 2006. It is the first shire county to achieve this.
- **EcoSchool** scheme registration now covers two thirds of the county's schools At the end of the summer term 2006 there were 18 schools with a bronze award, 10 with a silver award and 10 with the top Green flag award.
- Herefordshire achieved **County-wide Fairtrade status** in May 2006 with Council support - the first county in the Midlands to achieve this
- Herefordshire Partnership has agreed a **Climate Change Strategy** and Action Plan, based on the county Greenhouse Gas Inventory prepared by Council staff.
- Environment is included in the suite of corporate **cross cutting themes** to be addressed by Service Plans for 2007/08
- **Directorate summaries** of environmental impacts, controls & targets are now in place, covering the whole council



Corporate Management Board agreed on 21<sup>st</sup> November 06 that

1. Directorate Management Teams review and record their environmental performance at least half yearly, supported by their GEM Leads, using the Directorate summaries of environmental impact & controls (1.3)
2. Directorate Summaries (now Integrated Control and Enhancement Directorate GEM Summaries, known as ICED GEMS) are regularly updated by appropriate managers and are used to inform environmental target setting (2.2)
3. Service Plans include specific environmental improvement opportunities for 2006/2007 with formal management programmes indicating responsibility and timescales and link these to corporate objectives (3.5 & 4.1)
4. ISO 14001 requirements are integrated into key corporate processes, such as performance management, procurement and communication, now that all Council functions are included (4)
5. GEM auditors are allocated time by their managers to undertake at least 2 GEM audits annually (2.1)
6. The corporate plan indicator for reducing carbon emissions is changed to “Achieve a 12.5% reduction in Council carbon dioxide equivalent emissions by 2012” (3.4)
7. Reiterate the importance of all legal breaches being reported to GEM as soon as possible after they have occurred to ensure compliance with ISO 14001 (4.1.1)
8. Directors ensure that actual & potential risks identified by the Legal Compliance Review are entered on their Directorate Risk Registers (4.1.1)
9. Ensure that sufficient resources are made available to minimise the risk of potential or actual legal breaches identified in the Legal Compliance Review (4.1.1)
10. Paper for Council external printing jobs to contain a minimum 50% recycled fibre for coated papers and 70% for uncoated papers by 1st June 2007 (4.5).
11. All wood used by the Council is from certificated sources (5.3).

## CONTENTS

<b>1</b>	<b>Process</b>
<b>2</b>	<b>GEM audits</b>
2.1	Internal audit findings
2.2	Findings and actions taken in response to GEM Internal Audit
2.3	Changes to internal audits
2.4	GEM External surveillance
<b>3</b>	<b>Performance against GEM objectives &amp; targets &amp; changes in environmental performance</b>
3.1	Key achievements
3.2	Performance against GEM objectives & targets 2005/6
3.3	Performance against GEM & Environmental Strategy objectives & targets 2006/7
3.4	Carbon Management Action Plan (CMAP) Update
3.5	Plans for 2007/08
<b>4</b>	<b>Continuing suitability of GEM</b>
4.1	Incidents, near misses and corrective action (including legal compliance)
4.2	Changes in premises, staff or services affecting GEM

4.3	Changes in legislation or government requirements
4.4	Resourcing environmental improvement
4.5	Performance of contractors and partners
4.6	Concerns of relevant interested parties (including members) & new environmental issues
4.7	Communication
5	<b>Other developments</b>

## **1. Process**

### **1.1. *Input from senior management – a requirement of ISO 14001***

The ISO 14001 standard requires that top management review the environmental management system regularly to ensure that it continues to be suitable, adequate and effective to deliver the Council's policy commitment to improving environmental performance and full compliance with all relevant legal and other requirements (see the Management Review Procedure in the GEM Manual).

Management Reviews address the possible need for changes to the policy, objectives and other Environmental Management System (EMS) elements in the light of audit results, performance against objectives and targets, concerns of relevant interested parties, changing circumstances and the commitment to environmental improvement.

This information was collected through the directorate [GEM Lead Officers](#) and co-ordinated by the Sustainability Unit. It was discussed by the GEM group at their meeting on November 15<sup>th</sup> 2006, attended by the Director of Environment, Lead Director for ISO 14001. The report then went to CMB on 21<sup>st</sup> November 2006.

Key findings (this report) are being presented to the Cabinet Member (Environment) and Environment Scrutiny in December 06 as the second stage of the Council's top management review process.

### **1.2. *Roles of Directorate GEM Lead Officers & managers***

Directorate GEM Lead Officers are nominated by their Directors to act on their behalf. The corporate GEM Group has met 6 times since the last report. Due to reorganisation and staff changes there have been many changes to the GEM group, who received training on their role in February 06.

Service Managers have a responsibility to maintain good environmental management in their own services and contribute to the Council's requirement for overall improvement in environmental performance. Now that ISO 14001 covers the whole council, DMTs need to integrate service and corporate environmental targets into their Service Plans and performance management arrangements.

## **2. GEM Audits & surveillance**

Audits are essential to find out what is working smoothly and where effort needs to be focussed. Audits check systems procedures annually and performance with regard to sites, contracts, operational controls and services on a 3 year programme.

Extensions in ISO 14001 scope and recent changes to the standard have led to a revision of the audit schedule, which now places more emphasis on service based

and systems audits. Audits are now in an electronic format that makes access and monitoring response to findings easier.

Regular and thorough auditing is a requirement of the standard.

### 2.1. GEM Internal Audits

A team of over 30 auditors, drawn from each Directorate, undertakes GEM audits. GEM Auditors are supported by training, update meetings, GEM Audit material posted on the Intranet and monthly bulletins. Further support is available from the Sustainability Unit on request.

GEM Audit activity 05/06 (full year)

Number of planned audits	32
Completed/Work in progress	32
Number of non conformances raised	34
Number of non cons overdue for close out	1
Number of observations	13

GEM Audit activity 06/07 to half year

Number of planned audits	43
Completed/Work in progress	17
Number of non conformances raised	20
Number of non cons overdue for close out	8
Number of observations	59

Training for 8 existing auditors to equip them to undertake service and system audits took place in February 2006, using Highways as a live example.

Audits are now concentrated in 2 periods a year, in November and May.

### 2.2. Findings and actions taken in response to GEM internal Audit

Audits identified the following areas of weakness and opportunities for improvement. Although particular non-conformances have been addressed individually, the pattern shows that 'Control of Documents & records' and 'Operational control' require additional attention at systems level.

ISO14001 CAUSE	DESCRIPTION	NC	OBS
<b>Control of documents and records (4.4.5 &amp; 4.5.4)</b>	Documents out of date	3	4
	Documents incomplete	1	10
	Documentation not readily available	4	4
	Documents not in use	1	
	Documentation to demonstrate targets being achieved		1
	Better corporate control/management of GIS system	1	1
<b>Operational Control (4.4.6)</b>	Contractor management		1
	Recycled paper not in use	1	1
	PAT testing not evident	1	
	Fire drill out of date	1	1

	Mismanagement of waste		2
	Gas key not available		1
	Recycling bin availability		1
	Impact of move (to Plough Lane) on service delivery		1
	Collection of computers for recycling- Worcester lifestyles		1
	Use of electronic reporting		1
<b>Objectives targets programmes (4.3.3)</b>	Need environmental targets in operating/service plans	<b>1</b>	2
	Include commitment to ISO14001 in documentation		1
	Consideration of cross cutting issues		1
	Extend fair trade status		1
	Identify performance indicators		2
	Use of best quality indicators		2
<b>Resources, roles, responsibility and authority (4.4.1)</b>	No rep on GEM team	<b>1</b>	
	No fire warden reps		1
	Directing financial resources appropriately		1
<b>Communication (4.4.3)</b>	Better external communication		1
	Internal communications – problems with access to info		3
	Internal communications re: H&S		1
	External communications re: planning		1
	Internal / external communication re: expertise		1
	Better links between initiatives		1
	Passing info to ESU		1
	Publicising of initiatives		1
<b>Competence, training and awareness (4.4.2)</b>	Environmental training updated		2
	Training re: use of GIS		1
	Training re: sustainability appraisals		1
<b>Monitoring and measurement (4.5.1)</b>	Clarify progress on environmental commitment		1
	Better monitoring of impacts / effects of actions		2
	Policy monitoring in service plan		1

## 2.2 GEM External Surveillance

To maintain ISO 14001 certification our certifiers, SGS, undertake a 5 day surveillance visit every 6 months. Certifiers raise Corrective Actions (CA) and Opportunities for Improvement (OI). Progress on these is examined at the subsequent visit and CAs must be formally closed out.

- In Feb 2006 zero CA and ten OIs were raised. These were all closed out at the time of the July 2006 surveillance visit.
- In July 2006 four CAs and ten OIs were raised. The CAs related to:-

- Control of contractors unclear
- Service Environmental Impact Assessments not all fully complete & accurate
- Systems audits overdue
- Document issue & checking required further attention

These CAs and OIs are included in the Corrective Action system – see 4.1.1

Some of the other matters raised by SGS since the last Management Review are particularly relevant to top management.

- SGS Obs 2 Feb: **Ensure that minutes of management review meetings include evidence of discussion and outcomes in areas of concern**, eg repeated failures of sewage works at Hillcrest Callow and internal audits behind schedule.
- SGS Obs 4 Feb: Whilst some worthwhile environmental improvements were noted in Adult Social Care during 2005/2006 period, they have not been recognized **within the Service Plan. Ensure that specific environmental improvement opportunities are identified for 2006/2007, objectives established and formal management programmes indicating responsibility and timescales are prepared.**
- SGS Obs 6a Feb (Compliance Review): A **capital bid to upgrade the flare** at the Sutton Sugwas closed landfill site was **submitted for a second time** in Nov 2005 – review outcome at next visit. (Legal Register)
- SGS Obs 6 July: Management Review - Recommend review of Management Review procedure (GEMSYS 4gP1 V5) to align it more accurately with current arrangements (done)

### **3 Performance against GEM objectives & targets & changes in environmental performance**

Objectives and targets are important to ensure that the Council's environmental performance is improving: monitoring is vital in checking whether these are being achieved.

#### ***3.1 Key achievements***

- Herefordshire Partnership agreed Climate Change Strategy in June 2006. The Council has put in a submission to the LGC Sustainable Communities Award - Climate Change category
- Extensions of ISO 14001 certification scope to cover:
  - Feb 2006: Adult Social Care, County Secretary & Solicitors, Development & Building Control,
  - July 2006 Children's Services, Forward Planning, Conservation, Human Resources, Policy, Communication, Herefordshire Partnership, Economic & community regeneration
- ISO 14001 Certification now covers all mainstream Council services so environmental impacts of Council services are now evaluated, as well as those relating to Council premises. There is increased emphasis on documenting environmental impacts and controls by Directorate & service to enable managers to access this information easily.



### 3.2 Performance against GEM & Environmental Strategy objectives and targets 2005/6

Performance on the GEM programme for 2005/6 was reported to the Cabinet Member and Environment Scrutiny on 5th December 2005 (half year) and 5<sup>th</sup> June 2006 (end year). See the Gem Report 2005/06 for more details.

#### Performance against Environment Strategy targets (internal & external) in 05/06

Topic	Achieved	Not achieved	Unclear/ no data
Waste	8	3	
Transport	13.5	2.5	2
Energy & climate change	7	1	
Water & Flooding	5	1	
Natural & built Environment	2		6
Planning & Development	1.75	0.25	7
Environmental Risks & pollution			7
Community Involvement & Partnership working	1.75	0.5	5.75

The Sustainability Unit will be following up targets where data is not currently clear and the GEM group will track performance.

#### Targets not achieved in 05/06

Section	Target	04/05	05/06
Waste	Increase both the % and tonnage of household waste arisings composted	6.69%	6.58%
Waste	Decrease the cost of waste collection per household	£42.59	£44.69
Waste	Decrease the cost of waste collection per tonne	£58.51	£78.99
Transport	Increase the number of passenger journeys per year on public transport (Bus & Rail)	Rail 3089000	Rail 3079000
Transport	Improve the condition of surface footways	32.5%	30.68%
Transport	Decrease the number of road accident casualties (all/ <b>children</b> )	Children 6	Children 8
Energy & Climate Change	Reduce the energy costs of operational council property per square metre Gross Internal Area	£7.22	£9.23
Water	Reduce the water costs of operational council property per square metre Gross Internal Area	£1.71	£1.83
Planning & Development	Reduce the time in which planning applications are determined: ie, major, minor, other applications & <b>standard searches</b>	Standard searches 95%	Standard searches 75.94%
Community Involvement & Partnership working	Increase the proportion of schools that are (a) registered on the EcoSchools programme and (b) <b>have achieved an award level</b>	Award level 17	Award level 17

### **3.3 Carbon Management Action Plan (CMAP) Update**

The Council now has an explicit Corporate Plan commitment to:-

'Protect the environment, including by ... **significantly reducing carbon emissions**' (5.1).'

The current Corporate Plan target relating to this is:-

"Through the implementation of the Herefordshire Partnership's Carbon Management Action Plan, we aspire to see a reduction in carbon emissions per head of population from the baseline of 14.5 tonnes to 11.25 tonnes a year. "

The Council is working closely with the Herefordshire Environment Partnership and Herefordshire Partnership on carrying forward Herefordshire's Climate Change Strategy.

However the Council only has direct control over emissions resulting from its own activities.

A carbon reduction figure for 2005/06 is not yet available (due to staff shortages), but is due by the end of 2006. The CMAP group meets in November 2006 and will review the Action Plan. Ten actions were due for completion by September 2006. A number of problems have been encountered so the Action Plan is being revised. Care will be required to ensure that the 1.25% annual reduction remains on track.

### **3.4 Performance against objectives and targets 2006/7**

The performance on the GEM programme for 2006/07 will be reported to the GEM Group in January 2007. This will include half year reports on targets currently in Business Plans, any targets carried over from 2005/06 and Environment Strategy targets for which half year data is available.

### **3.5 Plans for 2007/8**

The Environment Strategy 2005 -11 continues to provide the framework for major corporate environmental commitments, both internal and external.

In addition there is a strong emphasis across the Council on taking account of cross cutting themes, including 'safeguarding the environment'. In 'Directorate and Service Plans 2007-10: the requirements' it states clearly that:-

"Directorate and service plans must....include what will be done to address the Council's cross-cutting issues."

## **4 Continuing suitability of GEM**

The environmental management system has grown rapidly during the review period as the scope of ISO 14001 certification has expanded. It is now important to revisit both system and operational procedures to ensure they are remain fit for purpose in this larger system. Certain elements of the system that used to be co-ordinated by the Sustainability Unit may now need to be handed to other corporate systems and mechanisms, for instance performance management and commitments in the Environmental Strategy.

## **4.1 Incidents, near misses and corrective action (including legal compliance)**

### **4.1.1 Legal Compliance Review**

Compliance with environmental legislation was reviewed in October 2006 using a similar format as last year, with the addition of land related Management Agreements.

For the first time this review covers “other” requirements, an addition to the 2004 ISO 14001 standard. This covers compliance with relevant commitments that the Council has taken on voluntarily, for instance relating to Fairtrade.

#### **KEY FINDINGS**

##### **i) Breaches**

There have been a number of breaches during the reporting period including:

- Hillcrest Housing sewage treatment works discharges (2 breaches – 1 major)
- Asbestos contamination at Burley Gate School (1 major incident)
- Crematorium emissions (7 minor breaches)
- Merton Meadow lorry wash discharges (3 minor breaches)

No prosecutions have been taken over these particular breaches, but prosecution has been considered in relation to Hillcrest sewage works (formal caution to be given instead) and remains a possibility in relation to the Burley Gate School incident as the investigation is still ongoing.

##### **ii) Potential breaches**

There are a number of areas of Council responsibility where work is required during the next year to reduce the risk of breaches including:

- Gas flare at Stretton Sugwas closed landfill site (plan, timetable & funding agreed for flare)
- Stretton Sugwas - recent gas migration at this site may increase the risk of breaches. This could give higher weighting to the funding of measures to manage gas extraction in the 07/08 capital bidding round.
- Sewage treatment works for which the Council is responsible (survey and refurbishment programme)
- Ross Ashburton depot interceptor (condition survey/inspection and necessary works)
- Management of land with nature conservation designations (2C) (audit of Council responsibilities)
- Broad Street car park Leominster drainage (installation of interceptor or other contingency arrangements in case of spill)

##### **iii) Poor reporting of breaches**

There have also been problems during this year with breaches not being reported to GEM even when there are specific process procedures in place stating that this should be done.

Actual and potential reported breaches in this document are accurate and up to date as a result of contact being made with all relevant officers as part of the review.

### **4.1.2 Corrective Action Forms**

Corrective Actions Forms (CAFs), including any points raised by Regulators, are raised internally when non-compliance is identified,. The GEM Group reviews

corrective action and the CAFs are signed off once these have been completed. CAFs are recorded and reviewed regularly at GEM meetings.

Eleven CAFs have been raised internally since the last Management Review. Two have not been closed out. SGS said three of the CAFs raised were not non-conformances as such (relating to roadside trees, polytunnels and the Transco pipeline) so they have been removed from the CAF register.

The CAFs can be summarised as follows: -

<b>Nov 06 review</b>		<b>Nov 05 review</b>	
Breach of consent/requirements at Sewage Treatment Plants (All at Hillcrest)	3	Failures at Sewage Treatment Plants	4
Breach of consent/requirements by other Council operations	1	Breach of consent/requirements by Council operations	2
Air pollution from landfill gas flare	1	Air pollution from landfill gas flare	1
Local environmental quality	1	Local environmental quality	2
Concerns raised by interested parties	1	Potential water pollution	2
Document control	1	Fire	2
Procedure weakness	2	Salt storage	1
Resourcing /follow through of objectives	1	Noise from Council operations	2

Two CAFs are overdue for close out. SGS have raised observations on both of these areas and will be reviewing progress at their Feb 2007 visit.:-

- Sewage Treatment Works at Hillcrest Callow: three formal samples have been taken by the Environment Agency since August 05 and two have failed. Two routine samples have failed this year. A formal caution is due from the Agency and another formal sample will be taken shortly. It is hoped that this will demonstrate that preventative measures now in place have been successful. (CAF 04/05 8, also SGS Obs 6 Feb 06)
- Replacement of the Stretton Sugwas landfill flare (raised in March 05). A capital bid will be resubmitted in the current round. (CAF 05/06 2, also SGS Obs 3 Feb 06)

#### **4.1.3 Links to other systems to notify environmental incidents**

##### **Health & Safety Accident, Incident and GEM report form**

The system is computerised and prompts specifically for any environmental impacts. These incidents are automatically routed to the Sustainability Unit.

No environmental issues have been notified through this route during the review period.

##### **Customer Relationship Management**

A new process was implemented in October 2005 via Customer Relationship Management (CRM). When any complaints are logged that have environmental impact, CRM automatically sends an email alert to the GEM team. The complaint will continue to be investigated by the Directorate concerned. A new CRM system is due to be rolled out in January 2007 which will also incorporate GEM into the Compliments / Complaints process.

No environmental issues have been notified through this route during the review period.

#### 4.2 Changes in premises, staff or services affecting GEM

Reorganisation resulted in changes to the GEM group and responsibility for some environmental aspects such as purchasing. Directors reviewed their GEM Lead Officers early in 2006 in the light of this and developments in the brief of the GEM group.

The development of the Local Area Agreement (LAA), running from April 2006- 2009, led to some changes in the vision for the Community Strategy for Herefordshire (launched July 06) and the Corporate Plan. This new vision places the environment centrally and protecting the environment remains a guiding principle. However ambitions have been changed to reflect the LAA blocks so there is no longer an environment ambition and the Herefordshire Partnership Environment Ambition Group has now become the Herefordshire Environment Partnership. This group remains one of the interested parties defined in the Council's environmental management system because of the number of key public, private and voluntary environmental groups represented on it. Additionally the group provides valued support to the Cabinet member.

#### 4.3 Changes in legislation, government or self set requirements

Fairtrade	The County was awarded Fairtrade status in May 2006. In support of this the Council is committed to: - <ul style="list-style-type: none"> <li>• Serve Fairtrade coffee and tea at its meetings and in offices and canteens;</li> <li>• Seek to attract popular support for the campaign across Herefordshire, particularly supporting the local Fairtrade Steering Group</li> </ul>
Building Regulations, April 06	Requirements relating to Part L, Conservation of Fuel and Power & Part F Means of Ventilation). The changes in legislation will have implications on work carried out to Council Property
Nottingham Declaration on climate change	Prepare a plan with our local community to address the causes and effects of climate change and to secure the maximum benefits for our communities. Publicly declare within the plan the commitment to achieve a significant reduction of greenhouse gas emissions from our own authority's operations specifically energy sourcing, and use, travel and transport, waste production and disposal and the purchasing of goods and services. Provide opportunities for the development of renewable energy generation within our area. Monitor the progress of our plan against the action needed and publish the results.
Biodiversity duty	From 1st October 2006 a new duty comes in under Section 40 of the Natural Environment and Rural Communities Act 2006, requiring public bodies to consider biodiversity in the work they do. The aim is to raise the profile of biodiversity in England and Wales and it will affect over 900 public bodies including local authorities, fire, police, health bodies, museums, and transport authorities. The guidance is expected to be published in early 2007.
European Energy Directives Part L Building Regs	This directive relates to the energy performance of all buildings over 1000m2 and will require any Council buildings with floor area over 1000m2 to display its energy performance. EU member states have 3 years from January 2006 to implement this directive.
New Fire Risk Assessments	From 1 <sup>st</sup> October 2006 new requirements have come in under the Fire Precautions (Workplace) Regulations 1997 (as amended) which affect the fire certification of buildings. This will have implications for the Council, both acting as landlord and

	tenant.
Commons Act	This was passed in 2006 and is likely to have some implications in the way that the Council deals with common land – in the first instance in relation to documentation and mapping. Currently awaiting detailed guidance, which is due out in 2007.
ISO 14001	Certification now covers the whole Council.
Strategic Environmental Assessment Directive 2001	The requirements to carry out SEA on certain plans and programmes is now fully in force.

#### **4.4 Resourcing environmental improvement**

##### **i) Capital programme & environmental improvements**

The Council has an annual capital programme for Prudential Borrowing. Bids are submitted in November and will this year be evaluated against a high level cost -v- strategic objective. Those that pass this stage are then scored against the Herefordshire Partnership Guiding Principles Appraisal and environmental impact. Legal compliance issues are also taken into account.

Environmental Bids submitted in 05/06 for 06/07	Cost	Cost
Restore Leominster landfill site	£0.5m	Agreed
Crematorium rebuild	£0.8M	Agreed
Second phase of drainage work (Broad Street, Leominster)	£ 75K	Failed
Gas Flare, Stretton Sugwas Landfill Site	£55K	Failed

A capital bidding round is currently in process for 07/08 - bids were due by mid November. Invest to Save bids will be considered, including all bids that can justify significant revenue savings when compared to the capital financing costs over the life of the asset created.

Bids relating to environmental improvements submitted in 06/07 for 07/08 & beyond

Gas Flare, Stretton Sugwas landfill site	£60K
Gas extraction system, Stretton Sugwas landfill site	£105K
Leominster Closed landfill site restoration	£1.6m
Strangford Closed landfill site - leachate wells & gas monitoring points	£18k

The Council succeeded in gaining funding from Salix in summer 2006 for energy efficiency works on its buildings, which must meet strict payback criteria. This scheme is being led by Property Services.

#### **4.5 Performance of contractors and partners**

Owen Williams, HJS, Severn Waste & FOCSA all have ISO 14001 certification.

West Mercia Supplies has an environmental statement, an environmental champion and a sizeable programme of environmental initiatives.

The Environment Agency sent Severn Waste Services a formal written warning for breaches of some conditions of the Waste Management Licence relating to the management of the closed landfill site at Leominster on 11th July 2006. They require a written reply submitting proposals for the long term management of the site that will ensure compliance with the licence, by 31st October. The Council does not manage this site but is contractually liable for the cost of managing the Leominster closed landfill site within the terms of the WML as



part of the Waste Disposal Contract with Mercia Waste (Environmental deed of the WMC, 1998). Environmental Health works closely with Severn Waste on this area (see also capital bid at 4.4).

Key Performance Indicators (KPIs) and targets relating to sustainability within the HJS/Owen Williams/HC contract remain under negotiation as part of a review of all KPIs.

The HJS Print Unit produces committee agendas on recycled paper and uses 100% recycled paper as standard on 4 out of 6 machines. No suitable recycled grade is yet available for the remaining 2 machines. The Council have requested that HJS roll out a spec for use of recycled paper (50% recycled fibre for coated papers and 70% for uncoated papers) to their sub contractors. This is the specification recommended by WRAP (Waste & Resources Action Programme) as one that should be achievable with no increase in cost.

A recent Procurement Healthcheck by Qualitar Consulting highlighted weakness in incorporating environmental obligations into contractual arrangements. A new post of Strategic Procurement Efficiency Review Manager in the Resources Directorate, responsible for procurement at a strategic level, has been created by reorganisation and is in the process of appointment. It is proposed that this issue be addressed when the Strategic Procurement Manager comes into post.

The national focus on sustainable procurement continues to strengthen with the report of Sir Neville Simm's taskforce and the Government commitment to being the leader in Europe on sustainable procurement by 2009.

The National Procurement Strategy for Local Government requires that we "Build sustainability into the Council's procurement strategy, processes and contracts".

Our Procurement Strategy, updated in July 2005, states at para 6 that :-

"In the context of a procurement process, obtaining the best value for money means choosing the bid that offers the best combination of whole life costs and benefits to meet the Council's requirements. This is not necessarily the lowest initial price option and requires an assessment of the ongoing revenue and resource costs, as well as the capital investment. The Council's requirements will include social, environmental, sustainability and other strategic objectives defined at the earliest stages of the procurement cycle. "

#### **4.6 Concerns of relevant interested parties (including members) and/or new environmental issues**

Herefordshire Partnership Environment Ambition group commented during the review of the Herefordshire Plan about coverage of environmental issues and loss of the Ambition groups.

The revised Community Strategy for Herefordshire has a strong commitment to sustainability, a commitment to the county's "outstanding natural environment" and includes environment & sustainability as guiding principles. The (now renamed) Herefordshire Environment Partnership chair will have a seat on the HP Board.

#### **4.7 Communication**

Internal communications channels have been restructured to minimise the environmental impact of communicating with 6,000 employees across a large number of council buildings. A face-to-face team briefing system was launched in April 2006, which depended on verbal briefings rather than printed material. In

addition, the council quarterly newspaper of eight pages was replaced with much smaller monthly news leaflets, reducing the amount of paper used by 50 per cent. Distribution was also improved to keep wastage to a minimum.

GEM was not included in the 2006 Staff Opinion Survey. However the monthly newsletter continues to be distributed to interested members of staff and the Resource Efficiency Code has been updated.

## **5 Other Developments**

### **5.1 Review of Council environmental aspects**

These have been extended and consolidated to reflect the new services joining the ISO 14001 scope, particularly in Planning Services. Additions include Landscape Character and Heritage & Archaeology. There are currently 17 aspects.

### **5.2 Sustainability Strategy**

This is being developed by a corporate director level group, led by the Director of Environment and supported by Forum for the Future. A draft is currently out to internal consultation.

### **5.3 Timber**

Property Services have required the use of legally felled timber, backed by certification schemes recognised by the Government, for some time.

It is recommended that this becomes standard for all wood used directly by the Council and by contractors working on its behalf.

Some Council services, eg Public Rights of Way, buy some local timber that is not currently certificated. Where the providing company can provide documentation to prove that the wood supplied is locally grown and legally felled it is recommended that this can continue to be used for an interim period. As Woodland Grant Schemes adopt FSC as standard it is expected that all wood used will be certificated to schemes recognised by the Government within 4 years.

#### *SGS Observation – July 06*

The GEM Team are already using the DEFRA Central Point of Expertise on Timber (CPET) site for guidance on legal and sustainable timber procurement, though evidence (eg at Whitecross school) of use of certificated timber is limited. It is expected that the guidance on this site will be implemented within the Council to support its Environmental policy commitment to legal compliance (possibly as an EMS objective). Review at next visit.

### **5.4 EcoSchools**

This scheme continues successful in the county and is a target within the Environment Directorate Plan.

Sustainability Unit, November 2006



## **POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG**

**Report By: Director of Environment**

### **Wards Affected**

County-wide

### **Purpose**

1. To consider the draft Policy Statement for the Use of the Rivers Wye and Lugg as the basis for public consultation.

### **Financial Implications**

2. The financial implications of approving the document for consultation are limited to publication and circulation costs and these will be met from existing budgets.

### **Background**

3. Herefordshire's rivers are important culturally, environmentally and economically to the County's future. The River Wye, in particular, is nationally renowned and together with the River Lugg is defined as navigable within the confines of the County.
4. These two principal rivers offer considerable opportunities in terms of contributing to the economic well being of the County yet by their nature the rivers have constraints that must be acknowledged if the qualities that make them so attractive are to be maintained.
5. Although Herefordshire Council is able to influence some aspects of the rivers' use and activities upon them the Environment Agency has prime responsibility for their management, including flood control, water abstraction, navigation, recreation and biodiversity conservation. Recently the Agency's duties have increased as a consequence of the Water Framework Directive, whereby it must produce River basin Management Plans. Furthermore it recently produced the Wye Waterway Plan, which incorporates the Wye Navigation Plan required under The Wye Navigation Order 2002. The Waterway Plan covers both the Rivers Wye and Lugg.
6. It is however timely for the Council to develop a policy for the use of the two rivers and present this in a formal statement. One of the functions for such a policy statement would be to indicate how it would work with partners, in particular the Environment Agency, on matters of mutual interest and concern. It might, for example, assist the Council's representatives on such forums as the Wye Navigation Committee and the Herefordshire Partnership Board.
7. A draft statement has been prepared and is appended to this report at Appendix 1. Legal services were party to the document's preparation. Informal consultations were undertaken upon an initial draft with the Wye Navigation Committee, the Wye Management Committee and the Wye Valley AONB Joint Advisory Committee. At

---

Further information on the subject of this report is available from  
Bill Bloxsome, Conservation Manager on 01432 261783

this stage it is proposed to report to Cabinet recommending that the document be published for consultation including parish councils, representative bodies and relevant sporting and amenity bodies and organisations, as well as with the public.

8. The draft statement sets out the strategic background to the issue, a statement of principle, general policies setting out the Council's approach to the use of the two rivers, and finally operational policies covering those aspects for which the Council has some powers and responsibilities.
9. The Committee's comments on the draft Policy Statement are invited for submission to Cabinet.

### **RECOMMENDATION**

**THAT the draft Policy Statement for the Use of the Rivers Wye and Lugg be recommended to Cabinet as the basis for consultation with relevant organisations and the public, subject to any comments the Committee wishes to make.**

### **BACKGROUND PAPERS**

- Herefordshire Unitary Development Plan (Revised Deposit Draft)
- Herefordshire Community Strategy
- The Wye Navigation Order 2002
- The Wye Waterway Plan
- West Midlands Regional Spatial Strategy

**HEREFORDSHIRE COUNCIL**

**POLICY STATEMENT FOR THE**  
**USE OF THE RIVERS WYE AND**  
**LUGG**

**DRAFT**

Herefordshire Council  
November 2006

## **CONTENTS**

- Section 1 Introduction
  - Section 2 Strategic Background
  - Section 3 Statement of Principle
  - Section 4 General Policies on the Use of the Rivers Wye and Lugg
  - Section 5 Operational Policies
- 
- Appendix 1 Related Documents
  - Appendix 2 The Wye Navigation Order and Wye Waterway Plan - General Commentary

## 1. Introduction

- 1.1 The purpose of this document is to set out Herefordshire Council's general policies on the use of the Rivers Wye and Lugg and how we intend to utilise our operational activities in support of these policies.
- 1.2 We are aware that the Environment Agency has a key role in matters involving the use of these rivers, and has prepared the Wye Waterway Plan. Furthermore the Wye Navigation Order 2002 appointed the Environment Agency as Navigation Authority and requires it to prepare a Navigation Plan. The Wye Waterway Plan incorporates the Wye Navigation Plan for the navigable sections of both the Wye and Lugg setting out a range of policies and an Action Plan. Our policy document has also been prepared as a response to this work by the Environment Agency. We wish to work in partnership with the Environment Agency on matters of mutual concern and interest in relation to the two rivers.
- 1.3 Herefordshire's rivers are some of its most valuable assets, representing an important cultural, economic and environmental resource. Our ability to take direct action in relation to the future of these rivers is limited, particularly in terms of promoting change. Nevertheless there are opportunities to influence the activities of others. This needs to be done within a thorough understanding of the complex interrelationships between all aspects of the system that forms the river environment.
- 1.4 The qualities that make the river environment within the County so attractive also place limitations and constraints upon the extent to which they should be exploited. Their landscapes, in particular, are of very high quality, especially that of the River Wye below Hereford, which is nationally important and designated an Area of Outstanding Natural Beauty (AONB). The qualities of all the rivers and their valleys have been evaluated within a consistent framework comprising the Herefordshire Landscape Character Assessment. Their biodiversity value is also significant. The Rivers Wye and Lugg, are designated Sites of Special Scientific Interest (SSSIs) while the Arrow and Frome are Special Wildlife Sites (SWSs). The River Wye and part of the Lugg are of international importance, being Special Areas of Conservation. As such they fall within the Natura 2000 series that represent the best nature conservation sites in Europe. Their cultural qualities are also noteworthy and a number of studies have and are continuing to unearth their extensive history. The river level can at times pose a danger to users.
- 1.5 Working within these constraints Herefordshire Council considers the rivers are assets that can be used to benefit the County, in particular in ways that show it is committed to sustainable development. There is a further recognition that this can only be achieved by working in partnership with the

many organisations that have either or both direct or indirect interests in the rivers.

- 1.6 We have responsibilities as Local Planning Authority and as Local Highway Authority that can be utilised to promote our approach to the use of the rivers. In these matters Herefordshire Unitary Development Plan (UDP), the Local Transport Plan (LTP) and the Rights of Way Improvement Plan are particularly relevant. We can also utilise powers in relation to environmental health, and promote actions and activities as the owner of adjacent land and use the rivers as a resource for areas of service provision, such as youth service activities, tourism promotion and education.
- 1.7 Those public organisations that are understood to have responsibilities in relation to the rivers that flow through Herefordshire includes DEFRA, the Environment Agency, English Nature and the Countryside Agency. The actions of others such as English Heritage, the Rural Development Service, the Forestry Commission and the Heart of England Tourist Board can also indirectly influence issues associated with the rivers.
- 1.8 A range of individuals and voluntary and specialist bodies also represent particular interests associated with the rivers. Although less restricted in the way they operate there is no reason to believe their interests exclude pursuing matters within a sustainable development approach.
- 1.9 The County's rivers serve a range of functions. This policy statement concentrates on the Rivers Wye and Lugg because the opportunity for their use is widest, in particular in view of their designation as 'navigable rivers'. However, some of the policies expressed in this document may have wider application.

## 2. Strategic Background

2.1 Herefordshire Council's principal strategic document encompassing matters relating to the use of the Rivers Wye and Lugg is the Herefordshire Unitary Development Plan (UDP). Policy RST8 is directly relevant to the two rivers:

*RST8 Waterway corridors and open water areas*

*Recreational development based on, or associated with, the River Wye and Lugg navigations will only be permitted if it complies with policies NC2 and NC3. Proposals for the development of low-key access to riverside and canalside areas will be permitted subject to detailed planning considerations. On navigable lengths of river and canal, development involving permanent moorings (other than overnight stays) will only be permitted in basins or marinas, in urban locations or sites used historically for this purpose.*

*Within the environs of Hereford, development directly associated with leisure and transport use of the River Wye and the riverbank corridor will be permitted, provided that an acceptable balance can be reached with the constraints arising from landscape character and quality, from natural and historic heritage.*

***Proposals for the recreational use of existing areas of open water, or new areas that become available as a result of mineral extraction, or for the creation of reservoirs or amenity lakes, will be permitted where:***

- ***they serve a recognised sub-regional or local demand;***
- ***they have regard to the needs of all potential users, avoid over-use, and are able to resolve potentially conflicting uses;***
- ***there is no unacceptable conflict with water supply, water quality or commercial uses; and***
- ***there are no over-riding safety issues.***

2.2 There are also a number of supporting partnership documents under the umbrella of the Herefordshire Partnership (Local Strategic Partnership) that may be relevant such as the Economic Development Strategy, the Environmental Strategy and the Cultural Strategy. They have been used as the basis for developing action plans by the relevant working groups responsible for these issues. Although the future of such groups is under review it is expected that key elements of their work will continue to be advanced through new mechanisms that are under consideration.

2.3 A range of national and regional documents produced by Government, the West Midlands Regional Assembly, other public agencies, and national representative bodies has influenced the above documents and have been taken into account in developing the policies set out for the Rivers Wye and Lugg. Of these the Regional Spatial Strategy is considered most apposite.

2.4 In addition to preparing the Waterway Plan the Environment Agency must prepare a River Basin Management Plan for the Severn Basin. This will cover the area including the Rivers Wye and Lugg. This is a relatively new duty under the Water Frameworks Directive. Work is only now beginning upon its preparation and it is expected that a first Draft River Basin Management Plan will be prepared by December 2008 with the final Plan following twelve months later. It will cover such matters as:

- controlling diffuse pollution from rural and urban sources;
- balancing competing uses of our river environment;
- reducing water demand;
- improving the quality of our marine and coastal waters; and
- delivering Habitat and Birds Directive requirements.

2.5 The Wye Valley AONB Management Plan was prepared and adopted in 2004 by the local authorities in whose areas it falls. This covers issues relating to both the river and its surrounding landscape.

2.6 Extracts from those documents considered most relevant in terms of directing policy for the two rivers are included in Appendix 1.



### 3. Statement of Principle

3.1 The increasing requirement to prepare management plans and involve the public in their preparation coupled with current issues such as climate change and the rising demand for water to meet development pressures are already raising concerns that will bring the use of the water environment further to the fore. These are in addition to those local issues that can sometimes be seen as resulting in conflict between particular interests and users of our rivers. We may not be able to tackle all the issues that arise. However this statement of policies sets out the approach we propose to adopt in order to address those matters that we can influence.

3.2 As a basis for this approach we propose to a key statement of principle, which is:

***To facilitate and encourage both local people and visitors to appreciate and experience the unique qualities of the Rivers Wye and Lugg, together with their associated landscapes, while ensuring those qualities are protected and enhanced so that they provide an enduring legacy for others that follow.***

3.3 Essentially this approach is based upon affording access to all the aspects of the river environment wherever this is possible, yet where this is not, efforts need to be made to enable those concerned to understand and recognise why there may be restrictions.

3.4 Sections 4 and 5 that follow set out:

- General policies upon issues associated with the use of the Rivers Wye and Lugg; and
- Operational policies, being those activities that the Council is directly responsible for.

#### **4. General Policies on the Use of the Rivers Wye and Lugg**

4.1 The following policies aim to influence decisions primarily by others responsible for regulating or promoting the use of the Rivers Wye and Lugg.

##### **4.2 General Boating Use of the Rivers**

Context:

Informal use of the river by local people, tourists and other visitors is limited. The use of Motorised craft within the County is limited to one stretch of the River Wye, above the rapids at Symonds Yat, but previously there were facilities at Hereford and Ross. There appears to be limited use of motorised craft for personal use along the Wye within Herefordshire because of practical, safety and conservation limitations upon how it can be used for this purpose. There also appears to be little or no opportunity for visitors or others to hire small boats or punts providing for informal recreation.

##### **Policy Statement 1:**

- (1) Where opportunities arise and constraints permit we will promote the use of the Rivers Wye and Lugg by boats catering for informal recreation and leisure activities by all, especially where this enables a greater understanding to be gained of the rivers' character and importance.**
- (2) We will encourage and work with the Environment Agency (as the Navigation Authority), to expand upon their waterway policies defining the opportunities for and limitations upon the use of the rivers by motorised craft.**
- (3) We will encourage and work with the Environment Agency to determine the extent to which the rivers can be used for non-motorised leisure boating.**
- (4) We will seek to agree a Code of Practice for collaborative working with the Environment Agency in relation to enforcement activities related to vessels upon the rivers where Herefordshire Council also have enforcement powers/duties.**
- (5) We will support the Environment Agency's lead role in promoting mechanisms for managing the interrelationships between the various users of the Rivers Wye and Lugg. The mechanisms should include such other organisations that have specific and legitimate responsibilities for associated matters.**

Background:

The Environment Agency proposes to promote the existing use of both non-motorised boats and motorised craft along navigable stretches of the Rivers Wye and Lugg. They also propose to enhance further non-motorised boating.

It is understood that there are a range of limitations to the use of the River Wye within Herefordshire by motorised craft. The exact nature of these limitations and whether they are insurmountable is, however, less obvious, particularly to the public who wish to enjoy the rivers in a variety of ways. There are a range of natural and legislative restrictions on the use of the river by motorised craft, these are outlined in the many policy statements included in the Wye Waterway Plan. Whether these are surmountable at particular locations will need to be determined on a site-specific basis.

The reduced ability for motorised craft to use the River Wye even in a very limited number of locations is evident with the withdrawal from use of such craft at Hereford and Ross. In accordance with the above statement, if an operator wishes to resurrect such navigation in these locations, there will be a need for detailed proposals and discussions with the Environment Agency, Herefordshire Council and English Nature/Natural England.

The Environment Agency places significant emphasis on health and safety issues in relation to vessels and has duties in relation to inspection and enforcement. It is also the intention to undertake such duties in collaboration with other enforcement agencies. We have some licensing responsibilities that may be linked with the work of the Agency. Agreement upon how the two organisations might work in partnership would be beneficial.

As Navigation Authority the Environment Agency's responsibilities under the Wye Navigation Order 2002 provide it with powers to remove any vessel that is sunk, is stranded or abandoned.

There is the potential for conflict in terms of the interrelationships between users and other organisations with interests in the management of the rivers. All the parties involved in promoting their particular activities on the rivers should seek to achieve consensus in order to reduce such conflict and preferably promote working in partnership. We will seek to support/assist the Environment Agency in their lead role to resolve such conflicts as and when they might arise.

#### 4.3 Sporting Use of the Rivers

Context:

The Rivers Wye is used for a number of water related sporting activities, including angling, rowing and canoeing/kayaking. As with the issue of general

boating there are practical, safety and conservation limitations upon how it can be used for these purposes. The River Wye has also been used for events that may be considered sporting activities such as a long distance raft race and 'dragon-boat' racing. Only canoeing and kayaking are understood to take place on the River Lugg, and this is to a limited degree. It is understood that neither of the rivers within Herefordshire are used for sailing.

### **Policy Statement 2:**

**(1) The Rivers Wye and Lugg should remain available as a facility for sporting interests where these can be undertaken in a way that reflects their environmental capacity.**

**(2) The provision for water-based activities should be considered within the context of all open water within the County, including artificial lakes resulting from gravel extraction.**

**(3) Specifically in relation to the River Wye we will work with the Environment Agency, relevant Governing Bodies of Sport and local clubs and groups who have an interest in promoting access to this for the benefit of the sport where this can be achieved sensitively.**

**(4) We will support the Environment Agency's initiative to develop a Code of Conduct (as outlined in the Wye Waterway Plan), for all river users, which will give clear guidance on their use in an environmentally sensitive way and in a manner to minimise potential conflicts with other users.**

### **Background:**

At this stage the Waterway Plan proposes a number of reviews in relation to various activities associated with the rivers and their use. These include an investigation of existing access arrangements to the rivers and areas of conflict with conservation interests. It will seek to develop a programme to maintain existing accesses and carry out an assessment of the need to develop additional ones. It intends to do this with partners, and the Environment Agency has confirmed that Herefordshire Council will be one such partner

We have management and maintenance arrangements for our own access points on the River Wye that have been agreed with the Environment Agency and English Nature. These are referenced in the Wye Waterway Plan. Whereas there is an aspiration in the Plan to create a further river access point, this is not site specific. There is a broad consensus between relevant organisations and the governing bodies for sport that alternatives for a further access point, principally for those with disabilities, should be investigated.

There are also known to be potential conflicts between the use of the rivers for sporting activities and conservation interests. However these have in the past been handled sensitively, for example, some minor dredging and clearance of vegetation has been authorised to enable rowing regattas to proceed. The creation of new access points will involve construction works and may intensify use of the rivers at particular points. The change in conservation status of the River Wye will affect whether and how such works may be undertaken in the future.

There are 4 principal governing bodies of sport that potentially have interests in the County. These are: - The Amateur Rowing Association, The Royal Yachting Association, The British Canoe Union and The British Angling Association. Whereas each has a reference to river access in their local plans, only the British Canoe Union specifically mentions the River Wye as part of a regional or national development strategy. This reference is confined to the Symonds Yat Rapids. It is likely that future development strategies by these bodies will centre on talent identification and preparation for the 2012 Olympics rather than the development of a hierarchy of regional and local facilities.

There are also local clubs and organisations that use the rivers for sporting purposes in addition to the Council's Youth Service. These include Hereford Rowing Club, Ross Rowing Club, the Committee for Herefordshire Amateur Rafters (CHAR) and Hereford Kayak Club.

We have undertaken a 'Rivers and Flat water Study' that makes recommendations in relation to water related sports. A summary of its recommendations is provided in Appendix 1.

Local rowing and canoeing clubs use small-motorised craft for safety purposes.

#### 4.4 Informal Leisure and Recreational Activities adjacent to the Rivers

Context:

A range of other leisure and recreational activities related to the river take place upon its banks and require integration with the recreational use of the rivers. Managing the interrelationship needs an integrated approach.

#### **Policy Statement 3:**

**We will support sensitively designed leisure and recreational developments associated with the Rivers Wye and Lugg along their banks where the scale of their impact respects their setting. Proposals that increase understanding and awareness of their natural and historic environments will be particularly welcome.**

Background:

The River Wye provides an outstanding leisure and recreational resource in particular with opportunities for the pleasant enjoyment of the countryside by both local people and visitors. In addition to formal sporting use, the river valley is capable of sustaining non-competitive and informal sporting use by individuals and community groups, within a variety of settings such as bird watching, rambling and picnicking. The River Lugg is less accessible for such uses but still has potential. A number of studies and projects are either underway or proposed that might identify increased potential within the confines of this river and bank-side areas.

Our ability to influence such activities is greater than for that upon the rivers themselves. For example, we can promote increased access through the Rights of Way Improvement Plan.

#### 4.5 Landscape

Context:

The river landscapes of the Wye and Lugg have a high reputation and attract many visitors. The valley of the River Wye to the south of Hereford in particular falls within the Wye Valley AONB and as such is nationally important. A Management Plan has been prepared for this AONB to conserve and enhance this landscape. Appropriate management is necessary if the qualities appreciated by both local people and visitors are to be retained, and this will include river settings within settlements. We have produced a Landscape Character Assessment and set out a comprehensive set of guidelines for landscape management within rural parts of the County in Supplementary Planning Guidance. There are presently no detailed townscape or village visual appraisals for settlements along the river valleys.

#### **Policy Statement 4:**

**(1) Within the Wye Valley AONB, and in accordance with Section 85 of the Countryside and Rights of Way Act 2000, we will, in exercising or performing any function in relation to, or so as to affect land in the Area of Outstanding Natural Beauty, have regard to the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.**

**(2) When considering the impact of any proposals upon the visual amenity of the rivers and their valleys regard will be had to landscape character and the associated management guidelines set out in the Council's guidance on Landscape Character Assessment.**

**(3) Where necessary, the commissioning of riverside townscape or village visual appraisals will be promoted to assist in evaluating the effect of significant proposals upon the river setting or in advance of enhancement schemes that are to be brought forward.**

Background:

The Wye Valley AONB covers that part of the River Wye south of Hereford. Its purpose is: -

*'To conserve and enhance the unique landscape and natural beauty of the Wye Valley AONB, and within this overriding principle; guiding change that is sensitive to the areas special qualities and the outstanding resources of woodland, farmland, river and cultural heritage, managing it in a sustainable way as an area where vibrant communities live and work and enabling present and future generations to appreciate and conserve, understand and enjoy the areas picturesque and sublime qualities. Integrating the needs of the local communities and visitors with this internationally important protected area.'*

Our Supplementary Planning Guidance on Landscape Character should form a key element in the appraisal of any proposal that might affect the visual amenity of the rivers and their associated valleys. Detailed visual appraisals may be required if and when proposals are being considered for the rivers where they pass through settlements.

#### 4.6 Biodiversity

Context:

The River Wye is an internationally important river system in terms of nature conservation interest and the River Lugg supports this. They are both important for their ranges of habitats and for supporting numerous internationally important species. Their valley landscapes are also rich in biodiversity and this contributes to the visual and cultural distinctiveness, which attract the many visitors to the County. Under Section 40 of the Natural Environment and Rural Communities Act 2006 and from 1<sup>st</sup> October 2006 local authorities and other public bodies have a duty to have regard to the conservation of biodiversity in exercising their functions. DEFRA is preparing advice to assist in implementing this duty. This advice will be taken into account when it is available.

#### **Policy Statement 5:**

**(1) We will fulfil our statutory obligations in relation to nature conservation when determining whether any particular action or works affecting the Rivers Wye and Lugg should proceed.**

**(2) Positive measures to improve the nature conservation status of river and valley habitats and to address Biodiversity Action Plan targets will be investigated for inclusion with any works being advanced by us for the rivers.**

**(3) We will press other agencies to adopt the same approach in relation to any works they advance along the Rivers Wye and Lugg.**

Background:

There are statutory obligations upon public bodies requiring priority habitats and species to be protected and also the requirement to enhance the River SSSIs in associated with any works where this will improve their condition. In addition to a nationally adopted Biodiversity Action Plan (BAP), a local BAP has been prepared and these specifically highlight tasks in relation to river habitats. A number of other habitat and species actions plans are also relevant. Not only are public authorities and bodies charged with protecting these habitats and some species, they have responsibilities in terms of seeking to enhance their conservation status.

#### 4.7 The Historic Environment

Context:

The historic environment associated with the two rivers and their valleys is recognised as an important asset for both local communities and visitors alike and is an essential component of local distinctiveness. This is reflected within a range of sites from the large-scale landscape level to individual buildings or artefact. Some sites contain hidden remains of local or national importance.

#### **Policy Statement 6:**

**(1) Where appropriate we will require knowledge of the historic environment to inform the design and development of proposals associated with the Rivers Wye and Lugg.**

**(2) Opportunities should be taken to increase and improve interpretation and explanation of the historic features within the river landscape as part of any measures to promote rural regeneration, tourism and local awareness.**

Background:

Knowledge of the historic environment is growing, not the least as the result of a number of recent community based studies underway within the valleys of both the River Wye and the River Lugg utilising LEADER+ and public agency funding. Both rivers and their immediate surroundings contain important historical



artefacts. These can be visible or hidden. A number of projects are presently or to be undertaken as part of programmes for community involvement and identification of features in order to promote their management. A more extensive and co-ordinated approach to providing interpretative material could add to the tourism product for the County to which the rivers and their valleys make a valuable contribution.

#### 4.8 Transport

Context:

The Local Transport Plan (LTP) covering the period 2006/7 to 2007/8 is the strategic transport policy for the County. The renovation of Victoria Footbridge formed part of the LTP programme and the cycle strategy has identified an aspiration to improve cycle and pedestrian access across the Wye to Rotherwas. There is nevertheless a link between transport matters and policies and actions referred to in many documents prepared by other public bodies, such as the Waterway Plan.

#### **Policy Statement 7:**

**Opportunities for integration between the LTP and other plans and programmes should be promoted in the future through early consultations upon any reviews of the documents. Early consultation should take place when considering the development and implementation of any proposals and actions of mutual interest.**

Background:

Herefordshire's current LTP covers the period 2006/07 to 2010/11. The Plan sets out a comprehensive strategy for the development of an integrated and sustainable transport system that supports the County's sustainable economic growth and provides for greater social inclusion. The strategy behind the plan is focussed on effective delivery and progress will be monitored annually.

Early consultation on matters of mutual concern will benefit our aspirations and those of other organisations, particularly when seeking to improve accessibility. Examples of transportation issues that organisations should liaise with the Highways and Transportation Service upon include vehicular access, infrastructure supporting any river transport, car parking and provision for public transport.

More specifically, LTP makes reference to the review of the overall alignment for a Hereford Outer Distributor Road that would involve the provision of a new river crossing. Wide consultation with stakeholder organisations will be undertaken in the development of this proposal.

#### 4.9 Public Rights of Way

Context:

There is an extensive Public Rights of Way network throughout the County. We have a number of plans and strategies in place to ensure the network operates effectively and is enhanced. Supporting rural regeneration is an important aspect of maintaining and improving the network.

#### **Policy Statement 8:**

**We will use the Public Rights of Way Management Strategy and Rights of Way Improvement Plan, to ensure that opportunities for walking, cycling, river access and horse riding are co-ordinated with proposals in other plans and programmes in order that they maximise the potential benefits to both local residents and visitors to the County. Other organisations should discuss proposals with us that they consider should be linked to the network at the earliest opportunity.**

Background:

We are preparing a Rights of Way Improvement Plan under s60 of the Countryside and Rights of Way Act 2000 and this could be used to enhance access to the rivers. Local Access forums can advise upon improvements to public access, which could again include access to water. There will also be consultation with other organisations and this should seek compatibility between the Rights of Way Improvement Plan and other plans such as the Wye Waterway Plan. We have powers to negotiate access arrangements with landowners. There is significant potential for medium distance routes and trails.

#### 4.10 Tourism

Context:

Promoting the further leisure and recreational use, access to and the environmental qualities of the Rivers Wye and Lugg together with their associated valleys fits well with many of the objectives set out in Herefordshire Council's Tourism Strategy. However the quality and nature of the environment that makes the area so attractive to visitors is sensitive to pressure and care needs to be taken to ensure its carrying capacity is not exceeded.

#### **Policy Statement 9:**

**The potential of the Rivers Wye and Lugg, together with their valleys, should continue to play an important part within the Tourism Strategy for the County. Their environmental qualities play a major role in attracting visitors to the area and where relevant the wider impact from tourism and other development should be fully assessed in terms of the effect they may have on this resource.**

Background:

The County is well placed to promote sustainable tourism and use this as a marketing tool because of features such as its main rivers.

The rivers provide opportunities for site seeing, walking, cycling, canoeing and kayaking, riding, fishing and general outdoor activities, all of which contribute to the tourism product of the County. These can be enhanced through increased access to and use of the rivers. Walking within the special landscape of the Wye Valley is being promoted through a Lottery bid associated with the 'Picturesque'. The Public Rights of Way network is referred to above. Promoting tourist related activities along the rivers also offers wider benefits to the rural / farming communities. Distinctive landscape and countryside features associated with the rivers such as hedgerows, woodlands, orchards and grassland are recognised as important. These all point to the need to balance the range of activities that might be undertaken along the river corridors.

To meet development pressures and challenges, not just those arising from tourism but from any proposals, in a sustainable way needs a co-ordinated and integrated approach by all those involved. This is only possible through an acceptance of a strategy that recognises its major assets and protects and enhances them.

## 5. Operational Policies

### 5.1 Planning Applications for Development Within or Adjacent to Rivers

Context:

Planning applications are required for many forms of development. Certain forms of 'permitted development' may now need permission from the Local Planning Authority where they would have 'a significant effect' on certain nature conservation interests on those parts of the Rivers Wye and Lugg designated 'Special Areas of Conservation' (SAC).

#### **Policy Statement 10:**

**Our policies set out in the Development Plan will be a prime consideration when advising upon site-specific proposals requiring planning permission.**

Background:

Our duties as Local Planning Authority emanate from the Town and Country Planning Act 1990 (as amended).

Planning policies set out in the UDP promotes appropriate recreational, sporting and tourism uses in association with the rivers. Certain criteria need to be complied with covering environmental protection, scale, access, flood risk and community needs. Compliance with a number of policies relating to these criteria also requires reference to other policies. The Development Plan is the primary consideration when determining planning applications. Herefordshire UDP should be adopted in spring 2007. There are a number of policies in that document that may be relevant according to the particular circumstances of any proposal. The UDP will subsequently be replaced by a number of Local Development Documents. Other considerations that may be relevant are set out in Planning Policy Statements by the ODPM. Furthermore we have prepared Supplementary Planning Guidance on a number of topics that might also be relevant according to the nature of the proposal.

### 5.2 Other Decisions and Works Carried Out Directly by the Council

Context:

Where we carry out a regulatory role, including determining planning applications as referred to in 3.1 above, or it wishes to undertake works that might have a significant effect on the Rivers Wye and Lugg SAC, we may have to carry out 'Appropriate Assessments'. There are instances where decisions have to be referred to the ODPM. Both rivers are Sites of Special Scientific Interest' (SSSI) and English Nature must be consulted on proposals affecting them.

### **Policy Statement 11:**

**We are committed to maintaining the nature conservation value of the Rivers Wye and Lugg which has resulted in them being of both national and international importance. It will ensure that the effects upon the rivers of all proposals for which it has any responsibility are fully and properly assessed with a view to maintaining or, where possible, improving their conservation condition.**

Background:

As 'a Competent Authority' in relation to the Rivers Wye and Lugg, where these are Special Areas of Conservation, our duties and powers are supplemented by the Habitats Regulations 1994. In addition because both rivers are SSSIs the Countryside and Rights of Way Act 2000 is also relevant to our activities, and this places emphasis upon seeking enhancements to the conservation condition of SSSIs as part of our responsibilities.

### **5.3 Works to Trees and Hedgerows Along of Adjacent to Rivers**

Context:

Certain works to trees and hedgerows adjacent to rivers may require approval from or notification to us. There may be occasions when works need to be undertaken to trees that are dangerous.

### **Policy Statement 12:**

**(1) We would wish to be assured that there is a justifiable reason for removal of trees and hedgerows adjacent to rivers where our consent is required.**

**(2) With regard to dangerous trees or those causing an obstruction to navigation that may be within or on the banks of the River Wye or Lugg, we will support/encourage the Environment Agency to take action or seek removal of the danger or obstruction by the riparian owner. We will incorporate in our programme of inspections assessments of bankside trees and, with appropriate permissions, carry out remedial work to ensure they do not become a hazard to navigators.**

Background:

Trees and hedgerows are important components of the valley landscapes and biodiversity of the Rivers Wye and Lugg. We have duties under the Town and Country Planning Act 1990 (as amended) where a Tree Preservation Order

covers trees or they fall within a conservation area. We should also be notified before the removal of countryside hedges under the Hedgerow Regulations 1997. There are, however, exemptions, which include carrying out works, under certain Acts of Parliament, for the purposes of flood defence or land drainage.

The Environment Agency's responsibilities under the Wye Navigation Order 2002 provide it with powers to remove anything, other than a vessel, that is causing an obstruction or impediment to the navigation or use of the two rivers. (See section 4.2 in relation to vessels).

We can take action to remove dangerous trees. Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976 enables the Council to take action in connection with a dangerous tree when asked to do so by the owner or occupier of land in which the tree stands or of land which is threatened by it. This power should be used as a last resort and enables us to enter the land and make the tree safe. We will look to recover the expenses from the owner or occupier. When a neighbour approaches us, we will be particularly careful to ensure that a genuine effort has been made to reach agreement with the tree owner before taking action. We can also take action under the Highways Act to secure the removal of a tree where there is the likelihood of danger from it falling on to a highway.

#### 5.4 Public Health Matters

Context:

We have responsibilities for 'statutory nuisance' and a range of other powers and duties that enable us to act to remove pollution and rubbish from watercourses. Some of these are shared with the Environment Agency

#### **Policy Statement 13:**

**We will enter into discussions with the Environment Agency upon responsibilities in relation to fly tipping within the protocols set by the 'fly tipping matrix' agreed between the Environment Agency and the Local Government Association.**

Background:

Our responsibilities emanate from a range of legislation. In relation to the two rivers there are no records of any serious problems that have potentially been prejudicial to health. The principal issue appears to be depositing of litter or similar in the rivers. Both the Environment Agency and we have responsibilities for tackling such problems. A 'fly tipping matrix' has been agreed nationally between the Environment Agency and the Local Government Association and discussions are underway at the regional level in relation to any local agreements

that might be reached. This should cover who removes what rubbish from the rivers. No local agreement has yet been made.

### 5.5 Land Drainage and Defence

Context:

There is a range of general powers available to local authorities for carrying out drainage of small areas to prevent flooding or investigate any damage caused by flooding of their areas. These include undertaking works itself to prevent or alleviate flooding, or action in default of others who should do works which result in drainage problems. The Environment Agency is responsible for matters associated with main rivers, including the Rivers Wye and Lugg.

#### **Policy Statement 14:**

**Removing or mitigating the adverse effects of flooding on communities should be given priority where the health and safety implications are greatest. We will help those involved to identify such areas and promote the need for works by the relevant agencies and bodies responsible for flood defence.**

Background:

We only utilise our powers occasionally to undertake proactive works not the least because the Environment Agency has responsibility for this matter along main rivers, but also in view of the funding requirements. Presently it is seeking to carry out a scheme in Ross on Wye to reduce the impact of flooding along the Rudhall Brook, which flows into the River Wye. Funding for this work has been sought from DEFRA.

Our regulatory role generally applies to non-main rivers and lesser watercourses. The approach adopted is to seek to work in partnership with landowners to effect solutions to land drainage problems.

### 5.6 Ferries

Context:

We may purchase by agreement or accept a transfer of a ferry within our area or which serves our inhabitants.

#### **Policy Statement 15:**

**There is no need to utilise powers for the acquisition of ferries within the County at the present time.**

Background:

The extent of existing ferries along the Rivers Wye and Lugg is limited, and currently there are two at Symonds Yat.

NB Reference to 'ferries' should not be equated to boats but to the means of crossing a river.

### 5.7 Bridges and Bridge Works

Context:

We are responsible for the maintenance of both highway and public rights of way bridges over the Rivers Wye and Lugg. There are also a number of other bridges that others are responsible for, for example railway bridges and Whitney Toll Bridge.

#### **Policy Statement 16:**

**We would wish to receive early consultation by developers for the construction of river crossings and such consultation should include the Environment Agency**

Background:

We have systems in place for the maintenance of bridges over the Rivers Wye and Lugg. All relevant agencies are consulted where works are proposed that might affect their interests.

### 5.8 Land Ownership and Management

Context:

We own and/or manage land such as parkland and open space, commons, small holdings, school playing fields and highways, some of which will lie adjacent to or close by the Rivers Wye or Lugg.

#### **Policy Statement 17:**

**We will try to identify opportunities to utilise our land to assist proposals for the public's benefit, such as those in the Wye Waterway Plan, provided this fits within the needs of the principal use of the land and in accordance with any legal restrictions.**



Background:

We own land within both urban and rural areas adjacent to the rivers and needs to manage this in accordance with best practice and for the benefit of the wider community.

## **Appendix 1: Related Documents**

### **1. Regional Spatial Strategy**

#### **Relevant policies in the Regional Spatial Strategy**

##### **POLICY QE1:**

A. Environmental improvement is a key component of the Spatial Strategy in order to underpin the overall quality of life of all areas and support wider economic and social objectives.

B. Local authorities and other agencies in their plans, policies and proposals should:

- i) support regeneration, by restoring degraded areas, conserving existing environmental assets, including the reuse of redundant and under-used buildings of merit, and creating new, high quality, built and natural environments, particularly within the MUAs;
- ii) conserve and enhance those areas of the Region, where exceptional qualities should be reinforced by sustainable use and management, including the Peak National Park, the five Areas of Outstanding Natural Beauty, the European wildlife sites, and the World Heritage Site (see Environmental Assets Diagram);
- iii) protect and where possible enhance other irreplaceable assets and those of a limited or declining quantity, which are of fundamental importance to the Region's overall environmental quality, such as specific wildlife habitats (Annex B), historic landscape features and built heritage, river environments and groundwater aquifers;
- iv) protect and enhance the distinctive character of different parts of the Region as recognised by the natural and character areas (Figure 4) and associated local landscape character assessments, and through historic landscape characterisation.

C. In bringing forward development, all agencies and developers should adopt high standards for sustainable natural resource use and management in line with policies such as QE3, QE9, EN1-2 and M3.

##### **POLICY QE7:**

All the plans and programmes of local authorities and other relevant agencies should:

- i) encourage the maintenance and enhancement of the Region's wider biodiversity resources, giving priority to:
  - the protection and enhancement of specific species and habitats of international, national and subregional importance as identified in the West Midlands Regional Biodiversity Audit, Local Biodiversity Action Plans (LBAPs) and other BAPs;
  - those that receive statutory protection; and
  - the biodiversity enhancement areas shown on the QE Areas of Enhancement Diagram.
- ii) include policies and proposals which enable the West Midlands to achieve its minimum share of the UK Biodiversity Action Plan (UKBAP) targets as set out in Annex B and the targets of local partnerships and other BAPs;
- iii) take a common approach to biodiversity and nature conservation issues which cross local planning authority and Regional boundaries, especially those relevant to:-
  - the strategic river corridors and tributaries of the Severn, Trent, Avon and Wye, river catchments, and issues in current local Environment Agency plans; and

- priorities derived from English Nature's Natural Areas Framework and associated Area Profiles and the West Midlands Biodiversity Audit.

## **POLICY QE9:**

A. Development plan policies and plans of the Environment Agency and other agencies should be coordinated, where necessary across local authority and Regional boundaries, to:

- i) protect or improve water quality and where necessary significantly reduce the risk of pollution especially to vulnerable surface and groundwater in order to improve health and well-being;
- ii) manage demand, conserve supply, promote local recycling of water and the multiple use of water resources;
- iii) protect and enhance wetland species and habitats, particularly those subject to local biodiversity partnerships;
- iv) ensure that abstraction from watercourses and aquifers does not exceed sustainable levels;
- v) reduce any adverse effects of development on the water environment by encouraging consideration of sustainable drainage systems where appropriate at an early stage in the design process;
- vi) ensure the timing and location of development respects potential economic and environmental constraints on water resources; and
- vii) maintain and enhance river and inland waterway corridors as key strategic resources, particularly helping to secure the wider regional aims of regeneration, tourism and the conservation of the natural, built and historic environment.

B. Development that poses an unacceptable risk to the quality of groundwater or surface water in this or other regions should therefore be avoided.

## **2 Herefordshire UDP**

### **(Herefordshire Unitary Development Plan – Revised Deposit Draft**

#### RECREATION, SPORT AND TOURISM

##### *Criteria for recreation, sport and tourism development*

- 10.4.1 National guidance in PPG17 encourages the provision of a wide range of opportunities for recreation, which should wherever possible be available and accessible to all, whilst PPG21 similarly supports tourism. Sport, recreation and tourism have valuable social and economic roles to play but these must be balanced against any environmental impacts arising if sustainable forms of development are to be achieved. This is particularly the case with tourism, the very existence of which is linked to protecting the high quality environment on which it depends.
- 10.4.2 The diverse nature of proposals for recreation, sport and tourism require a similar set of considerations to be taken into account. Key factors include environmental suitability, access and amenity. For instance, both the amenities of those living nearby and the wider environment can be damaged through such factors as increased traffic, the numbers of people attending the facility at any one point of time, the scale of buildings proposed, glare from floodlights associated with sports pitches, or use of the facility during unsocial hours. In some cases such as motorised or gun sports, the activity itself may lead to an unacceptable amenity and environmental impact. Recreation, sport and

tourism uses will often attract substantial numbers of users and visitors and special attention is needed to their accessibility by a genuine choice of modes of transport. In addition, recreational or tourism development in the countryside can damage its character or appearance if care is not taken in respect of scale, siting or design.

- 10.4.3 The County includes a number of visitor pressure areas. Popular destinations such as the Malvern Hills or Symonds Yat form part of the designated Areas of Outstanding Natural Beauty where special considerations apply (see below). Other pressure areas include parts of the Black Mountains in the west of Herefordshire, bordering the Brecon Beacons National Park. During the Plan period, visitor management plans may be prepared or reviewed for such areas in order to take an integrated approach to land use and management, landscape and cultural heritage, biodiversity, recreation and tourism, transport and visitor information. As such they will provide a means of defining both the needs of local communities and environmental character, and proposals for recreational and tourism facilities will be expected to demonstrate their contribution to such plans in these terms.
- 10.4.4 In addition, special considerations associated with environmental character and recreational resources will arise with respect to designated features within the County, including conservation areas, listed buildings, Scheduled Ancient Monuments and other archaeological sites and features of interest, sites of international, national and local importance to nature conservation including candidate Special Areas of Conservation and Sites of Special Scientific Interest, geological sites and features, historic landscapes and gardens, and rights of way.
- 10.4.5 Planning obligations will be used to secure facilities where these are provided as part of wider developments. Specific requirements for open spaces associated with housing proposals are set out in the Housing chapter of the Plan. Open space provision in large developments should be of a size that is both useful and easy to maintain, i.e. rather than including many small, incidental and less useful areas. Provision of open space should be an integral feature of the development, to ensure a safe, easily accessible area, not located on 'left over' land as an afterthought. In smaller development proposals, it may be more appropriate for a developer to make a contribution to the establishment or enhancement of a nearby sport or recreation facility. This may include improvements that help safeguard an existing facility (see policy RST4).
- 10.4.6. This policy complements policies in the Development Requirements chapter by dealing with more specific aspects arising in the consideration of proposals for recreation facilities. Policies in that chapter dealing with design, land use and activity, movement, environment, noise and lighting will be particularly relevant. Attention is drawn in particular to issues associated with the capacity of the highway network, access and parking, and to the need to submit a travel plan with any planning application where required either as a consequence of the scale of the proposal or the transport issues raised.

#### **RST1 Criteria for recreation, sport and tourism development**

**Proposals for the development of new recreation, sport and tourist facilities including change of use or improvement or extension to existing facilities will be permitted where the proposal:**

- 1. is appropriate to the needs of the community which it serves, having particular regard to the nature of the use, mode of operation, scale and design;**
- 2. would not harm the amenity of nearby residents;**

3. respects environmental character and resources, including designated landscape, historic heritage, archaeology, biodiversity, and geological features and rights of way; and
4. is wherever possible accessible by a choice of modes of transport, with priority given to public transport, walking and cycling, and is designed to ensure access for all.

Proposals in the open countryside will only be permitted where the countryside is the primary resource for the proposal and the rural landscape and environment is sustained. In such instances new buildings will only be permitted where there are no suitable existing buildings capable of conversion, they are of a small scale and are ancillary to the primary proposal.

*Recreation, sport, tourism development within Areas of Outstanding Natural Beauty*

- 10.4.7 Herefordshire includes approximately 46% of the Wye Valley AONB and 60% of the Malvern Hills AONB. The primary purpose of designation of these areas is to conserve and enhance their natural beauty through landscape protection and enhancement, embracing biodiversity and features of geological interest. Specific policies relating to these factors are included within the Natural and Historic Heritage chapter of the Plan. However, the pressures for recreation and tourism related developments within the County's AONBs merit a specific policy, to be applied in conjunction with RST1 above. While AONB designation allows recreation and tourism proposals to be accommodated where such developments do not compromise the landscape quality, it is important that precedence is given to the principal aim of conserving and enhancing the natural beauty of the area.

**RST2 Recreation, sport and tourism development within Areas of Outstanding Natural Beauty**

**Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty (AONBs), the conservation of the unique character and qualities of the landscape and of biodiversity and geological interests will have precedence over the development of facilities for recreation, sport and tourism. In particular such developments must:**

1. Respect and be in keeping with the inherent distinctiveness of the local landscape;
2. Be small-scale and constructed from appropriate materials; and
3. Make a positive contribution to the understanding and quiet enjoyment of the natural beauty of the AONB.

*Waterway corridors and open water areas*

- 10.5.38 Waterways and open water areas are a particularly important recreational resource for a landlocked County like Herefordshire. The major rivers such as the Wye and Lugg have a long tradition of recreational use, both on the water and along the riparian corridor. Navigation rights on much of the Herefordshire lengths of the Wye and Lugg allow considerable recreational use, although this must always be reconciled with the environmental designations along the rivers. The Environment Agency is now established as the navigation authority for the River Wye. Other rivers such as the Teme also have a tradition of limited recreational use, e.g. for canoeing. Along its corridor through Hereford, the River Wye has a special role in the commercial and recreational life of the city that warrants separate consideration in policy terms. In the central area, restaurants, public

houses, sports facilities and open spaces line much of the riverbank and its immediate hinterland. In contrast, on some stretches away from the central area, the riverbank margins have become neglected and subject to tipping and litter, and would benefit from environmental and access improvements. The river's historic transport role for trade and leisure has declined, but the potential exists for a renewed contribution to meet wider regeneration objectives and in the context of an integrated transport network, provided adequate infrastructure is available. While new and improved waterfront facilities will always need to be restricted in scale by the historic, landscape and biodiversity constraints applying to the river corridor, there remains significant scope for appropriate development. Policy RST8 therefore makes specific provision for the river corridor within the city environs.

- 10.5.39 Waterway recreation may involve the development of facilities such as basins, marinas, jetties, slipways, pontoons, moorings and access sites. Waterside recreation may require access land, recreational routes, car parking and transport facilities and ancillary facilities such as toilets. Proposals to establish low key access to water features, such as picnic sites or information points, will be permitted where they are in accordance with policy RST1 and other policies in the Plan. The development of new permanent moorings away from existing/historic sites or settlements will be resisted, to avoid potential difficulties associated with visual amenity, servicing and infrastructure, and road access. Development of riverside facilities may require the consent of the Environment Agency.
- 10.5.40 Herefordshire has no major open water areas of regional or sub-regional significance. The largest, at Bodenham, covers 16 hectares, much of which is restricted to nature conservation uses and the rest to low-intensity recreational activities. The smaller ones are not usually natural in origin, having been created as landscape features on estates and farms and/or as recreational facilities for angling, boating, or simply for amenity. Recreationally significant lakes are expected to become available during the Plan period as a result of existing planning permissions for mineral extraction, principally for gravel. The most notable are at the Wellington, Stretton Sugwas and Lugg Valley sites. As these relate to existing restoration conditions for recreational use, they are not identified as proposals in the Plan. Further specific site proposals are not readily identifiable at this stage, but may come forward during the Plan period. Such sites often have a high or potentially high ecological value and this needs to be reconciled with the recreational opportunities that they offer. Zoning for multiple uses within and around individual water bodies can offer a compromise solution, but is only really effective on larger sites. Otherwise, sites may need to be dedicated and restricted to specific uses.
- 10.5.41 Herefordshire has two disused canal corridors partly within its boundaries – the Herefordshire and Gloucestershire Canal and the Leominster Canal. Sections of both have been infilled, developed or become derelict. The former is the subject of a long-term restoration project with the aim of re-opening the canal link between Hereford and the Severn at Gloucester. Some sections have already been restored. Recognising the recreation, tourism and economic potential of the project, the canal corridor has enjoyed planning protection for several years.
- 10.5.42 Corridor protection continues in the UDP, following wherever possible the original route. Where the original alignment is already obstructed by development, attention has been given to possible diversionary routes. In Hereford itself an agreed diversionary route is already being protected through planning decisions and this route is shown as a corridor on the proposals map. The canal towpath has the potential to offer a significant recreational facility, including countryside access for walkers, cyclists and horse-riders, and the opportunity in the longer term to establish a longer-distance/regional route as canal restoration proceeds.

10.5.43 Provision is made for a canal basin to be accommodated within the proposed mixed use development of land at Widemarsh Street, Hereford, close to the original terminus location (see chapter 7 Town Centres and Retail).

10.5.44 The Leominster Canal corridor has no waterway restoration plans, although there is scope for recreational use of remaining towpath sections that have survived as public rights of way. Recreational development of such routes should be linked to conservation and interpretation of the historic remains of the navigations.

#### **RST8 WATERWAY CORRIDORS AND OPEN WATER AREAS**

**Recreational development based on, or associated with, the River Wye and Lugg navigations will only be permitted if it complies with policies NC2 and NC3. Proposals for the development of low-key access to riverside and canalside areas will be permitted subject to detailed planning considerations. On navigable lengths of river and canal, development involving permanent moorings (other than overnight stays) will only be permitted in basins or marinas, in urban locations or sites used historically for this purpose.**

**Within the environs of Hereford, development directly associated with leisure and transport use of the River Wye and the riverbank corridor will be permitted, provided that an acceptable balance can be reached with the constraints arising from landscape character and quality, from natural and historic heritage.**

**Proposals for the recreational use of existing areas of open water, or new areas that become available as a result of mineral extraction, or for the creation of reservoirs or amenity lakes, will be permitted where:**

- 1. they serve a recognised sub-regional or local demand;**
- 2. they have regard to the needs of all potential users, avoid over-use, and are able to resolve potentially conflicting uses;**
- 3. there is no unacceptable conflict with water supply, water quality or commercial uses; and**
- 4. there are no over-riding safety issues.**

### NATURAL AND HISTORIC HERITAGE

#### *Areas of Outstanding Natural Beauty*

9.4.5 Herefordshire boasts two landscape areas of national significance, the Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty (AONB). Both are situated in the eastern parts of the County and both are supported by management plans, which essentially seek to conserve landscape character through various forms of land management. The primary objective of designation is conservation of the natural beauty of the landscape. This Plan, through its policies, looks to complement the management plans; reconcile development needs and visitor pressure with the conservation of the AONB landscape and natural resources, and restore vulnerable and degraded landscapes when opportunities arise.

9.4.6 The Malvern Hills AONB is dominated by the narrow, elevated ridge of the Malvern Hills which separates Herefordshire and Worcestershire and extends southwards into Gloucestershire. The special character of the Wye Valley AONB is created by the River Wye which meanders through the broad meadows and scattered woods of the Herefordshire Plains. It contains some of the most dramatic limestone scenery in the

County, including the renowned Symonds Yat where deeply inclined meanders have cut into the plateau to form an ancient wooded gorge. The Wye Valley AONB includes part of the Wye Valley Woodlands and Rivers Wye and Lugg candidate Special Areas of Conservation where a specific policy approach applies in terms of the protection of biodiversity interest (see Biodiversity Section 9.5).

- 9.4.7 Local authorities are now required to prepare management plans for all AONBs. These will be material considerations when determining planning applications.

#### **LA1 Areas of Outstanding Natural Beauty**

**Within the Malvern Hills and Wye Valley Areas of Outstanding Natural Beauty, priority will be given to the protection and enhancement of the natural beauty and amenity of the area in the national interest and in accordance with the relevant management plans.**

**Development will only be permitted where it is small scale, does not adversely affect the intrinsic natural beauty of the landscape and can be demonstrated either to meet local community or economic needs or enhance the quality of the landscape or biodiversity.**

**Exceptions to this policy will only be permitted when all of the following have been demonstrated:**

- 1. the development is of greater national interest than the purpose of the AONB;**
- 2. there is unlikely to be any adverse impact upon the local economy ;**
- 3. no alternative site is available, including outside of the AONB; and**
- 4. any detrimental effect upon the landscape, biodiversity and historic assets can be mitigated adequately and, where appropriate, compensatory measures provided.**

#### *Sites of international importance*

- 9.5.9 There are three types of international site designation. Two of these, the Special Area of Conservation (SAC) and the Special Protection Area (SPA) arise from European Directives, the Habitat Directive 1992 and the Birds Directive 1979 respectively. The Conservation (Natural Habitats) Regulations 1994 implement the European Habitats Directive. Together, the two categories of European site make up a network of European protected sites known as 'Natura 2000'. These sites are part of a range of measures aimed at conserving important or threatened habitats and species. The third category of international site designation, 'Wetlands of International Importance especially as Waterfowl Habitat' known as Ramsar sites are designated under the 1971 Ramsar Convention. At the time of publication, Herefordshire has no SPA or Ramsar sites, but does have 4 candidate SACs. These are sites which have been proposed to the European Union but not yet formally designated. The Government's advice is that for all practical purposes these candidate SACs should be treated as though they have been designated.

- 9.5.10 Currently there are 4 candidate SACs in Herefordshire: The River Wye (River Wye SSSI and part River Lugg SSSI), Downton Gorge, The Wye Valley Woodlands and the River Clun (part of the River Teme SSSI).

- 9.5.11 Development that may affect internationally designated sites will be subject to rigorous examination. The Council will consult English Nature on all development proposal affecting internationally designated sites. Proposals will be assessed to determine likely significant impact and developers may be required to provide further information to enable an appropriate assessment to be made. Any such proposal will be determined in accordance with Regulations 48-53 of the Habitats Regulations 1994. Applicants need to discuss the



information that must be provided in support of their applications with the local planning authority.

- 9.5.12 The Council will encourage the management of international sites to sustain and enhance their biodiversity interest.

#### **NC2 Sites of international importance**

**Development which may affect a European Site, a proposed or candidate European Site or a Ramsar site will be subject to the most rigorous examination.**

**Development that is not directly connected with or necessary to the management of the site for nature conservation, which is likely to have significant effects on the site (either individually or in combination with other plans or projects) and where it cannot be ascertained that the proposal would not adversely affect the integrity of the site, will not be permitted unless:**

- 1. there is no alternative solution; and**
- 2. there are imperative reasons of over-riding public interest for the development.**

**Where the site concerned hosts a priority natural habitat type and/or a priority species, development or land use change will not be permitted unless the authority is satisfied that it is necessary for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.**

#### *Sites of national importance*

- 9.5.13 Nationally important sites are designated under the 1981 Wildlife & Countryside Act by English Nature. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs) are of special interest for their flora, fauna, geological or physiographical features. There are currently 75 SSSIs and 3 NNRs in Herefordshire. The Council will consult English Nature on all development proposals affecting SSSIs and NNRs; English Nature keeps the sites under review and it is possible that existing sites may be denotified and further sites notified during the Plan period. The Council is required under the Countryside and Rights of Way Act 2000 to consult English Nature when they propose to carry out operations or issue permissions which are likely to damage the special features on an SSSI. The Council is also under a duty to seek enhancement works to SSSI's under the CROW Act 2000. This applies whether or not the operation is taking place on land included within the boundary of the SSSI.

- 9.5.14 The Council will encourage the management of nationally important sites and habitats to sustain and enhance their biodiversity interest.

#### **NC3 Sites of national importance**

**Development in or likely to affect Sites of Special Scientific Interest or National Nature Reserves will be subject to special scrutiny. Where such development may have an adverse effect, directly or indirectly on the special interest of the site it will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard the network of such sites.**

**Where development is permitted proposals should make provision for the enhancement of such sites in order to improve their nature conservation status.**

## DEVELOPMENT REQUIREMENTS

### *Flood risk*

- 4.5.5 The susceptibility of land to flooding is a material planning consideration. Flood risk is generally associated with land adjacent to watercourses, although localised flooding can also occur elsewhere when intense rainfall causes surface flows to exceed the capacity of the existing drainage system. PPG25 sets out the importance the Government attaches to the management and reduction of flood risk in the planning process, recognising the uncertainties that are inherent in the prediction of flooding and that flood risk is expected to increase as a result of climate change. Reflecting these uncertainties, PPG25 requires application of the precautionary principle to decision making concerning flooding issues, with a sequential approach ensuring that risk is avoided where possible and managed elsewhere.
- 4.5.6 A number of areas within the County are at risk of flooding, although the extent of risk varies. Areas of high risk (as defined in PPG25, i.e. with a 1% annual probability of occurrence) have been identified by the Environment Agency in the form of indicative maps. For much of the County, these give the best available current information on the approximate extent of such flooding. Other local data is also available, for instance for Hereford, and has been used in conjunction with the Agency information for the purposes of identifying land liable to flood on the proposals map. However, it is important to emphasise that the areas shown as being at risk of flooding are only indicative. It is also recognised that the limits of floodplains cannot be defined precisely, given the fact that floods are natural events (albeit which may have been exacerbated by human intervention) arising from different combinations of circumstances. The limits shown are therefore not to be taken as the sole basis for determining where the following policy applies. There are also other areas of lower flood risk where the policy will be applied. It is expected that the indicative limits will be updated by the Agency as more detailed information becomes available.
- 4.5.7 It is necessary to ensure that new development is not at direct risk from flooding, and that development in flood risk areas or elsewhere in catchments does not create or exacerbate flood risk to other land, for instance by reducing storage capacity. Risks of watercourse pollution during times of flood can also arise as a result of development. For these reasons development within land at risk of flooding should generally be avoided, and will only be permitted where no alternative location is available on land at lower risk of flooding and which is otherwise suitable in planning terms. Account will also be taken of other sustainability considerations, including the need to secure regeneration and the reuse of previously developed land. Where such development is to be allowed, appropriate and acceptable flood protection and mitigation measures should be included. Developments in flood risk areas should result in no net loss of flood plain storage, should not impede water flows and not increase flood risk elsewhere.
- 4.5.7a Government urges greater emphasis on urban regeneration and on redeveloping previously developed land to minimise the take up of green-field land. Often previously developed land will be vulnerable to flooding. Proposals for development of such land or the reuse of existing buildings and structures will need to take due account of the risks of flooding, any existing flood defences and the ability to improve them. A balanced, flexible approach is required which addresses the risk of flooding whilst recognising the damage from under-investment and blight. The acknowledged risks of flooding might be mitigated by confirmed suitable levels of protection, including protected access, prudent design of development and effective public warning systems.

4.5.7b PPG25 paragraph 30 requires authorities to give priority in allocating or permitting sites for development, in descending order to the flood zones set out in Table 1 of the PPG, including the sub-divisions in zone 3. Until the Environment Agency has published maps of the zone 3a, 3b and 3c high risk areas for the County, the Plan interprets those areas on the following basis for the purpose of processing planning applications;

Zone 3a, developed areas – all land within settlement boundaries unless it forms a functional flood plain.

Zone 3b, undeveloped and sparsely developed areas – all land outside settlement boundaries unless it forms a functional flood plain.

Zone 3c, functional flood plain – land within or outside settlement boundaries.

4.5.7c Flood zones should be identified from the Environment Agency's flood data ignoring the presence of flood defences. Areas currently protected by the defences and the standards of protection provided by those defences will need to be identified. Development should not be permitted where existing defences, properly maintained, would not provide an acceptable standard of safety over the lifetime of the development as such land would be extremely vulnerable should a flood defence embankment be breached.

4.5.8 Functional flood plains and washlands have important natural roles, not only in regularly accommodating flood waters but also in providing important wildlife habitats and adding to landscape value. Built development in such areas should be wholly exceptional and will be limited to essential transport and other utilities infrastructure for which there is no alternative location. Such infrastructure should be designed and constructed to remain operational in times of flood, as well as meeting the other requirements set out above.

4.5.9 In considering planning applications for development within flood risk areas, flood risk assessments should be provided which are appropriate to the scale and nature of the development and which consider:

- Flood risk and surface water run off implications of the proposed development
- Any increased risk arising elsewhere
- Measures proposed to deal with these risks and effects, including use of sustainable drainage techniques.
- Provision of a dry pedestrian access for residential development.

4.5.10 Where necessary, developers will be required to carry out and provide details of hydraulic and hydrogeological investigations to properly determine the implications of proposed development, having regard to the recommendations of the Environment Agency. Developers should normally fund the provision and maintenance of flood defences or alleviation works that are required because of their development; these will be secured by means of planning obligations.

4.5.11 Finally, consideration of flood issues is not confined to rivers and their flood plains. Surface water which cannot percolate into the ground or reach natural watercourses can increase occurrence. Changes in farming, field drainage, lack of maintenance to watercourses, culverts and gullies can effect the rate of flow and time taken for water to travel within a catchment area. Where new development is allowed proposals should make suitable provision for continued access to watercourses where development occurs. Land adjacent to the top of both banks should be reserved for maintenance and improvement purposes and for recreational use where appropriate, and to secure the

retention of river corridor habitat. Such strips of land should be kept free of all new buildings and other structures including means of enclosure, with no raising of ground levels.

#### **DR7 Flood risk**

**Proposals for development in flood risk areas will need to be accompanied by a flood risk assessment. Additionally and within high risk areas (zone 3) as defined on the proposals maps, proposals will need to demonstrate through a sequential test that there are no reasonable alternative locations available on land of a lower flood risk, taking account of other environmental considerations.**

**Development within high risk developed areas (zone 3a) may only be suitable for residential, commercial and industrial development provided the minimum standards for flood defence can be provided and maintained for the lifetime of the development.**

**Development within high-risk undeveloped and sparsely developed areas (zone 3b) will not be permitted unless a particular location is essential.**

**Built development within functional flood plains (zone 3c) should be wholly exceptional and limited to essential transport and utilities infrastructure that have to be there.**

**In all cases development will only be permitted where it would not be at an unacceptable risk of flooding or where it is essential to that location. Any protection, compensatory, mitigation and other measures proposed must be acceptable in safety terms and in terms of their environmental effects. All proposals would need to include a dry access, the necessary minimum standards of flood defence, show that there would be no net loss of flood plain storage and that it would not impede water flows or increase flood risk elsewhere.**

**Wherever possible sustainable drainage techniques should be used to minimise the adverse effects associated with increased surface water run off. Adequate access to watercourses and flood defences for maintenance and improvements should be maintained.**

### **3. Herefordshire Community Strategy**

The vision for the Herefordshire Strategy is:

*“Herefordshire will be a place where people, organisations and businesses working together within an outstanding natural environment will bring about sustainable prosperity and well-being for all.”*

The Strategy contains five ‘guiding principles’:

- Realise the potential of Herefordshire, its people and communities
- Integrate sustainability into all our actions
- Ensure an equal and inclusive society
- Protect and improve Herefordshire’s distinctive environment

- Build upon the achievements of partnership working and ensure continual improvement

Under the theme of 'Healthier Communities and Older People' reference is made to 'improved participation in cultural and leisure activities for all will have health benefits'.

#### **4. Herefordshire Local Area Agreement**

The vision for the Herefordshire LAA is the same as that for the Herefordshire Community Strategy.

The overall objective for the Herefordshire LAA is to work towards securing our vision, by improving services and quality of life in Herefordshire. We will use the LAA to:

- Improve Herefordshire's agreed public service outcomes, that are owned by all the delivery partners nationally and locally, and on which we have all committed ourselves to achieving.
- Further improve central/local relationships, by developing new ways of working in partnership to deliver shared aims and improved outcomes for Herefordshire residents. This will include providing better Local Authority Community leadership
- Reduce and simplify the number of Central Government funding streams coming into Herefordshire, by using a Single Pot where appropriate, and to minimise the bureaucracy associated with the control and monitoring of such funds.
- Operate the LAA by ensuring the focus is on what matters and what is making a difference, and by creating greater flexibility for local solutions.
- Target areas of greatest need and prioritise service delivery.
- Use the LAA as the catalyst for bringing partner data collection systems together.

No outcomes or indicators contained within the LAA have been identified that might directly affect the Council's policy and direction on waterway matters.

#### **5. Wye Valley AONB Management Plan (2004-2009)**

This develops a vision and identifies a series of Strategic Objectives for the Wye Valley AONB and sets out an Action Plan to help ensure the Strategic Objectives are implemented.

#### **6. Tourism Strategy for Herefordshire 2002 – 2007**

The strategy has the following headings and objectives:

Fostering enterprise and tourism

- To encourage investment in those tourism enterprises and initiatives which are best placed to deliver growth and strengthen employment opportunities.

Enriching the Herefordshire experience

- To establish Herefordshire as a flagship destination for sustainable tourism.
- To enrich the visitor experience by developing new products, offering special opportunities to explore and enjoy distinctive aspects of Herefordshire.

- To enrich the visitor experience by investing in infrastructure and activity in key settlements, strengthening their identity and increasing their attraction to visitors.

#### Increasing competitiveness

- To prepare Herefordshire to compete more strongly in growth markets, by exploring appropriate growth models, developing niche products and investing in a quality workforce.
- To secure an improved position for Herefordshire in the market place through a carefully planned marketing campaign, fully integrated with the product development programme.

#### Focusing on the customer

- To focus on the needs of the customer by offering excellent intellectual and physical access to the full range of Herefordshire's tourism product

## 7. Herefordshire Rivers and Flat Water Study

The following recommendations were made in the Rivers and Flatwater study:

1. That a centre for water-based activities and environmental studies is built at Wellington Lakes.
2. That the implications of running a centre at Wellington as a trust be explored.
3. That the smaller quarry at Lugg quarries is used for wind surfing and canoeing.
4. Water skiing and jet skiing is provided at the Shobdon quarry site.
5. That provided that the Wellington site is developed then water-based activities at Bodenham Lake cease when Wellington opens but is then leased to an angling club on strictly defined conditions of use.
6. The alternatives for an access point to the River Wye, principally for use by those with special needs, is urgently investigated.
7. The council agrees it's management and maintenance policies towards access points on the rivers Wye and Teme and these are agreed with the Environment Agency and the Wye Navigation Committee.
8. There is a review of the marketing and pricing structure at the Canoe Centre with a view to contributing to the tourism infrastructure.
9. That following consideration of this report by Cabinet, that an interdepartmental officer working group be established to progress those items approved by Cabinet.
10. Consideration should be given to working with the council's tourism staff to support the initiative to promote activity-based holidays in the county.

## **Appendix 2 – The Wye Navigation Order and Wye Waterway Plan: General Commentary**

For an explanation of the powers and responsibilities of the Environment Agency acting as the Navigation Authority you should refer to the Wye Navigation Order 2002. This sets out the general provisions placed upon the Environment Agency and its additional functions, including the making of byelaws. In particular the Agency must consult Herefordshire Council upon proposals to make byelaws, charges and fees relating to navigation, and proposals to construct works that would otherwise be permitted development.

The Environment Agency (Wales) is responsible for preparing the Wye Waterway Plan. The general nature of the actions being advocated by the Environment Agency Wales within the Waterway Plan are such that the more detailed aspects of their implementation will no doubt be determined later. Herefordshire Council is represented on the Wye Navigation Advisory Committee where such aspects are most likely to be considered.

The Wye Waterway Plan and associated Action Plan sets out the Environment Agency Wales's policies for both the waterway and for navigation.

The waterway policies generally seek to:

- Improve access to the two rivers for all modes of transport;
- Increase the use of the rivers for sport, recreation, physical activity and education; and
- Protect the rivers' environment, including from pollution and invasive species, and its landscape and biodiversity.

The navigation policies seek to manage navigation by:

- Applying regulatory powers to ensure health and safety;
- Managing special events; and
- Resolving conflicts between relevant interests.

The Action Plan is not at present site specific. In relation to navigation the Environment Agency proposes further studies and additional developmental work for a range of matters such as identifying access points and areas of conflict between interests, producing navigation standards of service, maintenance and improvement programmes for accesses, health and safety assessments and strategy, the production of standards and codes of practice, and various baseline surveys.

In relation to river craft the Plan proposes to promote the existing use of motorised craft yet promote and enhance existing non-motorised boating subject

to environmental safeguards. However significant emphasis is placed upon health and safety actions.

The waterway actions for the current 5 year period are outlined in the table below:

- 

Implementation of actions		Policy reference	Target date
1	<b>PROVIDE AND PROMOTE UP TO DATE INFORMATION FOR WATERWAY USERS INCLUDING DATA ON WATER LEVELS.</b>	N1	2008
2	Develop and publicise website.	N1, W11	2009
3	<b>UPDATE AND PROMOTE CANOEIST GUIDE TO THE WYE.</b>	N1, W11	2008
4	<b>CONTINUE TO PRODUCE THE ANNUAL CALENDAR OF MAJOR EVENTS ON THE RIVER WYE LEAFLET.</b>	N1, W11	January each year
5	Publish and promote up to date tourist information about the waterway, including camping, angling, hiring boats.	N1, W11	2008
6	<b>DEVELOP LONG-TERM RIPARIAN MANAGEMENT AGREEMENTS FOR THE ROWING STRETCHES.</b>	N1, W12	2008
7	<b>PROVIDE 3 ADDITIONAL ACCESS POINTS ONTO THE RIVER.</b>	N3	2010
8	<b>SURVEY ALL PORTAGE POINTS CURRENTLY IN USE WITH THE AIM TO IMPROVE/MAKE SAFE OR REPLACE.</b>	N3	2007
9	<b>CARRY OUT HEALTH AND SAFETY AUDITS ON ALL COMMERCIAL OPERATORS.</b>	N6	2006
10	<b>DELIVERY OF PHASE 2 HEALTH AND SAFETY REVIEW.</b>	N8	2006
11	<b>CONSULT WIDELY AND GIVE FURTHER CONSIDERATION TO A BOAT REGISTRATION SCHEME FOR THE WYE.</b>	N15	2009
12	<b>DEVELOP ACCESS AGREEMENTS FOR THE UPPER RIVERS AND TRIBUTARIES.</b>	N16	2006
13	<b>CARRY OUT GAP ANALYSIS.</b>	N17	2007
14	<b>DEVELOP WATERWAY STANDARDS FOR EXISTING FACILITIES.</b>	N17	2008
15	<b>CARRY OUT AN SEA OF THE PLAN.</b>	N20	2006
16	<b>WORK WITH WYE VALLEY AONB TO DEVELOP BASELINE CRITERIA FOR ASSESSING THE IMPACT OF THE PLAN.</b>	N20	2008



The full document (and summary document at a later date) can be obtained from the Environment Agency at Hadnock Road, Monmouth NP25 3NQ or viewed on its website at [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)



**ENVIRONMENT REVENUE BUDGET MONITORING****Report By: DIRECTOR OF ENVIRONMENT****Purpose**

1. To advise members of the financial position for the Environment Programme Area budgets for the period to 30th September 2006. The report lists the variations against budget at this stage in the year.

**Financial Implications**

2. It is expected that all Environment directorate budget variances will be contained within the overall 2006/07 Revenue Budget for Environment.

**Considerations**

3. The detailed report on Budget Monitoring is attached at Appendix 1 for Members' consideration.
4. The total Environment Budget for 2006/07 has increased from the amount reported to the last meeting of the Committee, which was £26,576,350, to £26,714,460. This net increase is mainly due to the allocation of additional budget to mitigate costs arising from Job Evaluation.
5. In overall terms the Environment Budgets are expected to come within budget. This excludes any underspending or overspending due to Planning Fee and Car Park income as variation on budget due to these income streams will be handled corporately, in line with the Council's Medium Term Financial Management Strategy.
6. This also excludes any underspending or overspending on the Waste Management PFI, which are transferred to reserves.

**Environmental Health and Trading Standards**

7. Although there are considerable pressures within this service, in relation to Cemeteries & Crematoria and Clinical Waste, expenditure is being closely monitored and every effort will be made to contain spending within budget through the re-allocation of resources.

**Highways and Transportation**

8. The Highways budgets continue to be under considerable pressure in relation to road maintenance including verge and drainage maintenance and street cleansing. Every effort will be made to contain spending within the service budget.

**Planning**

9. Planning Fee income continues to slightly exceed budget, however current forecasts based on income patterns in previous years and the uncertainty of the impact of the

introduction of Design & Access Statements indicate that it is likely that Fee income will fall £25,000 below target. Fee income will be closely monitored throughout the year and mitigating action will be taken where possible to maintain expenditure within budget.

## **RECOMMENDATION**

**THAT the Revenue Budget Monitoring Report for 2006/07 be noted subject to the comments which members may wish to take.**

## **BACKGROUND PAPERS**

- None identified.

Environment Directorate

	2006/07 Budget £	Forecast 2006/07 £	Gross Exp to Period 6	Income to Period 6	Net Exp/(Inc) to Period 6 £	Budget to Period 6 £	Over/(Under) spend to Period 6 £
Environmental Health & Trading Stds	13,360	13,360	6,143	(1,938)	4,205	4,952	(747)
Highways & Transportation	10,346	10,346	6,817	(2,016)	4,801	4,541	260
Planning	3,008	3,033	2,014	(1,268)	746	1,105	(359)
	<u>26,714</u>	<u>26,739</u>	<u>14,974</u>	<u>(5,222)</u>	<u>9,752</u>	<u>10,598</u>	<u>(846)</u>

**Environmental Health & Trading Standards**

Areas of Activity	2006/07 Budget £000	Forecast 2006/07 £000	Gross Exp to Period 6 £000	Income to Period 6 £000	Net Exp/(Inc) to Period 6 £000	Budget to Period 6 £000	Over/(Under) spend to Period 6 £000
<b><u>Operational Budgets</u></b>							
Air Pollution	(33)	(33)	5	(52)	(47)	(16)	(31)
Landfill and Contaminated Land	115	115	32	(1)	31	58	(27)
Water Pollution	1	1	15	(16)	(1)	0	(1)
Pest Control	(70)	(70)	10	(81)	(71)	(35)	(36)
Dog Control	37	37	10	(3)	7	19	(12)
Animal Health and Welfare	7	7	1	0	1	4	(3)
DEFRA Grant	0	0	4	(43)	(39)	0	(39)
Licensing	(278)	(278)	22	(129)	(107)	(139)	32
Trading Standards	52	52	36	(12)	24	26	(2)
Commercial team	21	21	13	(15)	(2)	11	(13)
Pollution Control	37	37	30	(23)	7	19	(12)
Travellers Sites	(29)	(29)	34	(43)	(9)	(17)	8
Cemeteries	(13)	(13)	68	(81)	(13)	(7)	(6)
Crematorium	(313)	(313)	100	(245)	(145)	(157)	12
Sub-total c/fwd	(466)	(466)	380	(744)	(364)	(234)	(130)

**Environmental Health & Trading Standards**

Areas of Activity	2006/07 Budget £000	Forecast 2006/07 £000	Gross Exp to Period 6 £000	Income to Period 6 £000	Net Exp/(Inc) to Period 6 £000	Budget to Period 6 £000	Over/(Under) spend to Period 6 £000
<b><u>Operational Budgets cont.</u></b>							
Sub-total b/fwd	(466)	(466)	380	(744)	(364)	(234)	(130)
Waste Collection (Domestic)	3,133	3,133	1,377	(85)	1,292	1,296	(4)
Waste Collection (Trade)	(501)	(501)	117	(577)	(460)	(283)	(177) This under-spend relates to annual income being received at the beginning of the year and the timing of contract payments.
Waste Disposal	6,973	6,973	2,458	(337)	2,121	2,440	(319) This under-spend is due to slippage in variations to the Disposal contract. Any under-spend will be transferred to reserves at the end of the year.
Recycling	445	445	281	(180)	101	222	(121) The under-spend of £121,000 relates to the receipt of the revenue element of the Waste Performance & Efficiency Grant for 2006/07.
<b><u>Operational budgets</u></b>	<b>9,584</b>	<b>9,584</b>	<b>4,613</b>	<b>(1,923)</b>	<b>2,690</b>	<b>3,441</b>	<b>(751)</b>
<b>Staffing Budgets</b>	<b>2,489</b>	<b>2,489</b>	<b>1,247</b>		<b>1,247</b>	<b>1,244</b>	<b>3</b>
<b>Staff Related Running Costs</b>	<b>153</b>	<b>153</b>	<b>86</b>		<b>86</b>	<b>76</b>	<b>10</b>
<b>Management &amp; Overheads</b>	<b>382</b>	<b>382</b>	<b>197</b>	<b>(15)</b>	<b>182</b>	<b>191</b>	<b>(9)</b>
<b>Support Services - ICT SLA</b>	<b>171</b>	<b>171</b>					
<b>Central Support</b>	<b>581</b>	<b>581</b>					
<b><u>Total Environmental Health &amp; Trading Standards</u></b>	<b>13,360</b>	<b>13,360</b>	<b>6,143</b>	<b>(1,938)</b>	<b>4,205</b>	<b>4,952</b>	<b>(747)</b>

**Highways and Transportation**

Areas of Activity	2006/07 Budget £000	Forecast 2006/07 £000	Gross Exp to Period 6 £000	Income to Period 6 £000	Net Exp/(Inc) to Period 6 £000	Budget to Period 6 £000	Over/(Under) spend to Period 6 £000
<b>Operational Budgets</b>							
Roads Maintenance	2,411	2,411	1,185		1,185	1,029	Expenditure is being closely monitored against the 2006/07 JUP. Some 156 re-allocations to Capital may be required.
NRSWA	(120)	(120)	11	(49)	(38)	(60)	22
Winter Maintenance	741	741	299		299	39	The over-spend in this area is due to an outstanding sales invoice in relation to salt supplied to a third party through HJS. This matter has now been resolved and outstanding monies are due to be received at the end of 26th of November.
Drainage/Flood Alleviation	142	142	36		36	60	(24)
70							Both Herefordshire Council and HJS have been unable to appoint Managers of their Street Lighting teams, causing an under-spend on Programmed Work in this area. Whilst steps are being taken to recruit to these posts, budget may be re-allocated to meet other pressures within the service.
Street Lighting	869	869	209	(4)	205	387	(182)
Bridgeworks	68	68	46		46	28	18
Shop mobility	17	17	7		7	8	(1)
Street Cleansing	962	962	487		487	433	54
Public Conveniences	358	358	169		169	171	(2)
Public Transport (incl. Rural)	1,185	1,185	932	(474)	458	605	(147)
Sub-total c/fwd	6,633	6,633	3,381	(527)	2,854	2,700	154



**Highways and Transportation**

Areas of Activity	2006/07 Budget £000	Forecast 2006/07 £000	Gross Exp to Period 6 £000	Income to Period 6 £000	Net Exp/(Inc) to Period 6 £000	Budget to Period 6 £000	Over/(Under) spend to Period 6 £000
Sub-total b/fwd	6,633	6,633	3,381	(527)	2,854	2,700	154
Traffic management	96	96	56	(30)	26	40	(14)
Transport Planning	58	58	33	(14)	19	28	(9)
Road Safety	4	4	8	(12)	(4)	2	(6)
Bus Stations	(14)	(14)	15	(15)	0	(5)	5
Concessionary Travel	832	832	388	(14)	374	347	27
Car Parking	(1,580)	(1,580)	527	(1,106)	(579)	(675)	96
DeCrim. of Parking enforcement	(310)	(310)	166	(232)	(66)	(89)	23
Searches	(2)	(2)	0	(1)	(1)	(1)	0
S.38 Fees	(44)	(44)		(65)	(65)	(22)	(43)
<b>Operational Budgets</b>	<b>5,673</b>	<b>5,673</b>	<b>4,574</b>	<b>(2,016)</b>	<b>2,558</b>	<b>2,325</b>	<b>233</b>
<b>Staffing Budgets</b>	<b>2,310</b>	<b>2,310</b>	<b>1,588</b>		<b>1,588</b>	<b>1,562</b>	<b>26</b>
<b>Staff Related Running Costs</b>	<b>181</b>	<b>181</b>	<b>64</b>		<b>64</b>	<b>88</b>	<b>(24)</b>
<b>Management &amp; Overheads</b>	<b>1,194</b>	<b>1,194</b>	<b>588</b>		<b>588</b>	<b>562</b>	<b>26</b>
<b>Support Services - Legal &amp; Admin</b>	<b>9</b>	<b>9</b>	<b>3</b>		<b>3</b>	<b>4</b>	<b>(1)</b>
- ICT SLA	228	228					
<b>Central Support</b>	<b>751</b>	<b>751</b>					
<b>Total Highways &amp; Transportation</b>	<b>10,346</b>	<b>10,346</b>	<b>6,817</b>	<b>(2,016)</b>	<b>4,801</b>	<b>4,541</b>	<b>260</b>

This over-spend relates to a shortfall of Car Park income against budget of £50,000, with the remainder relating to repairs and maintenance funded through the Property Pool budget and other minor variances.

Areas of Activity	2006/07 Budget £000	Forecast 2006/07 £000	Gross Exp to Period 6 £000	Income to Period 6 £000	Net Exp/(Inc) to Period 6 £000	Budget to Period 6 £000	Over/(Under) spend to Period 6 £000
<b>Operational Budgets</b>							
<b>Building Control:</b>							
Building Control Fees	(641)	(691)	0	(358)	(358)	(320)	(38)
Building Control	34	34	4	0	4	17	(13)
<b>Development Control:</b>							
Development Control Fees	(1,304)	(1,229)	0	(675)	(675)	(652)	(23)
Development Control	40	40	48	0	48	20	28
<b>Forward Planning</b>	29	29	15	(5)	10	15	(5)
<b>Conservation</b>							
Conservation Grants	44	44	18	(137)	(119)	50	(169)
Conservation Management	116	116	13	(24)	(11)	31	(42)
<b>Operational Budgets</b>	<b>(1,682)</b>	<b>(1,657)</b>	<b>98</b>	<b>(1,199)</b>	<b>(1,101)</b>	<b>(839)</b>	<b>(262)</b>
<b>Staffing Budgets</b>	<b>2,988</b>	<b>2,988</b>	<b>1,437</b>		<b>1,437</b>	<b>1,493</b>	<b>(56)</b>
<b>Staff Related Running Costs</b>	<b>203</b>	<b>203</b>	<b>89</b>		<b>89</b>	<b>101</b>	<b>(12)</b>
<b>Management &amp; Overheads</b>	<b>741</b>	<b>741</b>	<b>390</b>	<b>(69)</b>	<b>321</b>	<b>350</b>	<b>(29)</b>
<b>Support Services</b>	<b>150</b>	<b>150</b>					
<b>Central Support</b>	<b>608</b>	<b>608</b>					
<b>Total Planning</b>	<b>3,008</b>	<b>3,033</b>	<b>2,014</b>	<b>(1,268)</b>	<b>746</b>	<b>1,105</b>	<b>(359)</b>

The under-spend in this area relates to Grant income received in advance of Conservation Projects being carried out. Applications will be made to carry forward any unspent grant income or budget into 2007/08.

During 2006/07 there is some £278,000 PDG, although this grant is being used to fund various projects throughout the year, an application will be made to carry forward any unspent PDG into 2007/08.

**ENVIRONMENT CAPITAL BUDGET MONITORING****Report By: DIRECTOR OF ENVIRONMENT****Purpose**

1. To advise Members on the progress of the 2006/07 Capital Programme for Environment Areas within the overall context of the Herefordshire Council Capital Programme.

**Financial Implications**

2. Capital Budgets for the Environment Programme Areas for 2006/07 are shown in Appendix 1, on an individual basis, with funding arrangements indicated in overall terms.
3. The total of the Capital Programme has been increased to £13,387,000 from £13,216,000 notified to the previous meeting (see Appendix 1). This is a net increase of £171,000 and relates to:
  - The transfer of Victoria Bridge project £303,000, previously included in Economic Development Capital Programme. The total cost of this project is £725,000, the remainder being funded through LTP;
  - Reduction of £407,000 in the 2006/07 Programme in relation to slippage in Leominster Closed Landfill Monitoring Infrastructure;
  - An increase of £100,000 in relation to the anticipated capital receipt from the sale of Union Street toilets, which will be used to fund new Public Toilets in Gaol Street Car Park;
  - An increase in Waste Performance and Efficiency following the receipt of capital grant of £175,000 from DEFRA.

**Considerations**

4. The report has been largely based on the latest round of capital monitoring, which involved an examination of all schemes at the end of September 2006. Care is being taken to ensure the forecast spend accurately reflects the expected spend in 2006/07. The Environment General Capital Working Group is keeping the overall spending position under careful review.
5. The actual spend against each scheme is shown as at 30<sup>th</sup> September 2006.
6. The total spent or committed to 30<sup>th</sup> September is £7.624 million or 57% of the Revised Forecast. The actual amount spent is £4.274 million.

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

- None identified.



## ENVIRONMENT GENERAL CAPITAL PROGRAMME 2006/07

	Original Budget 2006/07	Revised Forecast as at 30 <sup>th</sup> September	Change in Forecast	Spend/ Known Commitments	% Spent/ Committed
	£000	£000	£000	£000	£000
<b><u>LOCAL TRANSPORT PLAN</u></b>					
<b><u>Hereford Integrated Transport Strategy</u></b>					
<b>Walking and Access</b>					
Pedestrian Route & Disabled Access Imps	75	75		41	54.7
City Centre Pedestrian Enhancement	200	200		56	28.0
<b>Cycling</b>					
Cycle Network Development	200	200		152	76.0
<b>Public Transport Minor Schemes</b>					
Accessible Bus Network	45	45			
<b>Park and Ride</b>					
Christmas Park and Ride	20	20		14	70.0
Park and Ride Permanent Site Development	150	150		50	33.3
<b>Rotherwas Access Road</b>					
Rotherwas Access Road	500	500		360	72.0
<b>Roman Road</b>					
Roman Road				(3)	
<b>Hereford Intelligence Transport System</b>					
Hereford Intelligence Transport System	95	95		20	21.1

	Original Budget 2006/07	Revised Forecast as at 30 <sup>th</sup> September	Change in Forecast	Spend/ Known Commitments	% Spent/ Committed
	£000	£000	£000	£000	£000
<b><u>Rural towns and Market Towns</u></b>					
<b><u>Transport Strategy</u></b>					
<b>Walking and Access</b>					
Pedestrian and Disabled Access Imps	20	20		15	75.0
Rural Footway Improvements	95	95		7	7.4
<b>Cycling</b>					
Network of Cycle Routes and Parking	200	200		24	12.0
<b>Public Transport Minor Schemes</b>					
Public Transport Minor Improvements	60	60		35	58.3
Rural Rail Improvements	50	50		2	4.0
HGV Projects	50	50		14	28.0
Travel Awareness Campaign	35	35		17	48.6
Accessibility Partnership Development	30	30		30	100.0
Public Rights of Way Improvements	25	25		2	8.0
<b><u>Countywide Strategy</u></b>					
<b>Hearts and Minds</b>					
School Travel Plan Support	25	25		25	100.0

	Original Budget 2006/07	Revised Forecast as at 30 <sup>th</sup> September	Change in Forecast	Spend/ Known Commitments	% Spent/ Committed
	£000	£000	£000	£000	£000
<b>Minor Safety Schemes</b>					
Minor Safety Improvements	300	300		299	99.7
<b>Traffic Calming</b>					
Traffic Calming	150	150		71	47.3
<b>Safer Routes to Schools</b>					
Safer Routes to schools inc 20mph zones	385	385		105	27.3
<b>Speed Control</b>					
Speed Limits	60	60		38	63.3
<b>Monitoring</b>					
Monitoring	40	40		18	45.0
<b>Highways Maintenance</b>					
Capitalised Maintenance of Principal Roads	1,728	1,728		1,463	84.7
Capitalised Maintenance of Non Principal Roads	3,547	3,547		2,385	67.2
Footways	1,064	1,064		576	54.1
Embankments	100	100		18	18.0
<b>Bridge maintenance</b>					
Capitalised Assessment & Strength of Bridges	900	900		685	76.1
Rights of Way Improvements	25	25		25	100.0
Transport Staff costs allocated over LTP	301	301		301	100.0

	<b>Original Budget 2006/07</b>	<b>Revised Forecast as at 30<sup>th</sup> September</b>	<b>Change in Forecast</b>	<b>Spend/ Known Commitments</b>	<b>Appendix 1 % Spent/ Committed</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b><u>Non LTP SCHEMES</u></b>					
Victoria Footbridge		303	303	214	70.6
Hereford Crematorium	1,047	900	(147)	59	6.6
Leominster Closed Landfill Monitoring Infrastructure	500	290	(210)	25	8.6
Public Convenience Improvements	200	461	261	1	0.2
Grafton Travellers Site	200	339	139	263	77.6
Pembridge Travellers Site	58	60	2	51	85.0
Waste Performance & Efficiencies	74	249	175	120	48.2
LPSA 2 Street Scene		94	94		
LPSA 2 Road Safety		216	216	46	21.3
<b>TOTAL EXPENDITURE</b>	<b>12,554</b>	<b>13,387</b>	<b>833</b>	<b>7,624</b>	<b>57.0</b>



	Original Budget 2006/07	Revised Forecast as at 30 <sup>th</sup> September
	£000	£000
<b><u>FUNDING</u></b>		
Supported Capital Expenditure Revenue	10,475	10,475
Prudential Borrowing	1,560	1,197
Prudential Borrowing Slippage 2005/06	247	714
LPSA 2 Funding		310
S106 Funding		3
Completing the Jigsaw		
Grafton Travellers Site	100	239
Waste Performance & Efficiencies Grant	74	249
Capital Receipts Reserve	98	200
<b>TOTAL FUNDING AVAILABLE</b>	<b>12,554</b>	<b>13,387</b>

Notes:

#### **SUPPORTED CAPITAL EXPENDITURE (REVENUE) SCE(R)**

An approval to borrow in order to finance capital expenditure and permits an authority to pay for capital expenditure out of credit rather than cash. SCE(R) is issued before the start of the financial year to which it relates, and can only be used in respect of capital expenditure defrayed in that year. SCE(R) can be used in relation to any kind of capital expenditure

#### **PRUDENTIAL BORROWING**

Borrowing used to finance capital expenditure which does not have SCE(R) support. The financing costs of such borrowing have to be met from revenue budget savings or directly from Council Tax.



## MONITORING OF 2006/07 PERFORMANCE INDICATORS – APRIL TO SEPTEMBER 2006

Report By: Director of Environment

### Wards Affected

County-wide

### Purpose

1. To update Members on the exceptions to the targeted progress made by the Environment Directorate for the six months April to September 2006 towards achieving:
  - the targets that appear in the Council's Corporate and Annual Operating Plans and which are reported monthly to respective Cabinet Members and, by exception, bi-monthly to Cabinet
  - the targets that appear in the Directorate Plan which are reported monthly to the respective Cabinet Members and, by exception, bi-monthly to Cabinet.

### Financial Implications

2. All expenditure in respect of these performance indicators and targets is from approved budgets.

### Content

3. Cabinet considers an Integrated Performance Report bi-monthly which includes a report on performance against corporate performance indicators, each of which is "traffic lighted" red, amber or green. By exception all red "traffic lighted" indicators are reported in full to Cabinet.
4. For the six-month period to September 2006 none of the indicators for which the Environment Directorate and the Cabinet Members for the Environment and Highways and Transportation have responsibility received a red "traffic light". Two suggested Community Strategy indicators, where work is still being undertaken to define the indicator, were given an amber "traffic light"; these are – "% of Sites of Special Scientific Interest (SSCIs) in favourable condition" and "key species".
5. Performance against all other indicators is within 10% of target. In addition performance, where ascertainable, against those indicators where data is not available either monthly or quarterly also appears to be on target.
6. There are no exceptions to report.

## RECOMMENDATION

**THAT** subject to any comments which Members may wish to raise, the report be noted.

## BACKGROUND PAPERS

- Integrated Performance Report to Cabinet.

## Performance to 30<sup>th</sup> September 2006

### Cabinet Member - Environment

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Percentage of the total tonnage of household waste arisings which has been recycled (BVPI)	17.31 amended following audit to 17.46	17.5	20.11	There is a time lapse in receiving data from Worcestershire County Council	These figures covers the period April – August only	In order to ensure we achieve this target the Waste Challenge team (Partnership between Herefordshire and Worcestershire) have further developed their plan for 2006/7, which is currently on target  Expansion of service to both North and South rounds completed 6 October 2006.  Paper banks have been ordered for the schools and will shortly be installed.
Tonnage of household waste arisings which has been recycled (BVPI)	16059.28	16,271	8271.48			
Percentage of the total tonnage of household waste arisings which has been composted (BVPI)	6.58 amended following audit to 6.61	6.6	8.47			
Tonnage of household waste arisings which has been composted (BVPI)	6102.11	6,136	3484.44			

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Percentage of the total tonnage of household waste arisings that has been recycled or composted (CPA)	23.89	24.1	28.58			
Percentage of the total tonnage of household waste arisings which has been used to recover heat, power and other energy sources (BVPI)	0	0	1.87			
Tonnage of household waste arisings which has been used to recover heat, power and other energy sources (BVPI)	0	0	770.30			
Percentage of the total tonnage of household waste arisings which has been landfilled	76.11	75.9	69.54			

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Tonnage of household waste arisings which has been landfilled (BVPI, LAA, CP)	70599.53	70,570	28605.63			
Kg of household waste per head per annum (BVPI, CPA, LAA, CP)	521.72	520	231.34			
Percentage change from the previous year of Kg of household waste per head per annum (BVPI)	-1.42	-0.56	-1.87			
Cost of waste collection per household (BVPI)	£44.69	£48.26		These indicators are calculated after the end of the financial year as part of final accounts preparation		
Cost of waste disposal per tonne for municipal waste (BVPI)	£78.99	£78.41				
The percentage of people satisfied with the cleanliness standard in their area (BVPI, CPA)		65		This survey is underway. Initial results are anticipated in December		Publicity/activity prior to and during survey

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
The percentage of people satisfied with household waste collection (BVPI, CPA)		89		This survey is underway. Initial results are anticipated in December		Publicity/activity prior to and during survey
The percentage of people satisfied with waste recycling (BVPI, CPA)		67				
The percentage of people satisfied with waste disposal (BVPI, CPA)		82				
Percentage of population resident in the authority's area which area served by a kerbside collection of recyclables (BVPI)	62.28	67	62.28		Kerbside collection extended in September	See activity for other waste targets



Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Percentage of population resident in the authority's area which area served by a kerbside collection of 2 recyclables (BVPI, CPA)	60.28	67	60.28			
The proportion of relevant land and highways (expressed as a percentage) that is assessed as having combined deposits of litter and detritus that fall below an acceptable level (BVPI, CPA, LAA, CP)	18	18	23 Next reading end of November	A complete transect is undertaken every three months and analysed. Scores will be reported in August, November, February and May. This score follows the first quarter transect (April – June)	This increase is as a result of a high level of detritus rather than litter.	Fixed penalty notices introduced 7 <sup>th</sup> August 2006 Staff training undertaken and changes to main duties completed Education – dialogue and work with schools and colleges Underway – positive responses from 15 schools to date Provision of support and equipment to voluntary groups for local cleansing campaigns - scheme to commence November 2006. Scheme advertised and equipment purchased. Draft advertising and promotional campaign plan
The proportion of relevant land and highways (expressed as a percentage) from which unacceptable levels of graffiti are visible (BVPI)	3	2	3 Next reading end of November			

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
The proportion of relevant land and highways (expressed as a percentage) from which unacceptable levels of fly-posting are visible (BVPI)	2	2	0 Next reading end of November			produced
The year-on-year reduction in total number of incidents and increase in total number of enforcement actions taken to deal with fly-tipping' (BVPI)	1	1	1	1 is the highest grade		
Total emission per annum of CO2-e from Council Influenced activities				Baseline data being established		
Percentage of all schools in Herefordshire registered on the eco-schools programme	72	72	72	This data is collected annually and reported in May		
Percentage of all schools in	50	50	50	This data is collected annually and reported		

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Herefordshire registered on the eco-schools programme achieving award levels				in May		
Percentage of new homes built on previously developed land (BVPI, CPA)	71.3	60		This data is collected annually and reported in June		
Percentage of major planning applications determined in under 13 weeks (BVPI, CPA)	61 amended following audit to 56	60	77	This data is collected and reported monthly	The ongoing improvement in performance continues. The success in improving performance on major applications is significant in scale and significance. Ongoing work still to be carried out includes a detailed performance management regime for every application, upgrading the planning	
Percentage of minor planning applications determined in under 8 weeks (BVPI, CPA)	73 Amended following audit to 67	65	82			

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Percentage of other planning applications determined in under 8 weeks (BVPI, CPA)	85 amended following audit to 78	80	92		upgrading the planning registration and consultation systems and making the fullest possible use of electronic submission and consultation of applications.	
The percentage of applicants and those commenting on planning applications satisfied with the service received (BVPI, CPA)		78		This survey is underway. Preliminary results are expected in December.		
Plan Making – Have a development plan (BVPI, CPA)	yes	yes		This is reported annually in May		
Plan Making – Milestones (BVPI)	yes	yes		This is reported annually in May		
Plan making – monitoring report (BVPI)	yes	yes		This is reported annually in May		
Percentage of appeals allowed against authority's	28	25	22	This data is collected and reported monthly		

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
decision to refuse planning application (BVPI, CPA)						
Quality of service checklist (BVPI, CPA)	94	94	94	This is assessed annually and reported in May		
Total number of conservation areas in local authority area (BVPI)	64	64	64	The number of conservation areas is not expected to change		
Percentage of conservation areas with an up-to-date character appraisal (BVPI)	1.6	14	1.6	Report to Planning Committee in accordance with action plan		
Percentage of conservation areas with published management proposals (BVPI)	0	5	0			
Percentage of Council land without a nature conservation designation but managed for Biodiversity	2.49	2.8	2.49			

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
purposes						
Score against a checklist of enforcement best practice for environmental health (BVPI, CPA)	45	90	45		Action plan developed	
Score against a checklist of enforcement best practice for trading standards (BVPI, CPA)	78.75	90	78.75		Action plan developed	
Number of 'sites of potential concern' [within the local authority area], with respect to land contamination (BVPI)	5910	5901		This indicator is currently measured annually and reported in May		
Number of sites for which sufficient detailed information is available to decide whether remediation of the land is necessary, as a percentage of all	0.15	1		This indicator is currently measured annually and reported in May		

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
'sites of potential concern' (BVPI)						
Percentage of pollution control improvements to existing installations completed on time (BVPI)	95.29	95.3		This indicator is currently measured annually and reported in May		
Percentage of new reports of abandoned vehicles investigated within 24hrs of notification (BVPI)	83	95	98	This data is collected and reported monthly		
Percentage of abandoned vehicles removed within 24 hours from the point at which the Authority is legally entitled to remove the vehicle (BVPI)	90	95	98	This data is collected and reported monthly		
Consumer satisfaction with trading standards service (CPA)	73	80	65	These indicators are measured by survey conducted annually. Results are		

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Business satisfaction with trading standards service (CPA)	91	91	87	anticipated in May		
Trading standards visits to high risk premises (CPA)	79	85		This indicator is currently measured annually and reported in May		
Trading standards, levels of business compliance of businesses visited - high risk premises (CPA)	90	90		These indicators are currently measured annually and reported in May		
Trading standards, levels of business compliance of businesses visited - medium risk premises (CPA)	85	90				
Trading standards, levels of business compliance of businesses visited - low risk premises (CPA)	86	90				
Customer	80	80			These indicators are	



Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Satisfaction levels – overall satisfaction with EH service				measured by survey conducted annually. Results are anticipated in May		

### Cabinet Member – Highways and Transportation

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Progress with local transport plan (CPA)	Above average	Well above average	Due in December	Progress is reported in December		Delivery Report submitted in July
Intervention by the Secretary of State under Traffic Management Act powers (CPA)	No intervention	No intervention	Annual	This is assessed annually as part of the CPA Service Assessment process		
Condition of principal roads - % worse than condition threshold (BVPI)	21	5	Available Dec / Jan 07	These indicators are measured annually by survey Current year's data should be available	TRL have confirmed that the DCL SCANNER survey results have been inconsistent and the Audit Commission have agreed	External review of maintenance procedures and programming commissioned and report produced June 2006. Action plan agreed at

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Condition of non-principal roads - % worse than condition threshold – classified (BVPI)	49.5	20	Available Dec / Jan 07	December 2006/January 2007	that published BVPI results using the system will be flagged and not used for national comparison	workshop in July 2006. Delivery of action plans being monitored at regular meetings (initially monthly).
Condition of non-principal roads - % worse than condition threshold – unclassified (BVPI, CPA)	22.25	21	Available Dec / Jan 07			
Number of Casualties All KSI (BVPI, CPA, LPSA, LAA, CP)	134	129 (LPSA - annual average for period Jan 06 – Dec 08)	83	These BVPIs require the return of data for past years i.e. the current year's "target" is actually the outturn for 2005. To make both the data and activity more meaningful in year reporting will be of provisional accident figures provided by West Mercia Police for the three key indicators – KSI, Under 16 KSI	Figures reported are for the 6-month period January - September	Work continues on implementing a programme of engineering measures combined with road safety education, training and publicity in accordance with a targeted action plan developed with partner organisations.  Crucial Crew events held in June and September  Information leaflet published in July and distribution with Hi-viz jackets underway  Whitecross School 20 mph
Percentage Change over previous year - All KSI (BVPI)						
Percentage Change over 1994-8 average All KSI (BVPI)						

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Number of Casualties Children KSI (BVPI, CP)		15	6	and slight injuries. There is a time delay in receiving the provisional data.		zone completed to complement opening of new school
Percentage Change over previous year Children KSI (BVPI)						
Percentage Change over 1994-8 average Children KSI (BVPI)						
Number of Casualties All Slight Injuries (BVPI, CPA)		788	436			
Percentage Change over previous year All Slight Injuries (BVPI)						
Percentage Change over 1994-8 average All Slight Injuries (BVPI)						
Local authority road works per kilometre of traffic sensitive road (BVPI)	0	0	0	This indicator is measured and reported monthly		

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Local bus services (passenger journeys per year) (BVPI, CP, CPA)	3,109,000 amended following audit to 3,248,935	3817000	Due May 2007	This data is currently collected annual and is reported in May	Discussions to be held with bus operators on the provision of returns more frequently	Work is underway on this year's programme of work to promote and support bus use. Progress to date includes: <ul style="list-style-type: none"> <li>• Launch of Free Concessionary Fares Scheme on 1<sup>st</sup> April</li> </ul>
The percentage of users satisfied with the local provision of public transport information (BVPI, CPA)		62	Due in December	This survey is underway	Publicity/activity is underway  Herefordshire Voice is being used to establish what influences people's perceptions.	<ul style="list-style-type: none"> <li>• Roll-out of improved road side information to bus stops throughout the County to provide clear and concise "Buses from this stop" information to replace less clear timetables</li> </ul>
The percentage of users satisfied with local bus services (BVPI, CPA)		62	Due in December			<ul style="list-style-type: none"> <li>• Services re-tendered to continue from September</li> <li>• New services secured for Victoria Park, Hereford (from July) and to serve new ASDA, Hereford (from store opening)</li> <li>• New format improved Public Transport Timetables published August / September</li> <li>• Press releases and Herefordshire Matters articles published</li> </ul>
The percentage of pedestrian crossings with facilities for disabled people (BVPI, CPA)	75.6	90	77	This indicator is measured and reported monthly	2005-06 outturn (and performance to June) amended following audit	

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
Condition of footways (BVPI, CPA)	30.68	30	Due May 2007	This indicator is currently measured annually and reported in May		
The average number of days taken to repair a street lighting fault, which is under the control of the local authority (BVPI)	6.43	5	4.31	This indicator is measured and reported monthly	Changes to data collection following audit. 2005-06 outturn reduced, but targets unaffected	
The average time taken to repair a street lighting fault, where response time is under the control of a DNO (BVPI)	34.15	33	7.11			
Change in Annual Average Daily Traffic (AADT) volumes - 1% growth p.a. (CP)	100.4	105	Due May 2007	These indicators are currently measured and reported annually. Additional analysis is being put		Successful Travel Information Day event held in High Town, Hereford on 29 <sup>th</sup> September with information provided on sustainable travel, public

Indicator	2005-06	2006-07		Note	Comment	Key activity to date
		Target	Performance			
No. of cycling trips (index) based on 12 hour week-day cycle movements (CP)	118	107	Due May 2007	in place and it is anticipated that monthly updates will be available by September		transport and road safety Staff Travel Plan survey circulated to staff in accordance with programme
Percentage of subsidised bus services operated with disabled accessible vehicles	80	80	Due May 2007	This indicator is measured annually and reported in May		
Number of Penalty Charge Notices issued	19184	20000	6828	This indicator is measured and reported monthly		

## DRAFT TRAVELLER'S POLICY

**Report By: Director of Environment**

### Wards Affected

County-wide

### Purpose

1. To consider the recommendations of the Environment Scrutiny Committee Review Group who have reviewed the Draft Travellers' Policy.

### Financial Implications

2. None

### Background

3. At the last Environment Scrutiny Committee it was agreed that a Review Group of Members from the Environment Scrutiny Committee review the Draft Policy to make representations to the Cabinet Member (Environment) on the:
  - a. Acceptability of the Draft Policy for the Council.
  - b. Identifies any areas that require amendment, addition or deletion.
  - b. Identifies any further areas of work that need to be undertaken on the Draft Policy.
4. This work has been undertaken and the Review Group have made some minor alterations to the Draft Policy but in the main are content with the Policies proposed.
5. The Review Group did, however request that the Draft Policy be circulated to interested organisations, such as the Herefordshire Travellers' Support Group, for their comments. In order that this consultation can be undertaken it is proposed that the Draft Policy be submitted to interested parties at the beginning of January 2007 with a view to the consultation closing on the 31<sup>st</sup> January 2007.
6. Following the consultation the Review Group will consider any proposed changes and the resultant draft will be submitted to Scrutiny Committee in March 2007 for consideration prior to the Cabinet Member's final decision on the Policy.

### RECOMMENDATION

**THAT;**

- (a) the report be noted and the draft policy be circulated for comment to interested organisations, such as the Herefordshire Travellers' Support Group; and**

---

Further information on the subject of this report is available from Andy Tector, Head of Environmental Health and Trading Standards on 01432 261989

**(b) the Review Group consider any comments made and the resultant draft policy be considered by this Committee prior to the Cabinet Member's final decision.**

**BACKGROUND PAPERS**

- Draft Herefordshire Council Traveller's Policy - November 2007



## ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME

Report By: Chairman, Environment Scrutiny Committee

### Wards Affected

County-wide

### Purpose

- 1 To consider the Committee work programme.

### Financial Implications

- 2 None

### Background

- 3 In accordance with the Scrutiny Improvement Plan a report on the Committee's current Work Programme will be made to each of the scheduled quarterly meetings of this Scrutiny Committee. A copy of the current Work Programme, last considered by the Committee in September 2006, is attached at appendix 1.
- 4 The programme may be modified by me as Chairman following consultation with the Vice-Chairman and the Director of Environment in response to changing circumstances.
- 5 The Vice-Chairman and I are aware of a number of other issues for consideration. These have been discussed with the Director and will be added to the programme as it is further developed. The issues are listed at the foot of the programme.
- 6 Should any urgent, prominent or high profile issue arise, as Chairman I may consider calling an additional meeting to consider that issue.
- 7 Should Members become aware of any issues they consider may be added to the scrutiny programme they should contact either myself as Chairman or the Vice-Chairman to log the issue so that it may be taken in to consideration when planning future agendas or when revising the work programme.

### RECOMMENDATION

**THAT subject to any comment or issues raised by the Committee the Committee work programme be approved and reported to Strategic Monitoring Committee.**

#### BACKGROUND PAPERS

- None identified.



## APPENDIX 1

<b>12th March 2007</b>	
Officer Reports	<ul style="list-style-type: none"><li>• Biodiversity Strategy Issues</li><li>• Capital Budget</li><li>• Revenue Budget</li><li>• Report on Performance Indicators</li><li>• Annual Review of Service Plans</li><li>• Committee Work Programme</li></ul>
Scrutiny Reviews	<ul style="list-style-type: none"><li>• Findings of the Travellers Policy Development Review Group.</li><li>• Findings of the Polytunnel Review Group</li><li>• Findings of the Household Waste Recycling in Herefordshire Review Group.</li></ul>

Items for consideration as the programme is further developed:

- Scrutinising progress with the Local Transport Plan (LTP2) and any associated issues.
- The effect on Herefordshire of changes to the Single Farm Payments system (e.g. hedge cutting, drainage ditch clearance)
- Implications arising from the Hampton Review (concerning regulatory inspections and enforcement – within the context of this Committee).
- Any specific issues arising from Council Strategies or Plans.
- Contribute to policy development of LTP3.
- Safety on the A49 and A465 trunk roads – the Director will update the Committee as appropriate.

