

CORPORATE AND CUSTOMER SERVICES

Director: Mrs. J.E. Jones

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: AMcL/CD

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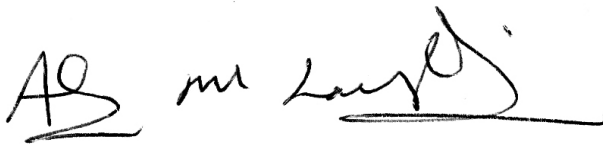
20th July, 2006

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the meeting of the County of Herefordshire District Council to be held on **FRIDAY, 28TH JULY, 2006** at Whitecross High School, Three Elms Road, Hereford at **10.30 a.m.** at which the business set out in the attached agenda is proposed to be transacted.

The Youth Justice Plan and the Herefordshire Unitary Development Plan (UDP) Inspector's Report, Statement of Decisions and Reasons and proposed Modifications are matters reserved to Council. They were considered at the Cabinet meeting held on 29th June, 2006 and copies of the relevant papers are enclosed separately for those Members who have not received them already. They are also available in the Members' Room and on the Council's Website.

Yours sincerely,



A. McLAUGHLIN
HEAD OF LEGAL AND DEMOCRATIC SERVICES



A G E N D A

COUNCIL

Date: **Friday, 28th July, 2006**

Time: **10.30 a.m.**

Place: **Whitecross High School, Three
Elms Road, Hereford**

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

For any further information please contact:

*Christine Dyer, Democratic Services
Manager*

**Tel: 01432 260222, e-mail:
cdyer@herefordshire.gov.uk**

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the COUNCIL

To: All Members of the Council

	Pages
PUBL-INFO	
1. PRAYERS	
2. APOLOGIES FOR ABSENCE To receive apologies for absence.	
3. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on this Agenda.	
4. MINUTES To approve and sign the Minutes of the annual meeting held on 12th May, 2006.	1 - 14
5. CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	
6. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	15 - 18
7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS To receive any written questions.	
8. NOTICES OF MOTION UNDER STANDING ORDERS To consider any Notices of Motion.	
9. CABINET To receive the report and to consider any recommendations to Council arising from the meetings held on (a) 25th May, 15th and 29th June and 13th July, 2006; and (b) 20th July, 2006 (supplementary report to follow).	19 - 26
10. RE-CONFIRMATION OF APPOINTMENT TO OFFICES RESERVED TO COUNCIL Subject to the Council's decisions In relation to the review of the Constitution, to extend the appointment of Cabinet Members to May 2007 and to extend the appointment of Chairmen of Committees to May 2007.	
11. REGULATORY COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 23rd May and 4th July, 2006	27 - 28
12. PLANNING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meetings held on 9th June and 14th July, 2006.	29 - 34
13. STRATEGIC MONITORING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meeting held on 26th June, 2006.	35 - 44

14. STANDARDS COMMITTEE	45 - 46
To receive the report and to consider any recommendations to Council arising from the meeting held on 30th June, 2006.	
15. AUDIT COMMITTEE	47 - 50
To receive the report and to consider any recommendations to Council arising from the meeting held on 30th June, 2006.	
16. RESULT OF THE KERNE BRIDGE BY-ELECTION	51 - 52
To note formally the result of the by-election for Kerne Bridge Ward.	
17. WEST MERCIA POLICE AUTHORITY	53 - 58
To receive the report of the meeting of the West Mercia Police Authority held on 13th June, 2006. Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority.	
18. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY	59 - 66
To receive the report of the meeting of the Hereford & Worcester Fire and Rescue Authority held on 12th June, 2006.	

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 the Cabinet, 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, 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.
- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the County Secretary and Solicitor more than seven clear working days before the meeting i.e. by close of business on a Tuesday in the week preceding a Friday meeting.

Please Note:

Agenda and individual reports can be made available in large print, Braille or on tape. Please contact the officer named below in advance of the meeting who will be pleased to deal with your request.

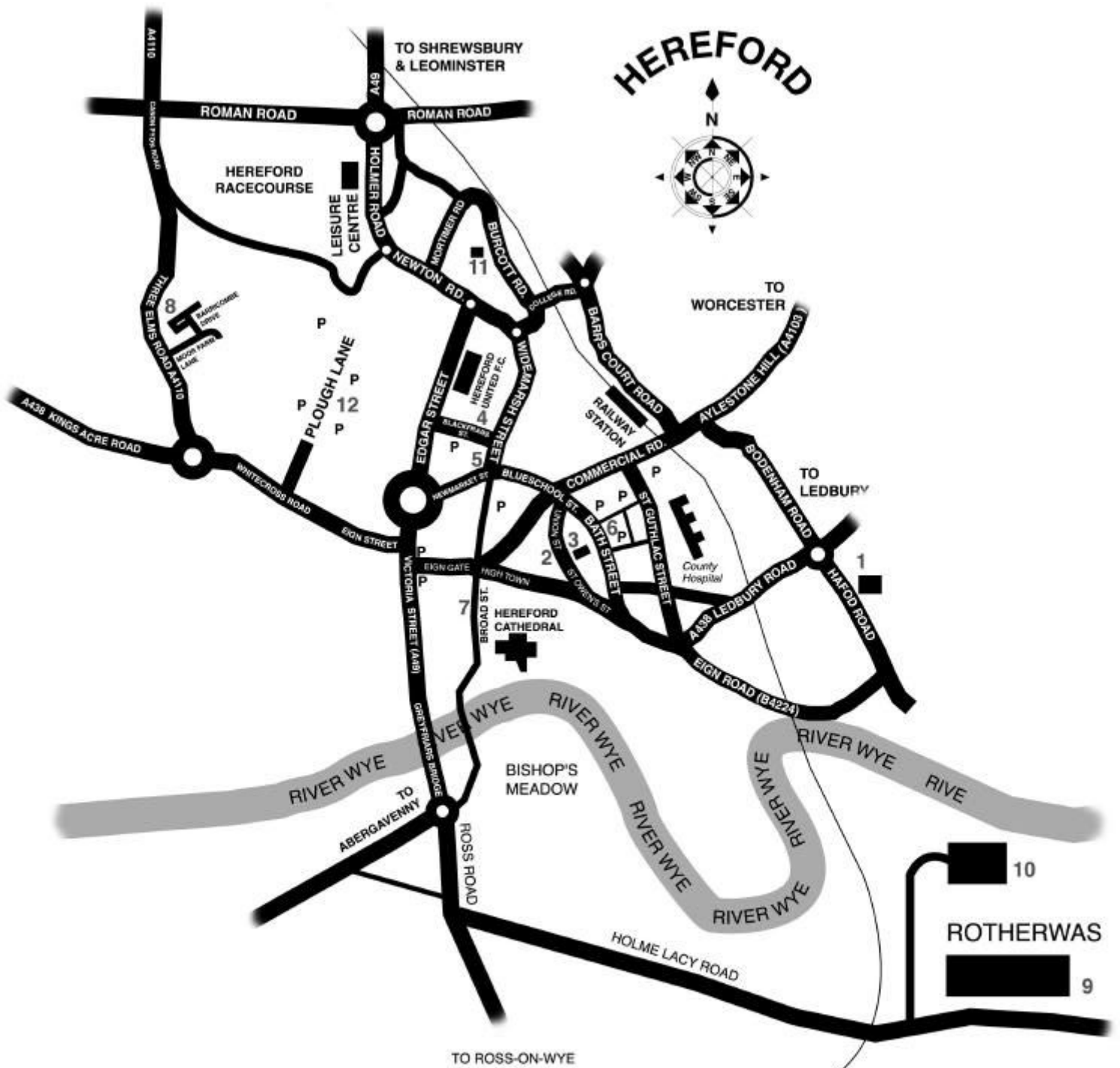
The meeting room is accessible for visitors in wheelchairs.

A map showing the location of Whitecross High School can be found opposite.

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 Mrs Christine Dyer on 01432 260222 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.



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|---|------------------|----|-----------------------------------|
| 1 | Brockington | 7 | Kemble House |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre |
| 4 | Education Centre | 10 | Herefordshire Commercial Services |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

FIRE AND EMERGENCY EVACUATION PROCEDURE

IN CASE OF FIRE

(no matter how small)

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

ON HEARING THE ALARM

Leave the building by the nearest exit and proceed to assembly area on:

THE CAR PARK

MINUTES of the meeting of COUNCIL held at Shirehall, Hereford on Friday, 12th May, 2006 at 10.30 a.m.

Present: Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, Mrs. E.M. Bew, W.L.S. Bowen, H. Bramer, R.B.A. Burke, A.C.R. Chappell, M.R. Cunningham, Mrs. S.P.A. Daniels, P.J. Dauncey, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, P.J. Edwards, D.J. Fleet, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, P.E. Harling, J.W. Hope MBE, B. Hunt, T.W. Hunt, Mrs. J.A. Hyde, T.M. James, Brig. P. Jones CBE, Mrs. M.D. Lloyd-Hayes, G. Lucas, R.M. Manning, R.I. Matthews, J.C. Mayson, R. Mills, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, R. Preece, Mrs. S.J. Robertson, D.W. Rule MBE, Miss F. Short, R.V. Stockton, D.C. Taylor, Mrs E.A. Taylor, J.P. Thomas, W.J.S. Thomas, Ms. A.M. Toon, P.G. Turpin, D.B. Wilcox, A.L. Williams, J.B. Williams and R.M. Wilson

1. CHAIRMAN

In the absence of the Chairman of the Council, Councillor J. Stone, the Vice-Chairman took the Chair and called for nominations to the office of Chairman. Councillor R.I. Matthews, the Leader of the Independent Group, nominated Councillor J.W. Edwards. This was seconded by Councillor T.M. James, the Leader of the Liberal Democrat Group. There were no other nominations.

RESOLVED: That Councillor J.W. Edwards, be elected Chairman of the Council for the ensuing year.

Councillor Edwards made and signed the Declaration of Acceptance of Office.

Councillor Edwards took the chair for the remainder of the meeting.

2. PRAYERS

In the absence of the Chaplain, the Very Reverend Peter Haynes led the Council in prayer.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. A.E. Gray, J.G.S. Guthrie, Ms G.A. Powell and W.J. Walling.

4. DECLARATIONS OF INTEREST

The Chairman, Councillor J.W. Edwards, declared a personal interest in Item 10 - Questions from Members of the Public.

He also reminded Members of their obligation to notify the Head of Legal and Democratic Services of any changes affecting their Declaration of Financial and Other Interests within 28 days of any changes taking place. He asked them to complete and return the necessary forms to the Members Support office as soon as possible.

5. VICE-CHAIRMAN

RESOLVED: That Councillor J. Stone be appointed Vice-Chairman of the Council for the ensuing year.

Councillor J. Stone made and signed the Declaration of Acceptance of Office.

6. MINUTES

The Chairman proposed the following amendment to the minutes of the meeting held on 10th March, 2006:

At Minute 77 - In relation to Item 1.2 - Revenue Budget 2006/07 - the second sentence be amended to read: "The proposals had been endorsed by the Budget Panel, Strategic Monitoring Committee and Cabinet and commented on by Union representatives."

RESOLVED: That, subject to that amendment, the minutes of the meeting held on 10th March, 2006 be approved as a correct record and signed by the Chairman.

7. APPOINTMENT OF THE LEADER OF THE COUNCIL

RESOLVED: That Councillor R.J. Phillips be appointed Leader of the Council for the ensuing year.

8. APPOINTMENT TO OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS AND APPOINTMENTS TO COMMITTEES (Pages 1 - 2)

The Chief Executive presented the report. He asked for authorisation to await the result of the Kerne Bridge by-election before recasting the political proportionality of the Council, which would be done in consultation with the Group Leaders.

He proposed that existing office holders be confirmed until the Council meeting on 28th July, 2006. He advised that a report from the Constitutional Review Working Group picking up recommendations from the Corporate Assessment would be available at that meeting.

He reminded Council that in order to maintain the status quo in relation to seats held on the Strategic Monitoring Committee, it would have to approve alternative arrangements to strict proportionality for appointments to committees in accordance with Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990. This could only be carried if a resolution was passed without anyone voting against it. If there was any vote against it, it would be necessary to re-cast the proportionality across all bodies covered by the Regulation.

The Leader of the Council advised that Councillor D.W. Rule, MBE would continue as Deputy Leader and that the members of the Southern Area Planning Sub-Committee had agreed the Councillor H. Bramer be appointed Vice-Chairman of that committee.

RESOLVED (unanimously)

- That (a) **the arrangements for appointments to committees and other bodies be agreed;**
- (b) **that existing office holders of the offices described in Appendix 1, and including Councillor H. Bramer as Vice-Chairman of the Southern Area Planning Sub-Committee, be confirmed until the Council meeting on 28th July 2006 when it is anticipated that the report of the Constitutional Review Working Group will be available; and**
- (c) **the Chief Executive be requested to exercise his delegated powers to make, following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality and to make appointments, as necessary, in accordance with the nominations of the political group leaders, including any changes that will be necessary following the by-election for the Kerne Bridge ward.**

9. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members and guests to the annual meeting of Council and advised that lunch would be served at the Town Hall at the end of the meeting.

He thanked the Very Reverend Peter Haynes for officiating at the meeting in place of the Dean, who was unable to attend.

He paid tribute to Mrs. Ruth Lincoln who had recently resigned from the Council due to ill health. He thanked her for her many years of service to the community including serving on the South Herefordshire District Council prior to being elected to Herefordshire Council and for her work on the Southern Area Planning Sub-Committee which she chaired for a number of years. The four political group leaders echoed his sentiments.

He announced that Herefordshire had become the first county in the Midlands to achieve Fair Trade status, awarded by the Fair Trade Foundation.

He presented a Renewable Energy Certificate to Councillor P.J. Edwards, Cabinet Member (Environment). The certificate had been awarded to the Council by npower in recognition of its use of green electricity.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC

Under the Constitution a member of the public can ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties, or which affects the County, as long as a copy of the question is deposited with the Head of Legal and Democratic Services more than six clear working days before the meeting.

The following question had been received from M Bucknell, J Barton, T Heath and K Worsley, Hereford

"It has come to our notice following the recent Canoe Club planning application that the Hereford and District Angling Association (HDAA) claimed to own riparian rights that will not only affect riverside property owners but also the rights of all citizens to access the River Wye.

Is Hereford Council supporting the HDAA in pursuit of their claim?"

Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation) said that a planning application in respect of a proposal to construct a landing stage in the River Wye close to the Old Wye Bridge had been withdrawn by the British Canoe Union on 30 January 2006 and had not been re-submitted. Prior to the withdrawal of the application the Planning Services section had received a letter from solicitors acting on behalf of the Hereford & District Angling Association. This was accompanied by a photocopy of a lease purportedly granted to them by the Church Commissioners and dated 15 December 1999 for a period of 28 years granting a right to fish in the vicinity of the proposed landing stage.

He stated that Council was not in a position to adjudicate either in support of or against any claim which the Hereford & District Angling Association may raise.

He advised that, separately, the Council is engaged in litigation with the Hereford & District Angling Association, the Church Commissioners for England and others in connection with a variety of issues relating to the River and it would be inappropriate for him to comment further with regard to those matters currently before the Courts.

11. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

Councillors may ask questions of Cabinet Members and Chairmen of Committees so long as a copy of the question is deposited with the Head of Legal and Democratic Services at least 24 hours prior to the meeting. A list of questions, set out in the order in which they had been received, was circulated at the beginning of the meeting.

Councillor J. Stone asked:

"On Thursday April 20th 2006 a young man was killed in a horrific road accident on the A49 at Ashton. Does the Cabinet Member for Highways and Transportation welcome the recent report commissioned by the Highways Agency and will he request them to implement the recommendations as a matter of urgency?"

Councillor Wilcox, Cabinet Member (Highways and Transportation) expressed his sadness at learning of yet another death on the A49 at Ashton. He said that the Council had informed the Highways Agency many times about the need for improvements at this site to safeguard the public. He referred to a report commissioned by the Highways Agency which recommended a range of safety improvements at Ashton but said that there was, as yet, still no commitment as to when the full range of improvements would be introduced. The position remained that the Highways Agency would be considering the recommendations in the report as part of its overall "value management" process and could make no commitment as to when and whether all the recommended actions would be delivered. He said he would continue to make further representations to the Highways Agency to seek assurances that this work would receive priority attention.

The recommendations included proposals for a 40mph speed limit, a vehicle activated sign, resurfacing and improved signing and lining. He reported that, despite the lack of a clear decision on these measures, the Highways Agency had provided some anti-skid surfacing at the site very recently, but sadly too late for the victim of the latest accident.

In response to a further question, Councillor Wilcox said he would continue to press the Highways Authority for a definite timetable for urgent implementation of safety measures.

Councillor D.J. Fleet asked three questions:

A *"Further to my question in March, is the refurbishment of Eign Gate now complete? Has the anti-stick surface to the paving been applied, and are the promised final total project costings available yet?"*

Councillor Wilcox replied that some minor remedial works to the paving at Eign Gate were currently being carried out by the contractor and the protective coating would be laid as soon as those works were finished. He said that there were some unresolved concerns about the jointing to some of the slabs and, the final costs would not be available until these were resolved. However, there had been no significant change to the costs reported at the last meeting of Council.

In response to a further question, Councillor Wilcox said that the problems had been aggravated by the May Fair, but that he had issued instructions for the area to be thoroughly cleaned. Some paving need to be replaced and jointed before the final "snagging" was undertaken. The anti-stick surface would be applied once the preparatory work had been completed.

B *"Does the Leader stand by his previous statement that in recognising a reduction of the SLA funding from Hereford City Council: "There would be no adverse impact on this year's Three Choirs Festival."*

The Leader confirmed that no funding has been provided through the Service Level Agreement in respect of the Three Choirs Festival but that Herefordshire Council continued to support the Festival which he felt would be as successful this year as in previous years.

Councillor Fleet was concerned that the budget for the Festival had been reduced from £10,000 to £4,000 and by the suggestion that ticket prices would be increased to make up the shortfall. He felt that this would discourage those on lower incomes from attending the Festival which would become an occasion solely for the elite. As the Festival brought in revenue in excess of £500,000 he was disappointed by this reduction in funding.

Councillor Phillips said that the grant, over three years, amounted to £24,000 and the reduction followed the trend set by Worcestershire County Council. He advised that, in addition to direct funding for the Festival, the Council provides additional assistance in a number of different ways. The Council has ensured that maintenance work was undertaken at the Shire Hall including decoration work and work in the kitchen area and the stage area to ensure that the Shire Hall is clean and tidy and available for use during the Festival. Arrangements are in place for the cleaning of the yard and additional waste containers will be provided for the duration of the Festival. The Council has also assisted the Festival by facilitating and ensuring compliance with the new Licensing Act.

He said that the Council should be advising both Members of Parliament of the adverse impact the new licensing laws were having on events such as the Festival.

C *"Is it the policy of this Council to engage in relevant consultation with affected residents and Local Members before the implementation of traffic orders?"*

Councillor Wilcox, Cabinet Member (Highways and Transportation) replied that he had established a protocol for the processing of traffic regulation orders which provides for local consultation in the preparation of a traffic scheme.

In general schemes are introduced using a permanent Traffic Regulation Order (TRO). The local Member and local Parish or Town Council are consulted during the preparation of the scheme, before the details of the formal TRO are published for public consideration. Depending on the scale of the scheme, wider consultation may be undertaken with the local community.

He advised that there were differences in the case of an Experimental Traffic Scheme. Where a TRO is to be made for an experimental scheme, the formal right of objection takes place during the first six months of the experimental period of operation.

Councillor Fleet referred to a letter in the Hereford Times regarding yellow lines on Commercial Road, where local residents were not consulted. He said he had been consulted about this in 2001. A letter sent by residents on 24 April, 2006 had not been answered.

Councillor Wilcox agreed that a delay between 2001 and 2006 was not acceptable and he would ensure a reply to the letter was sent.

Question from Councillor Mrs. E.A. Taylor

"What is the policy of this Council regarding the kerbside recycling programme in the Tupsley ward?"

Councillor P.J. Edwards, Cabinet Member (Environment) advised that Tupsley Ward was included in the kerbside recycling scheme for domestic premises. Residents of those dwellings, where domestic refuse is presented for collection using the sack system, are provided with the appropriate coloured sacks to facilitate the separation of textiles, paper, plastics and cans. The recycling sacks are then collected on alternate weeks along with the black refuse sacks using a split-bodied vehicle. He said that the facility was not currently available to those residents whose refuse was presented in bulk containers and any review of the collection service would need to address this anomaly.

Councillor Mrs Taylor said that some residents were unable to avail themselves of the recycling service because the areas were inaccessible to the lorries. As the contract was being extended to include Market Towns - when would the facility be extended to include all residents of Tupsley.

Councillor Edwards referred her to a written response that had already been sent to Councillor Mrs. Taylor and said he would be happy to discuss it further with her.

Questions from Councillor W.L.S. Bowen

"Why is it that Herefordshire Council is not taking advantage of World Environment Day (June 11th) to reinforce the Council's messages on sustainability and care for the environment?"

Can we be sure that sensible, practical and far reaching measures are being put in place to embody sustainable practices throughout the Council and Herefordshire?

Can you please give us some examples?"

Councillor P.J. Edwards, Cabinet Member (Environment) replied that very little would be done on 11th June as it fell on a Sunday. However, World Environment Day (5th June) had not been forgotten. It had featured at the last Herefordshire Environmental Education Forum and schools were being encouraged to produce a Promise Tree. Also on the day, the Council would be running an in-house training session on environmental awareness.

He advised that the Council was focusing on impacts on the environment through energy and resource use, transport and waste. It would also be looking ahead - at biofuels and potential renewable energy resource for the county.

This year the Sustainability Unit would be focusing on working with Council managers to complete a longstanding commitment to roll out certification to ISO 14001, the international environmental management standard, to all Council services.

He also said that the Council continued to give a high priority to engaging the public on environmental and sustainable issues through a number of initiatives.

In response to a further question Councillor Edwards advised that he would be happy to investigate any suggestions by Councillor Bowen as to how the Council could improve its energy efficiency.

Question from Councillor Mrs. M.D. Lloyd-Hayes

"Who was responsible for the shoddy work during the refurbishment of Eign Gate resulting in a member of the public and her dog receiving an electric shock? As I understand it the pavement overheated and the coating of a lighting column cable melted when hot aggregate was laid on the lighting cable."

Councillor Wilcox, Cabinet Member (Highways and Transportation) said that the Council had been alerted to an incident in Hereford's High Street earlier in the week after a dog and its owner received an electric shock from the pavement. It was understood that the dog was checked by a local vet and given a clean bill of health.

Central Networks, the local electricity distribution company, carried out an initial inspection which confirmed that the pavement and the wall of an adjacent shop were discharging an electrical current equivalent to 25 volts. The inspection identified the cause of the discharge as minor damage to an underground street lighting cable which had combined with heavy rain to cause the discharge of electricity. The area was made safe by Central Networks and the cable has been repaired. He stated that the incident had been registered with the Health and Safety Executive and an investigation to establish the causes of the original damage would be carried out, initially by Central Networks.

Councillor Mrs. Lloyd-Hayes asked for an assurance that there wouldn't be similar shoddy workmanship in the renovations in High Town.

Councillor Wilcox replied that there could not at this stage be any assumption of shoddy workmanship and he would await the results of the report of the investigation.

12. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

13. CABINET

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 16th and 30th March and 20th and 27th April, 2006.

In relation to Item 1.1 - Review of the Herefordshire Plan (Community Strategy)

- In response to a question about the role of the Hereford and Worcester Fire and Rescue Authority, the Leader agreed that the authority provided essential services not just in emergencies but also in its preventative role and felt that needed to be taken into account in the Community Strategy. He also agreed to take up the point about failing to reflect the ethnic diversity in Herefordshire in the photographs.

In relation to Item 2.1 - Proposed use of Former Denco Car Park at Holmer Road, Hereford

- the Leader agreed with a comment that the £10,000 opportunity cost lost to the Council by making the site available for the provision of a skate park was outweighed by the advantages the park would provide to the young people of Hereford.

In relation to Item 4.1(i) - Consultations on new Strategic Health Authority, Primary Care Trust and Ambulance Service Arrangements

- Councillor W.J.S. Thomas, Chairman of the Health Scrutiny Committee, wished to register his satisfaction over the agreed joint response from the Cabinet and the Health Scrutiny Committee supporting a West Midlands Strategic Health Authority, the continuation of an independent Herefordshire Primary Care Trust and a single Ambulance Trust for the West Midlands.

In response to concerns about regionalisation of services, the Leader advised that the Hereford and Worcester Ambulance Service would cease on 1 July 2006, and the Primary Care Trust would be fully operational from 1 April 2007. He spoke of the deficit in funding being faced nationally in Social Services, as a result of patients being transferred from PCTs to local councils. He said that this was something the government would need to address. He also said that rural areas would have to fight hard to make themselves heard above the demands from the metropolitan authorities who tended to dominate the economic agenda.

In relation to Item 5.1(i) - Joint Area Review - Improvement Plan

- In response to a query about school attendance and in particular about excluded children the Leader urged Councillors to approach the Cabinet Member (Children and Young People) or himself if they knew of any cases causing concern. Councillor Rule, Cabinet Member (Children and Young People) informed Council that the absence figures for pupils in Herefordshire was below the national average and for looked after children well below the national average, but also urged Councillors to contact him direct if they had concerns about any aspect of pupil behaviour.

In relation to Item 5.1(ii) - Review of the Provision of School Places

- In response to a query, Councillor D.W. Rule, MBE advised that special schools would be subject to a separate review, as the issue there was with increasing demand rather than falling rolls.

In relation to Item 6.1(i) Halo Leisure Trust

- The Leader agreed to meet with Councillors Mrs. Daniels and Mrs. Robertson, the Council's representatives on Halo's Board, to discuss any concerns they might have.

In relation to Item 11.1(i) - EU Funding Programmes 2007-2013

- In response to comments about the reduction in European funding, the Leader warned that the situation could deteriorate even further as urban areas were now able to claim

funding.

In relation to Item 12.1(i) - Integrated Community Equipment Service - In response to a query about thresholds for loan of equipment, Councillor Mrs Barnet, Cabinet Member (Social Care Adults and Health) said that this could be included in the review but, she would be happy to look at individual cases immediately.

In relation to Item 12.2(i) - Homelessness Update - The Leader acknowledged that improved communications between Herefordshire Housing Ltd and the Council was a key factor in the Improvement Plan.

In response to a query Councillor Mrs. Barnett advised that, in order to prevent "intentional homelessness" officers were able to offer advice to keep families together as well as helping out with debt problems.

In response to a query on additional financial assistance to the Citizen's Advice Bureau (CAB) which was having to close its offices in Ross due to cuts in funding, and the potential impact this would have on the community, the Leader advised that the Council continued to provide the CAB with its agreed level of funding, the reduction in funding was due to cuts elsewhere.

Cabinet Report to Council - Councillor James, Leader of the Liberal Democrats, noted that most of the reports contained in the report were in response to demands from central government with only three or four being concerned with specific local issues. He was also saddened by the lack of interest from the press and public.

RESOLVED: That the reports from the meetings of Cabinet held on 16th and 30th March and 20th and 27th April, 2006 be received and the recommendations set out below be adopted:

- That (a) the Community Strategy be approved;
- (b) the Children and Young People's Plan be approved; and
- (c) the Statement of Community Involvement be approved for the purposes of submission to the Secretary of State and publication for consultation purposes.

14. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meeting of the Strategic Monitoring Committee held on 10th April, 2006.

RESOLVED: That the report of the meeting of the Strategic Monitoring Committee held on 10th April, 2006 be received.

15. STANDARDS COMMITTEE

In the absence of Mr. Robert Rogers, Councillor J.W. Edwards presented the report of the meetings of the Standards Committee held on 17th February and 21st April, 2006 and the Hearing held on 10th March, 2006.

RESOLVED: That the report of the meeting of the Standards Committee held on 17th February and 21st April, 2006 and the Hearing held on 10th March, 2006 be received.

16. AUDIT COMMITTEE

Councillor A.C.R. Chappell presented the report of the meetings of the Audit Committee held on 20th February and 7th April, 2006.

RESOLVED: That the report of the meetings of the Audit Committee held on 20th February and 7th April, 2006 be received.

17. REGULATORY COMMITTEE

Councillor R.I. Mathews presented the report of the meetings of the Regulatory Committee held on 28th February and 18th April, 2006

RESOLVED: That the report of the meetings of the Regulatory Committee held on 28th February and 18th April, 2006 be received.

18. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meetings of the Planning Committee held on 3rd March and 21st April, 2006.

RESOLVED: That the report of the meetings of the Planning Committee held on 3rd March and 21st April, 2006 be received.

19. CASUAL VACANCY IN THE KERNE BRIDGE WARD

Council noted the report of the Returning Officer about the arrangements for a by-election in the Kerne Bridge Ward following the resignation of Mrs. R.F. Lincoln.

20. WEST MERCIA POLICE AUTHORITY

Councillor B Hunt presented the report of the extraordinary meeting of the West Mercia Police Authority held on 21st March, 2006 to respond to the Home Secretary's proposal to amalgamate the Staffordshire, Warwickshire, West Mercia and West Midlands police areas. At the meeting it was unanimously decided to continue to oppose the Home Secretary's plans to force a merger.

The Leader advised that Herefordshire Council, together with Shropshire and Worcestershire County Councils were also opposed to the merger and would be responding to the consultation - that view was endorsed by Council.

One Member suggested that the Parish Councils could be contacted to lend their support to the opposition of the proposals.

The Council paid tribute to Mr Paul Deneen, the Chairman of the West Mercia Police Authority, for his efforts in opposing the merger.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 21st March, 2006 be received.

21. DATES OF FUTURE MEETINGS

RESOLVED: That the dates for Council meetings in 2006/07 be confirmed as follows:

Friday, 28th July, 2006

Friday, 10th November, 2006

Friday, 9th February, 2007

Friday, 9th March, 2007 (To set the Council Tax) (Shirehall)

Friday, 27th April 2007

Friday, 25th May, 2007 Annual Council (Shirehall)

All meetings will commence at 10.30 a.m. and will be held in the Council Chamber, Brockington, 35 Hafod Road, Hereford unless advised otherwise.

The meeting ended at 12.20 p.m.

CHAIRMAN

MINUTE ITEM 8

APPENDIX 1

Cabinet Member (Children and Young People)	D W Rule, MBE	Ind
Cabinet Member (Community Services)	RVS Stockton	Con
Cabinet Member (Corporate and Customer Services and Human Resources)	Mrs. JP French	Con
Cabinet Member (Economic Development)	Vacant	
Cabinet Member (Environment)	PJ Edwards	Ind
Cabinet Member (Highways and Transportation)	DB Wilcox	Con
Cabinet Member (Resources)	RM Wilson	Ind
Cabinet Member (Rural Regeneration and Strategy)	JC Mayson	Ind
Cabinet Member (Social Care Adults and Health)	Mrs LO Barnett	Con
Chairman of Audit Committee	A.C.R. Chappell	Lab
Vice-Chairman of Audit Committee	Vacant	
Chairman of Planning Committee	TW Hunt	Con
Vice-Chairman of Planning Committee	JB Williams	Ind
Chairman of Regulatory Committee (and Regulatory Sub-Committee)	RI Matthews	Ind
Vice-Chairman of Regulatory Committee (and Regulatory Sub-Committee)	Brig P Jones, CBE	Con
Chairman of Strategic Monitoring Committee	TM James	Lib Dem
Vice-Chairman of Strategic Monitoring Committee	Mrs P A Andrews	Lib Dem
Chairman of Adult Social Care and Strategic Housing Scrutiny Committee	Mrs MD Lloyd-Hayes	Lib Dem
Vice-Chairman of Adult Social Care and Strategic Housing Scrutiny Committee	Mrs PA Andrews	Lib Dem
Chairman of Children's Services Scrutiny Committee	BF Ashton	Lib Dem
Vice-Chairman of Children's Services Scrutiny Committee	JP Thomas	Lab
Chairman of Community Services Scrutiny Committee	ACR Chappell	Lab
Vice-Chairman of Community Services Scrutiny Committee	H Bramer	Con
Chairman of Environment Scrutiny Committee	JHR Goodwin	Con
Vice-Chairman of Environment Scrutiny Committee	WLS Bowen	Ind
Chairman of Health Scrutiny Committee	WJS Thomas	Lib Dem
Vice-Chairman of Health Scrutiny Committee	TM James	Lib Dem
Chairman of Central Area Planning Sub-Committee	DJ Fleet	Lib Dem
Vice-Chairman of Central Area Planning Sub-Committee	R Preece	Lab
Chairman of Northern Area Planning Sub-Committee	JW Hope, MBE	Con
Vice-Chairman of Northern Area Planning Sub-Committee	K Grumbley	Con
Chairman of Southern Area Planning Sub-Committee	PG Turpin	Ind
Vice-Chairman of Southern Area Planning Sub-Committee	H Bramer	Con

QUESTIONS FROM MEMBERS OF THE PUBLIC**Report By: Head of Legal and Democratic Services****Wards Affected****Purpose**

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

Background

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

Questions

5. The questions are attached at Appendix 1.

Questions from Mr M Hubbard, Hereford

in a personal capacity:

As a riparian owner on the Wye and keen to maintain the charter rights of the citizens of Hereford, enabling free use of the river for leisure & fishing purposes, can I be assured that those rights, that have been protected by the city for several hundred years and are now held in stewardship by the Herefordshire Council, are still being protected and how?

The following question is being asked in my role as Chairperson of the Friends of Castle Green:

Please would Herefordshire Council provide me with a breakdown of the total costs of maintaining & repairing the city parks known as Castle Green, Redcliffe Gardens and Cantilupe Gardens, including Castle Pool, over the past year. Please would Herefordshire Council also provide a breakdown of projected long-term spending on capital projects for the same areas.

Question from Mr R Hattersley, Hereford

City Assets

There has been rumour and counter rumour locally about the selling off of key council property in the City of Hereford. For the benefit of the City residents and taxpayers who own these properties collectively, can the Council please confirm : -

Which properties, if any, have already been sold?

Which properties are already "on the market"?

Which properties are still being discussed?

Which properties can the Council guarantee will not be considered for sale?

What plans do the Council have for consulting the residents of the City of Hereford before any such sales of their property proceed?

Can the Council please confirm precisely what any monies raised through such sales will be spent on?

Can the Council please confirm whether it is their intention to begin proceeding with such sales before or after the next local elections in May 2007?

Rotherwas Access Road

Given that the Rotherwas Access Road has been turned down repeatedly as "poor value for money", can the Council confirm that it is still their intention to pursue its construction?

If so, can the Council give some indication as to what sources of funding they will be accessing for the road, given that government sources appear inaccessible?

Recent research by the Campaign for the Protection of Rural England and the Countryside Agency* found that new roads in Newbury, Eastbourne and Blackburn generated unexpectedly high levels of traffic growth both on the new roads themselves **and in town centres**. Does the Council believe that a Rotherwas Access Road and indeed a bypass would have solved any of Hereford's traffic problems **within 10 years of their construction**, and, if so, will they bring forward the evidence on which they are making such claims.

Question from Mr R Gill, Cradley

The Planning Inspector in paragraph 9.56/1 of his report on the draft UDP chooses to back the views of a developer against the wishes of many objectors, many villagers and the Parish Council, in denying HBA9 (Open Space) status to the field opposite St Katherine's in Cradley. Whilst his expert knowledge of the requirements of HBA9 status is not being questioned, his understanding of the application to this particular field is limited compared to the knowledge of the locals. He does however admit that the road alongside is "at this point still like country lane" recognising a weakness in his case. His view that the field is "contributing little to the appreciation of the settlement or the neighbourhood" is strongly disputed by the villagers, who have a much better acquaintance with the locality and who could demonstrate his error in court.

It might be reasonably inferred that the recommendation of Council officials to accept his view and reverse the previous decision of the Council is influenced by fear of the legal costs of any future dispute with the developer. Would the Council please give some indication of the legal costs which they would incur in defending a decision to deny HBA9 status were this decision to be challenged in the courts by a group of concerned villagers in Cradley and would the Council please opine whether they consider that it is an appropriate use of council tax payers' money to attempt to defeat the wishes of the community?

A recitation of an answer prepared by council officials will be informative, but the views of councillors are also solicited.

Question from Mr David Creed-Newton, Chairman of Cradley Parish Council,

Would the Council care to comment on an apparent denial of the democratic process?

"Community involvement in planning accords with people's right to participate in decisions that affect their lives. It is an important part of the trend towards democratisation of all aspects of society." – *Community Planning Website, funded by the Department for Communities and Local Government*

The villagers of Cradley have expressed their view that the plot opposite St Katherine's be protected as an open space. They voted five to one in favour of this in a systematic consultation process (Planning for Real ®). The village has, in partnership with Herefordshire Forward Planning, developed a Village Design Statement and a Parish Plan promoting this. Cradley Parish Council, representing the villages of Cradley and Storridge, has laboured hard to keep this as an open space. Herefordshire Council had commendably recognised the importance of this matter in its last redraft of the Unitary Development Plan. Yet all this is to be ignored in the face of the opinion of one unelected official (however distinguished), visiting from outside the area if the Council reverses its position and accepts the Inspector's recommendation 9.56/1.

Is there any point in seeking the opinions of the electorate, of producing Parish Plans and Design Statements, of voting for councillors, of turning up to meetings of the Council, or would the Council advise voters and parishioners not to bother?

REPORT OF THE MEETINGS OF CABINET

HELD ON 25TH May, 15th and 29th June and 13th July, 2006

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

This is the first report submitted to Council for the current year and covers proceedings of the meetings listed above. A supplementary report covering the meeting of 20th July will be circulated separately.

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

- 1.1 **Youth Justice Plan 2006/07** – Cabinet has endorsed the Youth Justice Plan which, as part of the Policy Framework, requires approval by Council. The Plan is enclosed as a separate document and is available in the Members' Room, on the Council's website or on request. The Youth Justice Plan is prepared on an annual basis on behalf of Herefordshire Council and Worcestershire County Council.

Cabinet recommends to Council that the Youth Justice Plan be approved.

- 1.2 **Herefordshire Unitary Development Plan (UDP): Inspector's Report, Statement of Decisions and Reasons, and Proposed Modifications** – Cabinet considered the recommendations made by the Inspector following the UDP Public Inquiry. The statutory plan-making process requires that each of the Inspector's recommendations are considered by the local planning authority and any modifications agreed by Council. The Statement of Decisions and Reasons lists each of the Inspector's recommendations and sets out a proposed response in terms of acceptance or rejection. It was noted that over two thirds (70%) of the Inspector's recommendations were for no change to be made to the Plan. Only seven of the Inspector's recommendations (representing 1% of the total of 633 recommendations) were proposed for rejection. Cabinet endorsed the outline recommendations with two amendments: to accept the Inspector's recommendations in respect of the Greyfriars site, Hereford and to reject the Inspector's recommendations in respect of the Leominster Zone of Interest for the following reasons: The reference to the zone of interest reflects the consideration given to additional road infrastructure expected to be required to accommodate the development of Leominster. Transport factors and constraints such as air quality are expected to require the provision of further road infrastructure to enable growth. The Plan, as paragraph 8.8.21 makes clear, does not map specific land or safeguard a route for protection. It is however reasonable and necessary to record known constraints and likely requirements beyond the Plan period in the interests of future planning.

The relevant papers are enclosed as a separate appendix for those Members who have not received them already and are otherwise available on the Council's website.

Cabinet thanked the officers for the hard work that had gone into producing the UDP.

Cabinet recommends to Council that the Statement of Decisions and Reasons and the Proposed Modifications, as amended, be approved.

2. NOTICES OF MOTION

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

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

3.1 **Enforcement of Clean Neighbourhood and Environment Act 2005 (Revision)** The Cabinet Member (Environment) made a decision on 8 September 2005 that Fixed Penalty Notices be issued for litter, fly-posting and graffiti offences. The fines were set at £100 or £50 if paid within 14 days of the offence. In May 2006 the Government, under the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations, set £80 as the statutory maximum for these offences. The Cabinet Members has now agreed that the fine for litter, fly-posting, and graffiti offences be set at the statutory maximum imposed by Government (£80 as of May 2006); and that the fine will be reduced to half the statutory amount if paid within 14 days of issue.

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

4.1 Report on Decisions Taken

(i) **Proposed Performance Improvement Cycle** - Cabinet has approved the immediate introduction of a performance improvement cycle for the Council that integrates fully corporate, service and financial planning and performance management. It has noted that the framework presented in the report depicts a "perfect year" and that some time will need to be made up this year to stay on track.

(ii) **Community Forums** - Cabinet has received a report on the April - May 2006 round of Community Forum meetings. Cabinet has thanked the Community Forum Co-ordinator for her report and for her efforts in arranging and attending the meetings. It continues, however, to be concerned about the continuing low attendance rates. Cabinet has discussed how to improve the attendance figures and has proposed that other partnership organisations could be involved in the Forum meetings. The Leader has agreed to write to the Police Divisional Commander requesting that the police do not develop their Police and Community Together (PACT) meetings without a proper dialogue with this Council. (A seminar for all Members on the future

of community policing and the role of the local Member has since been arranged for 31st July, 2006).

- (iii) **Accommodation Strategy Update** - Cabinet has received an exempt report and has agreed a number of actions for the acquisition of the Plough Lane site including approval of the budget.
- (iv) **Response to the Review of the Strategic Service Delivery Partnership** - The report of the Strategic Monitoring Committee represented the first major scrutiny of the operation of the Council's partnership arrangements with Herefordshire Jarvis Services Limited and Owen Williams Limited since they were instituted in September 2003. Recommendations from the review have been considered and an action plan prepared. Cabinet felt that the Review Group had provided a useful set of recommendations concerning the development of the partnership, many of which were already in hand or in process as part of existing management initiatives. The report has helped to give impetus to the process and has helped all members of the partnership to focus on how to optimise the working arrangements both for the immediate benefit of the Herefordshire public and also to set the foundations for a successful long term business model with scope for expansion, recognition for excellence and replication. To address some continuing concerns that were expressed by Scrutiny members at the meeting, Cabinet has asked that an external consultant be engaged to undertake a brief piece of work to verify a number of aspects of the services supplied by the Partnership.
- (v) **Proposed Police Restructure** – Cabinet has agreed a response to the Secretary of State for Home Affairs reaffirming the Council's support for retaining a West Mercia Police Force and registering the Council's objection to the proposed merger of the Staffordshire, West Midlands and Warwickshire forces into a single police force for the whole of the West Midlands area. The Secretary of State for Home Affairs has recently announced that there should be more talks before the proposed merger of many of the police forces. This will provide the Council with more time to work out issues relating to the mergers, including costs, council tax and local accountability. The Council had been advised that it had until 2nd July, 2006 to submit its proposals to the Home Office, however, this date has now been extended. (The current position is that mergers are on hold but have not been formally abandoned by the government. The merger between Cumbria and Lancashire Police Forces, who agreed to merge, has been abandoned due to the costs involved.)
- (vi) **Draft Medium Term Financial Management Strategy** - Herefordshire Council is determined to provide a sound basis for sustainable improvements in services and a better quality of life for the people of Herefordshire. The Medium Term Financial Management Strategy (MTFMS) will provide the financial context for ensuring service improvement aspirations for the future are both affordable and sustainable. Cabinet has approved the draft Medium Term Financial Management Strategy (MTFMS) as a basis for

consultation both within the Council and with strategic partners prior to approval of the final document in October 2006.

- (vii) **Report on Herefordshire Council Support to the Voluntary and Community Sector** - A report on this item is to be found at item 6.1(i) of this report.

4.2 **Report on Items of Interest**

- (i) **Report of the Strategic Monitoring Committee** - Cabinet has received and noted the report of the Strategic Monitoring Committee which is the subject of separate report to Council

5. **CHILDREN AND YOUNG PEOPLE** (Cabinet Member: Councillor D.W. Rule, MBE)

5.1 **Report on Decisions Taken**

- (i) **Herefordshire Council - Children's Services - Annual Performance Assessment (APA) by Ofsted and Commission for Social Care Inspection (CSCI) Self-Assessment Report** - Following the JAR inspection in 2005 the Council is in a routine programme of annual performance assessment and is required to indicate progress since the JAR. Cabinet has noted that the most challenging aspects are the reporting on Staying Safe and service management. There have been some significant improved outcomes for children and families in recent months. The social work resources have increased to respond to referrals, so concerns are assessed more promptly. The DfES Challenge and Support Review has been undertaken and the feedback has been mainly positive. The Cabinet has also endorsed the APA self-assessment and agreed that Grade 2 would be an appropriate overall score.

5.2 **Report on Items of Interest**

- (i) **Progress on Improvement Following the Joint Area Review (JAR) in Herefordshire** - Cabinet has received a further progress report on the latest improvement position following the JAR inspection. It has noted that there has been significant progress on a number of recommendations and this has been acknowledged by the Department for Education and Skills (DfES) and the Commission for Social Care Inspection (CSCI). All of the areas of activity in the JAR Improvement Plan due by the end of June 2006, have been completed. Recommendations for the development of new Common Assessment processes including a pilot in South Wye are on track. However, steady and continuing progress is still required in relation to a number of issues including: permanent social work staffing; the rising number of referrals and trends and capacity considerations; case allocation in the duty team and the waiting list for occupational therapy.

The improvement agenda for children's services is progressing well. In those areas where further progress is required, particularly in relation to performance management, information management and

commissioning, additional external support is already being accessed. The DfES response to the review report has been to confirm that the response has been positive and services have improved as a result.

Cabinet has been advised that a new Head of Service (Safeguarding and Assessment) has been appointed. It has also noted the role of the Challenge and Support Board which will report progress back to the Minister. A decision will be taken in December on whether the Board needs to continue.

Cabinet has noted that the Director of Children's Services is exploring a number of options to ensure adequate staffing and service delivery.

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

6.1 Report on Decisions Taken

- (i) **Report on Herefordshire Council Support to the Voluntary and Community Sector** - The 2004 Review of Council Support to the Community and Voluntary Sector highlighted the need for a Council strategy for Voluntary and Community Sector support. National policy is for the Voluntary Sector to be supported to deliver public services, to encourage volunteering and social enterprise and to build stronger communities. Cabinet has received a report on the responses received during the consultation process on the Strategy Framework and proposals to take the Framework forward. It has endorsed the Strategy Framework and agreed that the Community Regeneration Team should take the lead in developing a more detailed Action Plan and implement the Framework across the Council. It has also endorsed the principles set out as a basis for negotiations with the members of the Herefordshire Infrastructure Consortium on service level agreements for future years. Cabinet has noted that, over time, the consortium will take on responsibility for allocating funding to individual organisations.

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

7.1 Report on Decisions Taken

- (ii) **Integrated Performance Report** - The Council's Corporate Plan for 2005/08 sets out the Council's objectives, priorities and targets for the three years 2005/08. The Annual Operating Plan is the detailed action plan for the first of these years, 2005/06. Cabinet has received a report on performance for the operating year 2005/06 against the Annual Operating Plan 2005/06; the Best Value Performance Indicators and the capital budget position and corporate risks.

Cabinet has supported a number of actions being taken to improve performance. These include: clearer and simpler graphical templates; continuing to ensure that templates are completed to a high standard as the basis for monitoring during the year; and piloting a standardised agenda for the monthly performance improvement meetings between Cabinet Members and Directors.

A number of outturns for Best Value Performance Indicators (BVPIs) are awaiting closure of accounts before they can be reported. Given the high level of indicators that are not showing improvement an action plan will be developed with the Heads of Service to ensure improvement in the future.

The Capital Programme outturn for 2005/06 totalled £31,8445,000 compared to an original budget forecast of £37,131,000 which represents a decrease of £5,286,000 or 14%.

In noting the report Cabinet has recognised that progress against the Annual Operating Plan has been reported against target and not against previous performance. The BVPIs show that 58% of the indicators have either improved or maintained performance compared to 57% last year; 36% of PIs have deteriorated in performance compared with 43% deterioration in 2005/05. This comparison has been made against last year's performance and not against the targets set.

7.2 Report on Items of Interest

- (i) **The Lyons Inquiry** – Cabinet has noted Sir Michael Lyons' latest report and the areas of particular interest to Herefordshire where representations to the Inquiry might be appropriate. The final report from Sir Michael is due in December 2006 and is widely seen as being hugely influential for the future shape, financing and functions of Local Government. There is an opportunity for the Council to provide some comments by responding to the interim report in advance of the Government White Paper and the final report of the Lyons Inquiry. Cabinet has also noted that Shropshire County Council is a link authority to the Inquiry. This could be beneficial to Herefordshire, as it is a similar rural authority.
- (ii) **Integrated Performance Report** – Cabinet has noted the Integrated Performance report to the end of May 2006 which measures performance against the Annual Operating Plan 2006-07, together with performance against corporate risks, and any remedial action to address areas of under performance. The report also covered the progress being made against the Council's Overall Improvement Programme, which includes the Joint Area Review (JAR) Action Plan, the Adult Social Care Improvement Plan, currently being developed, and the Herefordshire Connects Programme. Revenue and Capital monitoring will be included in the next Integrated Performance Report, which will report progress for the period April to July 2006. It was noted that this was the first Integrated Performance Report for the current operating year, using the new templates for each of the strategic performance indicators. Development of the templates will continue to ensure that baseline data and end of year performance for 2005/06 is included on the templates and will provide a sound basis for future two-monthly reports to Cabinet.
- (iii) **Pay and Workforce Development Strategy** - Cabinet has received an outturn report on the Council's Pay and Workforce Development Strategy operating plan for 2005/06. The Plan was based on five key

themes from the Employers' Organisation for Local Government: Pay, Reward and Recognition; Resourcing; Developing Leadership Capacity; Developing the skills and capacity of the workforce; and Organisation Development. It has noted a number of key achievements during 2005/06 and the Key Actions for 2006/07.

8. ENVIRONMENT

(Cabinet Member: Councillor P.J. Edwards)

8.1 Report on Decisions Taken

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

9. HIGHWAYS AND TRANSPORTATION

Cabinet Member - Councillor D.B. Wilcox)

9.1 Report on Decisions Taken

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

10. RESOURCES

(Cabinet Member - Councillor R.M. Wilson)

10.1 Report on Decisions Taken

- (i) **Final Revenue Outturn 2005/06** - Cabinet has noted that the final outturn position for 2005/06 was an underspend of £3.7m on directorate Budgets and that each Directorate's final outturn budget was better than forecast. It has agreed the Corporate Management Board's proposals for carry forward of unspent budget into 2006/07 and the creation of new reserves and provisions in the 2005/06 Accounts. This includes £1,366,000 for Waste Management and £1,928,000 for Herefordshire Connects. It has recommended that an increase in the minimum level of general reserves be considered as part of the Council's Medium Term Financial Plan.

11. RURAL REGENERATION AND STRATEGY

(Cabinet Member - Councillor J.C. Mayson)

11.1 Report on Decisions Taken

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

12. SOCIAL CARE ADULTS AND HEALTH

(Cabinet Member Councillor Mrs. L.O. Barnett)

12.1 Report on Decisions Taken

- (i) **Adult Social Care Budget** - Cabinet has received an exempt report and noted the budget position and progress to date in developing the Directorate's budget management plan for 2006/07 for Adult Social

Care. It has approved a range of measures to help manage the Adult Social Care budget deficit.

12.2 Report on Items of Interest

- (i) **Homelessness Update** - In July 2005, Cabinet agreed a number of 'invest to save' initiatives to address the financial pressures created by the demand for homelessness services in Herefordshire. It is estimated that investment of £46,000 in homelessness' prevention payments has saved in excess of £1 million. In the past year other changes have been implemented, including the return in-house of homelessness and housing advice services from Herefordshire Housing Ltd, which have led to an improving position around homelessness prevention in Herefordshire.

During the final quarter of 2005/06, the Council took 94 homelessness applications, resulting in 45 acceptances. This compares to 44 applications in this first quarter of 2006/07 with 22 acceptances. The homelessness activity level is expected to settle at around this latest first quarter figure from now on. Targets set for 417 homeless acceptances for 2006/07 were met earlier than anticipated

Despite the substantial progress made in reducing homeless acceptance rates and the associated use of B&B, the budget for bed and breakfast accommodation in 2006/07 may not be adequate, even though additional budget has been allocated. The implications will be reported as part of the integrated performance report throughout the financial year, and every effort is being made to prevent an overspend occurring. Continued use of bed and breakfast accommodation for families could result in judicial review proceedings being taken against the Council by families accommodated in Bed and Breakfast for longer than six weeks contrary to the Homelessness (Suitability of Accommodation) Order (England) 2003. Further progress reports will be submitted to Cabinet on a quarterly basis for the remainder of the year.

Cabinet has congratulated the staff for the improvements realised over the past few months, while recognising that there is still a lot of work to do.

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

REPORT OF THE REGULATORY COMMITTEE

Meetings Held on 23rd May and 4th July, 2006

Membership:

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

HIGHWAYS ACT 1980 SECTION 119 PROPOSED PUBLIC PATH DIVERSION ORDER – FOOTPATH CG3 (PART) IN THE PARISH OF CODDINGTON

1. The Committee has granted an application for a Public Path Diversion Order in respect of part of Footpath CG3 at Coddington. The revised route is acceptable under the provisions of the Act and there has been successful consultation with interested parties, the local parish council and the local Ward Councillor.

HACKNEY CARRIAGE AND PRIVATE HIRE REVIEW OF CONDITIONS, INTRODUCTION OF A TAXI POLICY AND PENALTY POINTS SCHEME UPDATE

1. A progress report was received about consultation with the hackney carriage and private hire trade about:-
 - a) vehicle licence conditions;
 - b) driver licence conditions;
 - c) operator licence conditions;
 - d) taxi licensing policy;
 - e) penalty point scheme

The first phase of consultation has been completed with the Hackney Carriage and Private Hire Association Steering Group and all the licensed operators and interested parties. The second phase has commenced and seeks the views of all licensed drivers and the general public. The results and recommendations arising from the process will be submitted to the Committee in September for consideration

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

2. Seven applications for the renewal or grant of Hackney Carriage/Private Hire drivers licences were referred to the Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions and medical requirements. The applicants and their representatives gave details of the grounds for their applications and they provided the Committee with the circumstances giving rise to their offences or health situations. Having considered all the facts put forward by the Licensing Manager, the applicants and their representatives, the Committee decided that the Licensing Manager should be authorised to renew four applications and grant one new application because it considered that the applicants were fit and

proper persons under the meaning of the Local Government (Miscellaneous Provisions) Act 1976. The Committee refused one application because they did not consider that the applicant fulfilled the requirements and the remaining application was deferred for further information.

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

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 23rd May and 4th July, 2006.

REPORT OF THE PLANNING COMMITTEE

Meetings Held on 9th June and 14th July, 2006

Membership:

Councillors: TW Hunt (Chairman), JB Williams (Vice-Chairman),
Mrs PA Andrews, Mrs CJ Davis, PJ Dauncey, DJ Fleet, PE Harling, JW Hope,
B Hunt, Mrs JA Hyde, Brig P Jones CBE, RM Manning, PG Turpin, RI Matthews,
Mrs JE Pemberton, R Preece, Mrs SJ Robertson, DC Taylor, WJ Walling.

REFERRED PLANNING APPLICATIONS

1. The following Planning Applications were determined by the Committee because (i) they related to the Council's own development or to the development of land owned by the Council; (ii) they were applications referred to the Committee by the Head of Planning Services because the Area Planning Sub-Committees are mindful to approve/refuse them contrary to officer recommendations and Council's Policies; or (iii) they were applications by Members or their relatives.
 - (a) DCNC2006/0277/F - proposed construction of skate park at Sydonia Recreation Ground, Conningsby Road, Leominster – approved as recommended;
 - (b) DCNW2005/1819/F - use of land and erection of workshop and office for coach hire business at Paytoe Lane, Leintwardine, Herefordshire – approved contrary to recommendation;
 - (c) DCNE2006/0873/F - erection of security fence and gates to the boundary with two site signs at John Masefield High School, Mabels Furlong, Ledbury – approved as recommended;
 - (d) DCCW2006/0927/N - retention and re-profiling of earth bund at Hereford City Sports Club, Grandstand Road, Hereford – refused as recommended;
 - (e) DCCE2006/0608/F - proposed bungalow at Leys Farm, Grafton, Hereford – approved contrary to recommendation;
 - (f) DCCE2006/0765/F - change of use from B1 light industrial to mixed use comprising a retail showroom, storage and offices Unit 4, Whitestone Business Park, Whitestone - approved contrary to recommendation;
 - (g) DCCE2006/1097/F - installation of stone benching with glazed screen & DCCE2006/1101/L - adaptations to front forecourt and entrance portico to provide disabled access and stone bench with glazed screen at Shire Hall, Hereford - approved as recommended;
 - (h) DCCW2006/1247/RM - construction of community facility and replacement primary school at land opposite Sutton County Primary School, Sutton St. Nicholas – approved as recommended;
 - (i) DCSE2006/1146/F - creation of a green space for recreational use by whole community. landscaping to create two flat areas to provide playground and general use area for children and adults at land behind Goodrich School, Goodrich – consideration deferred pending further negotiations with Central

Networks regarding an overhead power-line;

- (j) DCNW2006/1643/F - construction of dwelling house and garage at land adjoining The Forge, Lingen, Bucknell - approved contrary to recommendation
- (k) DCNC2006/0882/F - Variation of condition 14 of planning permission DCNC2005/0062/F to extend opening hours at the H.O.P.E Family Centre, Hereford Road, Bromyard - approved as recommended;
- (l) DCCE2006/1711/F - amendment to permission CE2005/0032/F to avoid sewer - proposed 3 storey block of 15 apartments in lieu of 17 apartments and 3 bungalows at The Rose Gardens, Independent Living Scheme, Ledbury Road, Hereford – approved as recommended;
- (m) DCCW2006/1728/F - remove existing defective perimeter fencing - erect new perimeter fencing and entrance gates at Haywood High School, Stanberrow Road, Hereford – approved as recommended; and
- (n) DCCW2006/1743/F - new primary school and demolition of existing schools at Riverside Primary School (Formerly Hunderton Infant and Junior), Belmont Avenue, Hereford – approved as recommended

AREA PLANNING SUB-COMMITTEES

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

(a) Northern Area Planning Sub-Committee

- Applications approved as recommended – 19
- Applications minded to approve or refuse contrary to recommendation – 3 (1 referred to Planning Committee by the Head of Planning Services)
- Applications withdrawn by applicant – 1
- Applications deferred - 1
- Site inspections – 4
- Number of public speakers – 17 (9 supporters, 6 objectors, 2 parish councils)
- Appeals – 7 have been received and 15 determined (1 withdrawn, 2 upheld and 12 dismissed)

(b) Central Area Planning Sub-Committee

- Applications approved as recommended – 22
- Applications minded to refuse contrary to recommendation – 5 (not referred to the Head of Planning Services)

- Applications minded to approve contrary to recommendation – 2 (referred to the Head of Planning Services and the Planning Committee)
- Site inspections – 7
- Number of public speakers – 34 (4 parish councils, 15 supporters, 15 objectors)
- Appeals – 8 appeals have been received and 5 determined (2 allowed, 2 dismissed and 1 withdrawn)

(c) Southern Area Planning Sub-Committee

- Applications approved as recommended – 22
- Applications refused as recommended – 3
- Applications minded to refuse contrary to recommendation – 3 (1 referred to the Head of Planning Services and Planning Committee)
- Applications approved contrary to recommendation – 3 (2 referred to the Head of Planning Services and Planning Committee)
- Site visits – 2
- Number of public speakers – 13 (6 supporters, 5 objectors, 2 Parish Councillors)
- Appeals – 12 appeals have been received and 13 determined (4 upheld and 9 dismissed)

CONSERVATION AREA APPRAISALS FOR ALMELEY, WEOBLEY AND HAMPTON PARK

3. Conservation Area appraisals have been undertaken for Almeley, Weobley and Hampton Park as part of a rolling programme for sixteen conservation areas. The form and content of the appraisals follow guidance prepared by English Heritage and cover the following matters: -

- Changes to boundaries to include further or exclude areas or to enable better definition of boundaries on the ground.
- Identification of those non-Listed Buildings that may be of local interest, and those important buildings that appear to be 'at risk' through decay/obsolescence/being unoccupied.
- Other generally visible problems that may need to be addressed at some stage if the character and appearance of the particular area is to be conserved or enhanced.

The Committee requested that the Cabinet Member (Environment) confirms the final content of the appraisal documents and the issues raised through them. Following this it is intended that consultation will be undertaken about the issues raised. This may subsequently influence the management proposals that will form part of the next stage of work in relation to the conservation areas.

DEVELOPMENT BRIEF FOR THE FORMER WHITECROSS HIGH SCHOOL SITE, HEREFORD

4. The site of the former Whitecross High School, Bagallay St. Hereford is proposed for redevelopment under Policies H2, RST5 and CF5 of the Revised Deposit Draft Unitary Development Plan (UDP). Following extensive consultation and public meetings, a Development Brief has been prepared as a Supplementary Planning Document. There was general support for new housing and an educational establishment at the site but considerable concern from local residents about the impact of additional traffic on Bagallay Street. The alternative proposals put forward were:-

- 60 dwellings (of which 21 affordable housing)
- 60 dwellings plus 420 pupil primary school
- 60 dwellings plus 630 pupil primary school
- 60 dwellings plus 50 place special school
- 60 dwellings plus a children's centre

The Committee has recommended to the Cabinet Member (Environment) that the Development Brief for the former Whitecross High School site, as amended, be approved for adoption as a Supplementary Planning Document (SPD).

KINGS CAPLE PARISH PLAN

5. It has been recommended to the Cabinet Member (Environment) that the planning elements of the Kings Caple Parish Plan be adopted as planning guidance to the Herefordshire Unitary Development Plan and as an expression of local distinctiveness and community participation. The aim of the document is to identify measures by which the community aim to improve and enhance the quality of the built environment and to provide a mechanism to inform and influence the decisions of statutory bodies about community priorities and local needs. Key recommendations are included about transport and traffic, landscape and environment, housing, planning and heritage, youth and leisure and community services. The planning issues centre on affordable housing for young people and a wish to see any new development designed to reflect the character of the local area.

EDGAR STREET GRID SUPPLEMENTARY PLANNING DOCUMENT STATEMENT OF COMMUNITY INVOLVEMENT

6. The Edgar Street Grid represents a unique opportunity to develop an under-utilised area of land, strengthening the role of Hereford as a sub regional shopping centre and ensuring the city plays a full role in the wider rural economy. The Local Development Scheme identifies the requirement to produce the additional design guidance for the Grid area and the Supplementary Planning Document (SPD) provides an urban design framework to guide the future development of the area. Supplementary Planning Documents are produced to expand on plan policy and provide additional information and guidance in support of policies and proposals in Development Plan Documents. When adopted, the Herefordshire Unitary Development Plan (UDP) will have the status of a Development Plan Document (DPD). It will be operative as part of the Council's Local Development Framework for a minimum three year period from the date of adoption. The Edgar Street Grid SPD will expand and add further detail to the policies and accompanying text contained in the UDP. In addition, a complementary piece of work is to be

commissioned by the Edgar Street Grid Company. This work will refine and update the ESG Masterplan which was undertaken in 2004, particularly in terms of urban design and will provide a source of design analysis which will inform the SPD. The Forward Planning team preparing the SPD will work closely with the urban designers commissioned for the Masterplan update and the Edgar Street Grid Co.

The role and purpose of the SPD is to:

- Establish an urban design framework for the Edgar Street Grid area in a positive and enabling manner providing a design concept early on in the process which will be used to guide landowners, developers and the community on the form development proposals should take
- Address and supplement with additional information the policies contained within the UDP
- Provide greater certainty for the market on what is expected from future schemes
- Ensure delivery of a comprehensive, coordinated and sustainable development for Grid area.

Consultation forms a key part of the SPD process and the following timetable has been prepared:

- Initial consultation (July – October 2006)
- Ongoing Consultation (November 2006 – March 2007)
- Formal consultation on the draft SPD and sustainability appraisal (April/June 2007)
- Adoption (October 2007)

It has been recommended to the Cabinet Member (Environment) that the Edgar Street Grid SPD be prepared as set out above and in line with the Town & Country Planning (Local Development)(England) Regulations 2004.

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

BACKGROUND PAPERS

Agenda for the meeting of the Planning Committee held on 9th June and 14th July, 2006.

REPORT OF THE STRATEGIC MONITORING COMMITTEE

Meeting Held on 26th June, 2006

Membership:

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

PERFORMANCE MANAGEMENT

The Council's Overall Performance Improvement Plan

1. The Committee has noted the Council's Overall Performance Improvement Plan, produced in response to the Comprehensive Performance Assessment and arrangements for reporting progress against the Plan. Both Cabinet and the Committee will receive reports on progress against the Overall Plan on an exceptions basis as part of the Integrated Performance Report.

The Council's Performance Improvement Cycle

2. In accordance with the Council's Overall Performance Improvement Plan the previous corporate planning and budget processes have been brought together to ensure that there is a direct relationship at all stages between the planning of budgets (and other resources) and the outputs and outcomes they are allocated to achieve. The proposed performance improvement cycle is intended to ensure that performance reports, and performance management generally, address financial and service performance in the round. The integrated performance reports that have been in place since June 2005 have already sought to do this, but the full integration of corporate, service and financial planning will provide a much better basis to do this well.
3. The Committee has been advised that the new performance improvement cycle is recognised best practice: to secure the maximum value for money; to raise performance in the context of tight financial constraints and increased demand for essential services; and to have this recognised in external assessments. The cycle will culminate in the presentation to Council of the Annual Operating Plan, including the proposed budgets to deliver the outputs and outcomes in the Plan. The proposed cycle will therefore replace the previous arrangements for budget planning. The Committee has noted that further consideration needs to be given to the detailed arrangements for wider Member involvement, including through scrutiny. Members of the Committee have had regard to the new cycle in informal discussions about the development of the scrutiny programme.

Integrated Performance Report – 2005/06 End-of-Year Report

4. The Committee has received the end of year Integrated Performance Report for 2005/06. The outturn against the AOP indicators is considered disappointing and the Committee has noted steps being taken to achieve future improvement. Regarding the Best Value performance Indicators it has noted that 58% had either improved or maintained performance compared to 57% last year, that 36% had deteriorated, compared with 43% in 2004-05, with information awaited on 6% of the indicators.

Final Revenue Outturn 2005/06

5. The Committee has noted Cabinet's decisions in relation to the Final Revenue Outturn for 2005/06 which showed an underspend of £3.7 million on Directorate budgets. In relation to the carry forward of unspent budgets to 2006/07 the Committee noted that while robust financial monitoring reports were now in place, greater financial management was needed by directorates to ensure that improved services were delivered at budget. The Committee has also noted the importance of the Herefordshire Connects Programme in driving efficiencies to release resources.

Integrated Performance Report – 2006/07 April-May Progress Report

6. The Committee has been informed of performance to the end of May 2006, against the Annual Operating Plan 2006/07 and the remedial actions taken to address areas of under-performance. The Committee has noted that 42 of the 72 performance indicators relating to the Local Area Agreement (which now incorporates the indicators under Local Public Service Agreement 2G) had been marked "red flagged" (that is where the target was not achieved, not expected to be achieved or where no targets/milestones were identified.) The Committee was advised that this was of particular concern and remedial action would be required. The Committee also noted that exception reports on the overall performance improvement plan were being regularly provided to the Leader of the Council and the Chief Executive.

REVIEW OF THE STRATEGIC SERVICE DELIVERY PARTNERSHIP

7. The Committee has considered Cabinet's response to the Committee's review of the Strategic Service Delivery Partnership. It has noted the action plan prepared in response to the Review's recommendations and the statement that a number of concerns were already being addressed as part of existing management initiatives. Cabinet has also agreed that consideration be given to engaging an external consultant to undertake a brief piece of work to verify a number of aspects of the services supplied by the Partnership including value for money under the partnership agreement.

ICT SERVICES SCRUTINY REVIEW – PROGRESS REPORT

8. Work on the Committee's review of ICT Services is continuing with interviews and fact finding visits being undertaken.

SCRUTINY IMPROVEMENT PLAN

9. The Committee has approved a revised and updated Improvement Plan for Scrutiny having regard to the Council's Corporate Assessment. The Plan is based on the Centre for Public Scrutiny's self-evaluation framework.

WORK PROGRAMMES

10. The Committee has noted the Scrutiny Committees' current and future work programmes. It has recognised that the current work programmes do not substantially reflect the Council-wide themes and issues identified as priority areas in the Council's Overall Improvement Plan, the Annual Operating Plan and the Herefordshire Community Strategy including the Local Area Agreement. Consideration is accordingly currently being given to pursuing the following matters:
 - **Recycling:** How is it working? What message is the Council sending out (eg use of green recycling bags, opening hours for Recycling Centres and capacity.) Is the Council responding to the public's comments about the Council's approach? What

are we doing, are we doing it well enough? What can be done to improve?

- **Planning (Development Control) Policies:** What is the scope for local discretion, noting implications of some decisions on adult social care provision and other Council priorities?
- **Understanding and Responding to Customers:** how well are we doing this?
- **Every Child Matters:** Transition from Social Care to adult life. Exchange of information between Schools and Social Workers. Are the plans being put in place with the Council's partners working well in practice? Is the Council fulfilling its Corporate Parent Role?
- **Older Peoples Strategy:** Is it robust enough, how does it fit with the Council's Medium Term Financial Plan, what are the implications for other services?
- **Improving Adult Social Care:** considering and commenting on the assessments of adult social care needs and services that are being produced, including the wider implications for health services and housing.
- **Rural Schools Review:** Is the review addressing all the issues? What part do schools play in the Community? What is link to other Council plans?

PRESENTATIONS BY EXECUTIVE (LEADER, CABINET MEMBER (CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES) AND CABINET MEMBER (RESOURCES))

11. Following presentations by the Leader, Cabinet Member (Corporate Services and Human Resources) and Cabinet Member (Resources), the Committee questioned the Leader and Cabinet Members on issues and concerns in their respective programme areas.

ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

12. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review), the first four of which are identified as key roles in the report on "The Development of Overview and Scrutiny in Local Government published by the Office of the Deputy Prime Minister". Issues considered by the Strategic Monitoring Committee are listed for completeness.

Summary

13. The **Adult Social Care and Strategic Housing Scrutiny Committee** met on 2nd June 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentation by Cabinet Member (Adult Social Care and Health)
Best Value Reviews	Provision of Private Sector Housing – Stage 4 Report – Improvement Plan
Policy Development and Review	Learning Disability Services – Scrutiny Review Needs Analysis Phase 1 Report
External Scrutiny	

Improvement (Performance Management and Review)	Adult Social Care Improvement Planning Performance Monitoring
Other	Co-opted Membership

14. The Committee has received a presentation by the Cabinet Member (Social Care Adults and Health) informing the Committee of progress in 2005/06 and the challenges in 2006/07 and future years.
15. An interim report on the Committee's Scrutiny Review of services for people with a learning disability has been considered and the Committee will now consider the recommendations it wishes to make to the Cabinet Member (Social Care Adults and Health).
16. The Committee has also received a report on progress with the Adult Social Care Improvement Plan
17. The **Children's Services Scrutiny Committee** met on 31st May, 2006 and 19 June 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentation by Cabinet Member (Children and Young People)
Best Value Reviews	
Policy Development and Review	Scrutiny Review of Behaviour and Discipline Management in Schools Effect of Homelessness on Young People in Herefordshire
External Scrutiny	
Improvement (Performance Management and Review)	Revised Management Arrangements and Structure in Children and Young People's Directorate Safeguarding Children in Herefordshire Joint Area Review Improvement Plan
Other	

18. Following a briefing on the revised management arrangements and structure in the Children and Young People's Directorate, the Committee have identified a number of outcomes it would wish to see from the revised management arrangements. 18. The Committee have been informed of progress in relation to the Joint Area Review (JAR) Improvement Action Plan. The Committee conveyed to the Cabinet Member (Children and Young People) its concern over the availability of suitable housing for young people and young people and families experiencing homelessness. A further report on the JAR Improvement Plan and a report on the effect of homelessness of young people will be received at its meeting on 19th June.
19. The Committee has decided to undertake a scrutiny review of Behaviour and Discipline Management in Schools and has approved a scoping statement for the Review.
20. The **Community Services Scrutiny Committee** met on 6th June, 2006 and 16th June, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentation by the Leader of the Council on the Economic Development matters Presentation by the Cabinet Member (Community Services)
Best Value Reviews	
Policy Development and Review	Scrutiny Review of the Courtyard Centre for the Arts Preparations for the Three Choirs Festival Scrutiny Review of Hereford City Partnership Economic and Tourist Benefit of the River Wye in Herefordshire
External Scrutiny	
Improvement (Performance Management and Review)	Performance Monitoring
Other	-

21. At its meeting on 6 June 2006 the Committee considered the final report of the Courtyard Review Group. The Review had taken place over an 8 month period and its findings were reported to the Committee by the Chairman of the Review Group, Councillor H. Bramer. The Review Group believe that the Courtyard can seriously improve its income generation activity which would allow it to address its budget deficit and reduce its reliance on the grants from Herefordshire Council and the Arts Council. The Review Group also felt that in order to encourage the Courtyard to increase its income generation activities then any future funding agreement with the arts centre should decrease in value over the course of the contract. This and other recommendations, as appended to this report, were approved by the Committee and passed onto the Cabinet Member (Community Services) for consideration.
22. The Committee also received a presentation by the Leader of the Council on Economic Development matters, approved a Review of the Hereford City Partnership and considered work undertaken in preparation for the Three Choirs Festival.
23. At its meeting on 16 June 2006 the Committee hosted a discussion on the economic and tourist benefit of the River Wye in Herefordshire, inviting a number of interested parties to participate.
24. One other point to highlight is the commencement of the Museum and Heritage Review Group which is now underway with a number of meetings and visits scheduled over the summer.
25. The **Environment Scrutiny Committee** met on 5th June 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentations by Cabinet Member (Environment) and (Cabinet Member (Highways and Transportation)
Best Value Reviews	Improvement Plans
Policy Development and Review	Biofuels briefing
External Scrutiny	
Improvement (Performance Management and Review)	Capital Programme Revenue Budget GEM report

Other	
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26. Following presentations by the Cabinet Members for Environment and Highways & Transportation, the Committee questioned the Cabinet Members on issues and concerns in their respective programme areas. The meeting also debated the subject of Biofuels and how it related to aspects of Planning, Environmental Health and Trading Standards. Arising out of the debate on Biofuels the Committee have requested a briefing paper on hydro generation systems.
27. The **Health Scrutiny Committee** met on 15th June, 2006 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentations on behalf of the Herefordshire Primary Care Trust, the Hereford Hospitals NHS Trust and the Cabinet member (Social Care Adults and Health)
Best Value Reviews	
Policy Development and Review	Cost Saving Proposals – Provider Arm of Herefordshire Primary Care Trust
External Scrutiny	
Improvement (Performance Management and Review)	
Other	

28. In receiving the presentation from the Herefordshire Primary Care Trust and the Cabinet Member (Social Care Adults and Health) the Committee has recognised the challenges facing the Primary Care Trust and the importance of the work taking place with the Council to develop a Public Service Trust. It has also recognised the challenges facing the Hereford Hospitals NHS Trust and its plans to become a Foundations Trust hospital.
29. The business conducted by the **Strategic Monitoring Committee** at its meeting on 26th June, 2006, 2006 is summarised below.

Theme	Reports
Holding the Executive to Account	Review of the Strategic Service Delivery Partnership – Cabinet Response Presentations by Executive (Leader, Cabinet Member Corporate and Customer Services and Human resources), and Cabinet Member (Resources).
Best Value Reviews	
Policy Development and Review	ICT Services Scrutiny Review – Progress Report.
External Scrutiny	
Improvement (Performance Management and Review)	The Council's Overall Performance Improvement Plan. The Council's Performance Improvement Cycle.

	Integrated Performance Report 2005/06 End –of-Year Report. Final Revenue Outturn 2005/06. Integrated Performance Report – 2006/07 April-May Progress Report.
Other	Scrutiny Improvement Plan. Work Programmes. Scrutiny Activity.

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

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 26th June, 2006.

REVIEW OF THE COURTYARD CENTRE FOR THE ARTS JUNE 2006

SUMMARY OF RECOMMENDATIONS AND SUGGESTIONS

(RECOMMENDATIONS & SUGGESTIONS APPEAR IN ORDER THEY FEATURE IN THE FULL REPORT AND CONTAIN A PARAGRAPH REFERENCE FOR CONVIENIENCE)

The turnover of the Courtyard Trading Company should be higher than the income for admissions at the arts centre. (Para 5.15)

Tenders should be sought for franchisees to operate a retail shop within the current Courtyard Complex. (Para 6.8)

That the Courtyard should investigate the possibility of operating a separate commercial gallery in addition to the current gallery sponsored by the Arts Council. (Para 6.12)

That the Courtyard seeks to develop a dedicated cinema space within the centre even if the venue does not extend. (6.19)

That the leaks in the office space be repaired as soon as possible. (Para. 6.26)

That the outside arts organisations housed at the Courtyard pay a fair market rental value for the space in line with other City Centre Office space including the real costs of utilities and services or be relocated to another premises in order to release much needed space at the Courtyard. (Para. 6.27)

That the Alloy Jewellers housed at the Courtyard pay a fair market rental value for the space in line with other City Centre workshop space including the real costs of utilities and services or be relocated to another premises in order to release much needed space at the Courtyard. (Para. 6.29)

The Courtyard should proceed with a more mainstream programme in order to generate more income to address the budget deficit. (Para 6.52)

That strict financial monitoring systems and maintained and reviewed on a monthly basis. (Para 6.53)

The feasibility of sharing certain core costs with another charitable organisation be investigated. (Para 6.54)

That tenders be invited from commercial catering operators with regard to taking up the operation of the facilities provided by the Courtyard Trading Company. (Para 6.66)

The Friends of the Courtyard be asked about the possibility of them staffing the bar area. (Para 6.68)

That methods be investigated on how to attract customers back to the Courtyard Trading Company during the day including the possibility of refunding car-parking tickets. (Para 6.73)

That different methods of enforcing parking restrictions be investigated, including the four possible ways considered by the Review Group. (Para 6.79 – 6.84)

That schools be further targeted as a daytime audience and that further external funding to help with the cost of school transport be sought for when the current funding arrangement ends. (Para 7.19 and 7.20)

The Commissioning Agreement between the Courtyard and Herefordshire Council end at the same time as the current funding arrangements on 31 March 2008. (Para 7.26)

If not already done so the Commissioning Agreement between the Courtyard and Herefordshire Council be signed. (Para 7.25)

That any future funding deals with the Courtyard be negotiated at a Corporate level. (Para 7.18)

That any future funding deals with the Courtyard operate on a structured grant scheme principal with grants diminishing annually for the duration of the deal. (Para 7.27)

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 30 June 2006

Membership:

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

APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS

1. We have granted a dispensation to two members of Brilley Parish Council in relation to their roles as members of Brilley Village Hall Committee, and to fourteen members of Kington Town Council in relation to an employment matter.

DISPENSATIONS: DRAFT GUIDANCE FOR TOWN AND PARISH COUNCILS

2. We felt that town and parish councils were finding the rules for dispensations unduly complicated. We have therefore considered the first draft of a short guidance leaflet and application form for town and parish councillors, outlining the broad principles of dispensations and the circumstances in which they might be required. We are in the process of consulting the Herefordshire Association of Local Councils (HALC) on this guidance, and will agree the finishing touches by correspondence before our next meeting.

HEARINGS: DRAFT GUIDANCE FOR PARTICIPANTS AND DRAFT INTERNAL PROCEDURE NOTE

3. Work is continuing on the written guidance for those attending hearings so that they are aware of what to expect from the process at the earliest stage possible. We are also producing a comprehensive internal procedure note, which takes account of all of the recent hearings guidance produced by the SBE, and of our own administrative arrangements. We shall finalise these documents at our next meeting on 20 October 2006.

WEST MERCIA INDEPENDENT MEMBERS' FORUM

4. Mr David Stevens reported on the meeting of the West Mercia Independent Members' Forum, held in Oswestry on 07 June 2006. The meeting concentrated on members' varied experiences of hearings. The Head of Legal and Democratic Services, Alan McLaughlin, also attended the meeting, and he and Mr Stevens were able to make a significant contribution to the discussion. Other Authorities will be using some of our guidance and forms at their hearings as a result.

JOINT TRAINING EVENT WITH THE STANDARDS COMMITTEE AND HALC

5. We will be holding joint training sessions with HALC in October/November 2006 and also early in 2007. These sessions have proved invaluable in the past as a way to make town and parish councillors aware of ethics and standards issues, and to further the already excellent relations between the Committee and HALC members.

DETERMINATIONS BY THE STANDARDS BOARD FOR ENGLAND

6. We have considered progress reports on current investigations by the Standards Board for England. We are now receiving more information on the precise nature of allegations, with particular reference to the different matters that may be raised under the general heading of "Conduct". Perhaps unsurprisingly, most complaints received by the SBE relate to the planning process, and this information will help us to focus our training and guidance in the right areas.

**ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS:

- Agenda papers of the meeting held on 30 June 2006.

REPORT OF THE AUDIT COMMITTEE

Meeting held on 30th June, 2006

Membership:

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

AUDIT COMMISSION AND INSPECTION PLAN 2006/07

1. The Committee has received a report of the plan of audit and inspection work proposed by the Audit Commission for 2006/07. The main issues of significance for the Council are in performance management work and Local Area Agreements (LAA). The performance management audit will be carried out in September. It is intended that the LAA overview will be carried out around August. All Members of Council will be invited to a seminar outlining the results of this exercise. The Committee will consider a report on new governance arrangements at its next meeting in September.

FOLLOW UP OF AUDIT COMMISSION RECOMMENDATIONS

2. The Committee has approved an action plan for following up recommendations from the Audit Commission and will be kept up to date with progress on an exception basis.
3. The Committee has also agreed that interim arrangements be put in place for the post of Procurement Manager until the post is permanently filled.

AUDIT COMMISSION REPORT - POOLED BUDGETS

4. Section 31 pooled budget arrangements are among the flexibilities offered by the Health Act 1999. They allow NHS organisations and local authorities to allocate funds to a joint budget for the furtherance of health and social care. This can be through joint commissioning or integrated provision. The use of pooled budgets is intended to support partnership working and result in service improvement through joining up existing services or developing new services.

The Committee has noted the Audit Commission's report and that any lack of action of the part of the Council could have an adverse effect at the next Use of Resources assessment.

AUDIT COMMISSION REPORT - REVIEW OF THE E-GOVERNMENT PROGRAMME

5. The Committee has received a report from the Audit Commission on the review of the e-Government Programme. The report concluded that the Council is moving in the right direction in terms of its e-government programme. Following an internal review of the programme in 2004, delivery is now planned and controlled and tangible benefits are starting to become apparent. However, it felt that the Council was not as far advance as expected given the amount of investment over the last five years. The current state of development falls far short of the original vision for e-government, that "... by 2005 all citizens of Herefordshire will be able to interact effectively with a range of partnership services, at a time and place convenient to them, using a variety of communication channels."

The Committee has noted a number of measures put in place to ensure ongoing improvements to the programme. It has also noted the involvement of the partner organisations and extended their thanks to those staff responsible

for the recent improvements.

MONITORING OFFICER REPORT 2005/06

6. The Committee has received a report from the Monitoring Officer comparing the Council's performance in over the last four years with regards to complaints to the Ombudsman, Whistleblowing and other matters within his remit. It has noted that the Ombudsman had not yet finalised his report for 2005/06 although it was expected shortly. The Committee has asked for clarification with regards to the register of gifts and hospitality as there was a difference between the sum Members had to register and that of officers. The Committee also recommended that Members be regularly reminded of the need to register any gifts and hospitality and proposed that this be done annually at the same time as the Declarations of Financial and Other Interests. The Committee has also expressed concern about the number of town and parish council investigations referred to the Standards Committee for the Standard Board for England and asked that these be monitored, because of the cost implications.

AUDIT SERVICES ASSURANCE REPORT 2005/06

7. The Audit Commission in their Annual Audit and Inspection Letter identified that the Council needed to develop the role of the Audit Committee in providing leadership on audit and governance issues, including documenting the overall assurance framework. Consideration of the Assurance Report aids the Development of the Committee's role.
8. The Audit Service's review in relation to the Statement of Internal Control showed that the Council's procedures and protocols compared favourably with the CIPFA checklist and overall was found to be satisfactory. Fifteen fundamental systems were reviewing with three being given a "good" audit opinion, ten being "satisfactory" and two rated as "marginal". Management action has been taken where necessary and will be reported to the Committee in due course. The Committee has noted that management responses to Audit recommendations continue to be positive with action agreed on 96%.

APPROVAL OF THE COUNCIL'S STATEMENT OF INTERNAL CONTROL 2005/06

9. The Committee has approved the Council's Statement of Internal Control which ensures that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively. The Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised. In discharging this overall responsibility, the Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the Council's functions and which includes arrangements for the management of risk.
10. The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives. It can therefore, only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to support the Council's operation and manage risk in a balanced and effective manner, acknowledging that an element of risk is inevitable if policies, aims and objectives are to be achieved.

STATEMENT OF ACCOUNTS

11. The Statement of Accounts is a technical document prepared in compliance

with Accounting Codes of Practice as a prime requirement. The Codes of Practice are heavily influenced by external standards. This year the Statement of Accounts were required to be formally approved by 30th June.

12. The Committee has approved the Statement of Accounts including the final revenue and capital outturn for 2005/06. It has approved the formal signing of the Statement of Accounts by the Chairman of the Committee on behalf of the Council. It has noted the information in respect of redundancies and early retirement and noted the information in respect of bank accounts.
13. In order to make the published Statement of Accounts widely available, copies of the audited statement will be sent to Info centres and libraries. The Statement will also be included in full on the Council's website together with the Auditor's Management Letter, once the external audit is complete. A summary leaflet will be produced this year in line with Use of Resources best practice guidance.
14. The Committee has expressed its thanks to the staff involved in producing the document for its clarity and availability within tight timescales.

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

BACKGROUND PAPERS

- Agenda papers of the meeting of the Audit Committee held on 30th June, 2006.

RESULT OF THE KERNE BRIDGE BY-ELECTION

Report By: Returning Officer

Wards Affected

Kerne Bridge

Purpose

1. To note formally the result of the by-election for Kerne Bridge Ward.

Financial Implications

2. There are no direct financial implications.

Background

3. On 12th May, 2006, the Council had noted the circumstances in which the office of Councillor for the Kerne Bridge Ward had fallen vacant.

Result

4. The election was contested and a poll was held on 1st June, 2006. John Gilchrist Jarvis was elected as Councillor for the Kerne Bridge Ward and has completed his Declaration of Acceptance of Office.
5. The full result of the by-election was as follows:

John Gilchrist Jarvis	Conservative	482 Elected
Paul John Truman	Liberal Democrat	308
Simeon Wood Cole	Independent	249
George James Jones	Independent	119

3. Voter Turnout was 47.19%

RECOMMENDATION

THAT the information be noted.

BACKGROUND PAPERS

- None identified.

REPORT OF THE ANNUAL MEETING OF WEST MERCIA POLICE AUTHORITY HELD ON 13 JUNE 2006

Chair and Vice Chair

1. At the Annual Meeting of the Authority held on 13 June 2006 Mr Paul Deneen (Ross on Wye, Herefordshire) and Mr Alan Thompson (Bringsty, Worcestershire) were re-appointed Chair and Vice Chair respectively for the ensuing year. Both are lay justice members.

Membership

2. The Authority placed on record its appreciation of the service Mr Arul Selveratnam (Newport, Shropshire) had given the Authority during his four years as a lay justice member, during which he chaired the Audit Committee and was lead member on health and safety. The Authority also welcomed his successor, Mr Robin Durham, a lay justice from Shrewsbury.

Police Restructuring

3. The Authority has commenced Judicial Review proceedings against the Government's proposal to merge the police authorities in the West Midlands region. At least five of the metropolitan district councils in the West Midlands area have also commenced Judicial Review proceedings.

4. The main thrust of the Police Authority's application is to challenge the process, which has been followed by the Home Office, and in particular the failure of the Home Secretary to provide specific information requested by the Authority regarding his proposals. The objection period was due to end on 2 July 2006.

5. The Authority has received a report from its Treasurer on the financial implications of the proposed precepting arrangements to accompany the merger and which highlights a £224m shortfall in funding if the Council Tax across the region is to be equalised over a five-year period. The Police Authority has real concerns at the impact that this could have on police officer numbers and on performance. Unless the Government decides to invest very heavily in covering this shortfall, 2,050 police officer posts could be lost in the first five years of the new force's existence. These concerns are in addition to the broader concerns which have already been voiced regarding set up costs and levels of assumed efficiency savings.

6. Since the Police Authority last reported there has also been a change at the Home Office with the appointment of Dr John Reid as Home Secretary and Mr Tony McNulty as Minister for Policing, Security and Community Safety. The Chair of the Police Authority and Chief Constable have continued to meet with local and other key MPs to discuss police mergers and have also met with Mr Tony McNulty MP.

7. The Chair of the Authority placed on record his grateful thanks to Members of Parliament, Councillors, stakeholders, consultative groups and residents for their

continued support of the West Mercia Strategic Police Service option – this is greatly appreciated.

8. Mr Deneen also thanked members of the Authority, Officers and the Chief Constable and his team for their all their hard work and efforts regarding this issue.

On the 19 June 2006 the Home Secretary, speaking in the House of Commons said that people wanted to discuss in greater length and detail many of the questions arising from the proposals to merge forces.

Dr Reid, therefore, announced that he had decided, along with the Minister for Policing, Security and Community Safety, whom he has asked to deal with this issue, that this merited further and slower consideration. In so doing he did not promise a referendum but did promise discussion, dialogue and listening throughout.

A consequence of this is that the period for formal objections will be extended and the replacement timetable will be an item for discussion. The Home Secretary wants to ensure that people are given a proper opportunity to comment and raise objections once all the outstanding issues of relevance are resolved and communicated and that will determine the deadline by which objections have to be lodged.

Corporate Governance Arrangements

9. An independent Corporate Governance Report has been published by PricewaterhouseCoopers on 5 June 2006, reviewing the effectiveness of West Mercia Police Authority.

10. The review assessed performance in six areas, as defined in the CIPFA publication “The Good Governance Standard for Public Services”. The Authority was assessed as excellent in two areas and as good in four other areas. The summary table is shown here.

Good Governance Principle	Assessment
Focusing on the organisation’s purpose and on outcomes for the public	EXCELLENT
Performing effectively in clearly defined functions and roles	EXCELLENT
Promoting values for the whole organisation and demonstrating the values of good governance through behaviour	GOOD
Taking informed, transparent decisions and managing risk	GOOD
Developing the capacity and capability of the Authority to be effective	GOOD
Engaging stakeholders and making accountability real	GOOD

Local Policing Summary

11. A new duty has been placed on police authorities to produce and distribute to all households a report for members of the public on matters relating to local policing (local policing summary) as soon as possible after the end of each financial year, with effect from 1 April 2006.

12. The summary highlights the introduction of new local policing teams across the West Mercia area and includes information on the proposed forced regional merger. It also highlights partnership working and local police contact details.

13. Five versions of the summary, one for each police division in West Mercia, have been produced and they contain generic information and specific information relevant to each of the divisional areas.

Annual Report 2005/06

14. The Authority has agreed the Joint Annual Report for 2005/2006, a copy of which will be available on the Internet at www.westmerciapoliceauthority.gov.uk.

15. Notable achievements during the past year include:

- 10% reduction in total crimes recorded and 5% increase in the sanction detection rate.
- 22% reduction in domestic burglary and 5% increase in the sanction detection rate.
- 13% reduction in the level of violent crimes and 9% increase in the sanction detection rate.
- 11% reduction in the level of vehicle crimes and 3.5% increase in the sanction detection rate.
- West Mercia is the highest performing force, in its family of most similar forces, for sanction detection rates of the above types of crimes.

16. The Authority has congratulated the Chief Constable and his officers on continuing to build on last year's success and achieving further significant improvements in performance, in many cases exceeding the challenging targets that were set in the Policing Plan.

Community Support Officers

17. The Authority has agreed to accelerate the rate of recruitment of Community Support Officers (CSOs) and this will see an additional 183 CSOs on the streets of West Mercia by April 2007, bringing the total to 255. This effectively means recruiting an additional 65 officers to the original plan agreed in February 2006 to recruit 118 in 2006/07.

18. The Home Office has allocated an additional £1.43m grant this year to finance these posts and the Authority considers that this will be of great benefit to the communities of West Mercia, helping to provide reassurance in local

neighbourhoods and reducing anti-social behaviour. It will also fit in with the planned introduction of the 145 local policing teams across West Mercia.

Special Priority Payments

19. The Police Reform Programme provides for a local scheme for Special Priority Payments targeted at front line and operational police officers in particular. The Scheme requires annual ratification by the Police Authority and Home Office.

20. In developing the Scheme for 2006 special consideration has been given to police officers who undertake the role of local policing officers.

21. West Mercia's Scheme allows for payments of between £500 and £3000 (or £5000 in exceptional cases). The cost is anticipated to be £1.5m of which £1.2m will be met by a specific Home Office grant.

Initial Police Learning Development Programme

22. New arrangements for the training of new police officers were introduced in April 2006.

23. The new course includes a first week, which is suitable for anyone joining West Mercia as a corporate induction. The following five weeks are also designed to be delivered to CSOs and student officers (formerly known as probationers) jointly. This means if CSO later joins as a regular officer they do not have to repeat the training.

24. The Police Authority has been involved in the oversight of the introduction of the new arrangements and members have played an active part in explaining the role of the Authority to people attending the courses, two of which have so far commenced.

Call Handling

25. A new automatic call distribution system was introduced in 2005 and since early July 2005 the call management centre in the South of the force area has continued to demonstrate improved performance with calls answered in 10 seconds between 91% and 94%.

26. Performance on non-emergency call handling has been consistent throughout the year. Calls are normally actioned within 30 seconds, which is the national call handling standard.

27. "Speaks Quality" training has been delivered to 250 staff with a further 240 staff to be trained later in the year. A new database is also being established to give a caller's line history and a new resource and duty management system is being introduced in order to identify staff on duty and to facilitate ease of contact and follow up.

Stop Search and Encounters

28. The Authority has received a report on Stop Search and Encounter records for the period April 2005 to March 2006, which included a proportional analysis of ethnicity and stop search.

29. It was noted that although stops take place in the Force area, those stopped are not always part of the resident population. In the period April to June 2005, 12.2% of all Stop Searches related to persons living outside the Force area.

30. When looking at figures for Minority Ethnic Groups (MEGs) small fluctuations in figures can noticeably change results. For example, during the stated three month period there were a total of 45 recorded stops for Black or Black British persons, however further analysis highlighted only 21 persons were actually part of West Mercia's resident population.

31. In the last six months an average of 9.13 white people and 29.8 MEG per 1000 population had been stop searched. Therefore, statistically a MEG person is 3.26 times more likely to be stop searched per 1000 of the resident population. However this varied by division, with Shropshire the highest at 5.44 times and Telford and Wrekin the lowest at 1.96 times. These figures are based on the percentage of MEG as part of the overall population.

32. The actual number of persons stop searched per Ethnic Group per month showed about three black or black British people being stopped per police division per month against 172 white people. The total number of stop searches also varied between divisions, with North Worcestershire noticeably higher. However, this is believed to be due to several factors, including specific campaigns and the proximity to the Birmingham conurbation.

Questions on Police Matters at Council Meetings

33. The Authority is required to nominate a member to answer questions on the discharge of the functions of the Police Authority at meetings of the relevant councils and the following members were appointed for 2006/2007:

Herefordshire Council	Mr B Hunt
Shropshire County Council	Mr M Kenny
Telford and Wrekin Council	Mr J Hicks
Worcestershire County Council	Mr E Sheldon

Police/Community Consultative Groups (PCCGs)

34. The Authority has appointed the following members to attend meetings of PCCGs during 2006/2007.

Bridgnorth	Mrs M Winckler
Bromsgrove	Mrs S Blagg
Bromyard and District	Mr B Hunt
Droitwich Spa	Mr E Sheldon

Evesham and Pershore	Mr Z Padda
Hereford	Mr P Dunford
Herefordshire Rural	Mr P Deneen
Kington	Mr B Hunt
Leominster	Mr B Hunt
Malvern	Mr J Campion
North Shropshire	Mr R Forster
Oswestry	Mr R Durham
Redditch	Dr G Nathan
Shrewsbury	Mr R Durham/Mr M Kenny/Ms Pready-James
South Shropshire	Mr M Kenny
Telford and Wrekin	Mr R Forster/Mr J Hicks/Mrs K Tomlinson
Worcester	Mr R Peachey
Wyre Forest	Mr R Forster

Signed on behalf of the
West Mercia Police Authority

P Deneen
Chair

Further Information

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

Further information on the West Mercia Police Authority can also be found on the Internet at www.westmerciapoliceauthority.gov.uk.

List of Background Papers

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

Agenda papers for the Annual Meeting of the West Mercia Police Authority held on 13 June 2006.

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

Meeting Held on 12 June 2006.

OPERATIONAL ACTIVITY

1. During the **year 1 April 2005 to 31st March, 2006 the Service attended a total of 7851 incidents.** (This includes all types of Fire, False Alarms and Special Service Incidents). More statistics and details of notable incidents have been reported to the Authority and can be found on the Service's website (www.hwfire.org.uk).

INTEGRATED RISK MANAGEMENT PLAN

2. The Constituent Authorities have previously been advised of the requirement under the Fire and Rescue National Framework that all Fire and Rescue Services must produce an Integrated Risk Management Plan (IRMP) and associated annual action plans. The purpose of the Plan is to provide a strategic overview of all aspects of service delivery and determine current and future policy. It is intended to make the service more responsive to locally identified needs and better able to deliver community safety. Plans must undergo a full public consultation process for twelve weeks before being adopted by the Authority.
3. The Authority has noted progress on the 2006/07 Plan and approved the draft 2007/08 IRMP Action Plan for consultation.
4. The principles of the Plan remain:
 - Strengthen capacity to improve community safety and reduce risk
 - Ensure that operational resources are best aligned to areas of greatest risk and need
 - Realign management resources in order to improve support to frontline services
 - Update Incident Command structures and arrangements to assess operational performance
 - Provide improved support to Fire Stations in rural areas and those Firefighters who work the Retained Duty System
 - Prepare for anticipated changes to fire safety legislation and enforcement, principally the Regulatory Reform (Fire Safety) Order; and
 - Ensure that Fire Stations are appropriately located and have the necessary facilities to provide an efficient, effective and economic service in compliance with statutory duties.

REGIONAL FIRE CONTROL CENTRE

5. The Constituent Authorities have previously been advised of the replacement of the existing 46 local Fire Service control rooms across the Country with 9 regional control centres by the end of 2009. The Regional Fire Control for the West Midlands is to be located in Wolverhampton.
6. The Authority has responded to a Government consultation exercise on the ways in which it would expect local authority companies to operate as vehicles for delivering and running the network of regional fire and rescue control centres (RCCs). It has also noted that the Fire and Rescue National Framework 2006/08 stated that all Fire and Rescue Authorities must ensure these companies are established by specified dates, with the first wave to be in place by 1 August 2006 and with the West Midlands RCC to be established by 1 January 2007.
7. In making its response to Government the Authority has emphasised the importance of ensuring that it is equitably represented on the Board of any Company which is formed. It has also expressed some concern about the challenging timescale for implementing the project. It has requested that Local Members of Parliament are informed of the position.

COMMUNITY FIRE SAFETY

New Posts

8. Further expansion of the department in line with the Integrated Risk Management Plan (IRMP) has enabled a wide range of vital new initiatives to contribute positively to the overall aims of the organisation and to meet Local Area Agreement targets.
9. There are now four new Community Safety Advisors based in the target LAA areas of Redditch, Worcester, Kidderminster and Hereford. The post holders are highly qualified and experienced in multi agency working in vulnerable communities and have made a significant impact in getting fire safety messages across to those at most risk in the community.
10. A large number of projects are now planned and excellent links have been made with partner agencies in all areas. This has raised the Service's profile in many communities and with key partners, in turn enabling vital information sharing to take place. As an example, vital links have been made with local Housing groups, West Mercia Police, Sure Start, Crime and Disorder Forums and Community Safety Partnerships.
11. One of the main aims of the new posts is to involve some of our key partner agencies in conducting Home Fire Safety Checks for each of their client groups. It is envisaged that this will increase access to vulnerable and at risk groups. Training sessions have been planned for members of Social Services, District Nurses, Carers and Health Visitors.
12. In addition to the extensive range of planned initiatives, the new post holders will be able to make a positive contribution to the recruitment of minority groups into the Service.
13. In response to the need for support in reducing hoax calls and incidents of arson, significant progress has been made with the appointment of the new Juvenile Firesetters Co-ordinator post. This is a vital role for the organisation and an area in need of specialist attention. A full audit of our current position is presently being conducted, as the number of young people involved in fire setting activity continues to grow. Several of new schemes are in the pipeline in partnership with other

agencies including the Youth Offending Team.

14. Working closely with West Midlands Fire Service, Hereford & Worcester Fire and Rescue Service designed a Regional commercial radio campaign to cover the Central region, in relation to a Home Fire Safety initiative together with raising awareness of hoax calls.
15. In accordance with the aims of the Youth Strategy and the National 'Children and Young Peoples Strategy' a Youth Services Officer has been appointed. This new post will enable further expansion of a range of initiatives for young people outside of the mainstream arena. Many of these initiatives have been piloted by the department including 'Hot Squad' and targeted 'Work Experience' courses. Such programmes are aimed at raising the self-esteem and confidence of disaffected young people and therefore increase school attendance. The post holder will also be responsible for the coordination of all 'Crucial Crew' events for the Service and joins us with a wealth of specialist youth work experience and partnership working.

Worcestershire Partnership

16. The Worcestershire Partnership Board, which is the County level Local Strategic Partnership, has accepted the Service's application to become a member of the Worcestershire Partnership Board. The Authority has welcomed the news and proposed that the Herefordshire Local Strategic Partnership Board should be encouraged to follow the same course.

Fire Safety

17. The Service is supporting a number of watch based initiatives including 'Heart Smart Homes' in partnership with 'Sure Start' and 'Smoke Free Worcester'. The aim of this project is to reduce the number of parents smoking at home and in front of young children. The initiative will pilot in key target areas of Worcester and involves young and lone parents learning about the consequences of smoking and receiving smoking cessation advice. In conjunction with this, the families will also receive Home Fire Safety Checks and will enter into a contract with partners to avoid smoking in the home. The programme was officially launched in May 2006.
18. A highly successful multi-agency event took place at SHQ to demonstrate various alternate smoke alarm alerting devices to those with hearing and visual impairment. All agencies agreed to assist the Service in meeting our overall aims in keeping this vulnerable sector of the community safe.

National Activity

19. The Community Safety department continues to be at the forefront of National activity and have hosted visits from a range of other Brigades as an example of National best practice in Community Safety. New ground breaking projects for road and water safety are in the planning stage and will be launched this year and the significant contribution made to the new national education programme for the ODPM has been recently acknowledged.

Regulatory Reform Order

20. Preparation for this Order coming into force is still on-going and in preparation for the commencement of the legislation the department is continuing to train its Inspectors. Training has also taken place at 9 venues throughout Hereford and Worcester to increase the awareness of commerce and industry.
21. Although the Fire Precautions Act ceases to have effect when the Regulatory Reform Order comes into force in October 2006, the ability of the Fire and Rescue Authority

to prevent the use of premises by the issue of Prohibition Notices will remain under the new legislation.

Marketing

Business

22. A business related Fire and Rescue Service advertisement and editorial copy will be published in the Wychavon Business Guide. This is designed to profile Legislative Fire Safety Departments, the Training and Development Centre and also remind local businesses about the enhanced skills and good working practice that employing Retained Firefighters can bring.

National Chip Week 13 -20 February 2006

23. During national Chip Week, the Service issued important safety messages about the risks of fire caused by unattended cooking and highlighted how those risks significantly increased when using a chip-pan (or similar).

National No Smoking Day

24. National 'No Smoking Day' presented the Service with an excellent opportunity to highlight the increased risks of death and injury from smoking materials in and around the home. Working with Smoke Free Worcestershire and Herefordshire PCT, posters were issued promoting the Services safety messages and the smoking cessation services provided by both PCTs.

Radio Campaigns

25. Hard-hitting fire safety adverts were produced featuring Firefighters and Control staff from both regions. These were simultaneously broadcast on Wyvern FM, Heart FM, and Galaxy radio transmitters throughout February and March 2006. The adverts were designed to make listeners ensure good fire safety in their homes, and provide information about Fire Service Home Fire Safety Checks for those who were in need.
26. The campaign produced a noticeable increase in HFSC requests with a significant number of referrals for North Worcestershire. Based on RAJAR figures this joint fire service message potentially reached an audience of approximately 1.25 million individuals across central England.
27. An agreement has been put in place with Chrysalis Radio who produced the adverts for both Services for future Community Safety use.

Fire Appliances

28. A series of safety messages have been added to a number of Fire Appliances promoting both road and fire safety. The road safety messages have been strategically placed so that passing drivers will (in most cases) see it when an appliance is present at a Road Traffic Collision.

Water Rescue Strategy

29. The water safety strategy continues to be developed. The Service recently worked in partnership with the Royal Lifesaving Society to design a Water Safety Awareness Pack to be delivered in schools. This pilot scheme is currently being delivered by volunteers from Evesham Fire Station and Mercia Inshore Rescue Association, with a view to becoming a national initiative in the coming months.
30. The Service is enhancing its water rescue capability with specialist rescue teams

being trained by the West Midlands Fire & Rescue Service. When completed it will strengthen the specialist rescue capability at Hereford, Worcester, Evesham and provide a new unit at Kidderminster. Inter-agency arrangements have been made with the Police and Ambulance service to co-ordinate our response to water related incidents and we now have operational support from the voluntary rescue agencies.

31. The Service is further developing the skills and experience of our existing water rescue instructors through training delivered by the Charlotte Fire Department in North Carolina. This training has been developed in response to the severe flooding that typically follows hurricane events. In recognition of the ongoing partnership between our two fire and rescue services working on behalf of U.K and U.S.A National Emergency Planning Community, training will be provided free of charge for 12 H&WFRS staff.
32. Finally, the Chief Fire Officer has agreed to visit the U.S.A separately, both to contribute to the Senate enquiry into Hurricane Katrina and to share details about U.K national planning arrangements with counterparts in the Federal Emergency Management Agency.

Equality and Diversity

33. A full review of the Equality and Diversity Strategy is underway, which is focused on the outputs and achievements of the Service's approach to Equality & Diversity to date, and identify recommendations for the continued achievement against the Equality Standard for Local Government. .
34. The Fairness at Work Advisory Group is considering current priorities for the 2006/07 year, and continues to prioritise core objectives, especially this recruitment of women and ethnic minorities to the Service.

ETHICAL ISSUES

35. The Authority has noted the annual report of its Standards Committee. As previously mentioned, a key piece of the Committee's work over the forthcoming months will be an ethical audit of the Authority. Public confidence in the integrity of local democracy is vital and is the main aim of the national ethical framework. The Committee has decided that it is opportune to take stock and by undertaking an ethical audit review how the Authority is responding to the requirements of the ethical framework. This will assess the degree to which ethical standards play a part in decision making, both on the part of the Authority and also the individuals elected to it. It is a demonstrable assessment of the reputation, both actual and perceived of the organisation and also acts as part of the Comprehensive Performance Assessment process.
36. The Authority has adopted an ethical framework. This will form the foundation for values and behaviours within the Service and incorporates current good practice in the area of equality and diversity.

CORPORATE ISSUES

Strategic Service Planning Process

37. The Service commissioned a report from PricewaterhouseCoopers on how best to improve the Authority's Strategic Planning process. The Authority has noted that the principles behind PricewaterhouseCoopers' recommendations have already been incorporated within the Corporate Plan for 2006/07.

Corporate Plan

38. The Authority has approved the Corporate Plan for 2006/07.

Finance

39. The Authority has been informed of the Revenue and Capital budget out-turns for 2005/06. The actual outturn underspending on the Revenue budget of £0.041million is a successful outcome and there has also been a modest slippage on the capital programme.

Code of Corporate Governance

40. The Authority has reviewed its Code of Corporate Governance and made a number of minor updates.

Other Corporate Issues

41. The Authority has also noted progress on arrangements for the management of risk and business continuity, asset management and the ICT Strategy.

COMMUNITY EVENTS

42. Community Events offer the opportunity for Members and local communities to meet their Firefighters, many of whom are Retained Firefighters who live and work within these same communities.
43. The events allow the Service to present both Community Fire Safety information by demonstrations and other visual displays, and other operational information relating to the service the Service provides. The events vary but each Station commits considerable time and effort to making public access fun and informative.

STATION	DATE	TIME	VENUE	EVENT HELD	BEING
Pershore	29 May 2006	10:00 – 16:00	Pershore Station	Open Day	
Worcester	03 June 2006	11:00 – 15:00	Station 21	SureStart Launch	
Worcester	10 June 2006	10:00 – 18:00	Arrow Valley	Dragon Boat Race	
Ewyas Harold	16 June 2006	1900 - 2100	Ewyas Harold	Open Evening with refreshments	
Kidderminster	17 June 2006	TBC			
Ledbury	17 June 2006	TBC	Ledbury Station	Open Day	
Droitwich	24 June 2006	12:00 – 16:00	Droitwich Station	Open Day	
Whitchurch	July 2006	TBC	Whitchurch	Carnival	
Bromyard	02 July 2006	TBC	Bromyard	Gala	

Worcester	08 July 2006	09:00 – 18:00	Stourport Marina	Water Safety Day
Leintwardine	08 July 2006	13:00 – 17:00	Leintwardine School	School Fete
Worcester	09 July 2006	10:00 – 18:00	Worcester	Dragon Boat Festival
Evesham	22 July 2006	TBC	Badsey	Fire Appliance to Badsey Flower Show
Worcester	23 July 2006	11:00 – 15:00	Upton Marina	Water Safety Day
Worcester	29 July 2006	11:00 – 15:00	Station 21	Road Safety Day
Worcester	Late June or mid August	TBC	Arboretum, Worcester	Ethnic minority recruitment day & Community fete
Ross on Wye	06 August 2006	TBC	Ross on Wye	River Carnival
Hereford	19 August 2006	10:30 – 15:30	Hereford	Open Day
Kington	20 August 2006	TBC	Kington	Vintage Car Meeting
STATION	DATE	TIME	VENUE	EVENT BEING HELD
Upton upon Severn	26 August 2006	TBC	Upton-Upon-Severn Water Festival	Promotion Of Community Fire Safety
Fownhope	28 August 2006	TBC	Woolhope	Fete
Eardisley	28 August 2006	TBC	Eardisley	Carnival and Sports Day
Peterchurch	28 August 2006	TBC	Peterchurch	Sports and Social Day
Stourport	09 September 2006	TBC		
Kingsland	10 September 2006	TBC	Kingsland	BBQ
Worcester	Late September	TBC	Maggs Centre (Opposite Worcester Station)	Rough Sleepers Awareness Day
Bewdley	August	TBC		

Bromsgrove	TBC			
Pebworth	TBC			
Broadway	TBC			
Tenbury	Summer		Tenbury Wells	Open Evening/Social BBQ

**PAUL HAYDEN
CHIEF FIRE OFFICER/CHIEF EXECUTIVE
HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY
JUNE 2006**

FURTHER INFORMATION

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

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

BACKGROUND PAPERS

Agenda papers of the meeting of the Fire and Rescue Authority held on 12 June 2006.

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