

MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday, 19th June, 2007 at 10.00 a.m.

Present: Councillor RI Matthews (Chairman)
Councillor KG Grumbley (Vice Chairman)

Councillors: JHR Goodwin, JW Hope MBE, MAF Hubbard, TW Hunt, MD Lloyd-Hayes, PM Morgan, AT Oliver, SJ Robertson and PJ Watts

In attendance: Councillors WLS Bowen, GFM Dawe, PJ Edwards, JG Jarvis (Cabinet Member Environment and strategic Housing), J Stone and DB Wilcox (Cabinet Member Highways and Transportation)

1. APOLOGIES FOR ABSENCE

There were no apologies.

2. NAMED SUBSTITUTES

There were no named substitutes.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

RESOLVED: That the Minutes of the meeting held on 12th March 2007 be approved and signed by the Chairman.

The Chairman took the opportunity to thank the previous Chairman (Councillor JHR Goodwin) and Vice-Chairman (Councillor WLS Bowen) for their work with the Committee.

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

A member of the public suggested the Committee should look at the apparent insufficient allocation of funding for highway maintenance in rural areas.

The Chairman thanked the member of the public for the suggestion and anticipated that this line of questioning would be raised during later agenda items.

6. INTRODUCTION BY CABINET MEMBER (HIGHWAYS AND TRANSPORTATION)

The Chairman introduced Councillor D.B. Wilcox, Cabinet Member (Highways and Transportation).

The Cabinet Member (Highways and Transportation) briefly outlined the various

elements within his Cabinet portfolio and highlighted forthcoming issues concerning: Flood Alleviation works, particularly at Ross-on-Wye and the Environment Agency works in the vicinity of Belmont roundabout, Hereford; the provision of an outer distribution road; Integrated Transport in relation to the Local Transport Plan (LTP2); various consultation including the Edgar Street Grid and further improvements to highway maintenance.

Responding to a comment that many pot holes in the road were the result of bad draining the Cabinet Member (Highways and Transportation) reported that remedial action was taken in line with the agreed programme and available funding.

Questioned on how the outer distribution road would be paid for and whether less costly sustainable works would be undertaken in the interim to key roads in the City the Committee noted that the LTP set out how the investment and management of schemes would be prioritised. As the Council its self was unlikely to be able to fund an outer distribution road funding was likely to come from a variety of sources. Further questioned on the Rotherwas contract the Committee were informed that the contract had not been signed. Any contribution from potential developers would be considered as part of the planning process.

The Chairman read out six questions received from a member of the public (Mr M Wyness) concerning the Rotherwas relief road which relate to agenda item 9 – Capital Budget Monitoring – the questions together with the Council's response is set out at Appendix 1 to these minutes.

Questioned on the use of green field sites to the south of the City and public consultation thereon, the Director of Environment undertook to respond to the member directly.

The Chairman thanked the Cabinet Member (Highways and Transportation) for his introduction. A further opportunity to question the Cabinet Member would be provided at the September meeting.

7. INTRODUCTION BY CABINET MEMBER (ENVIRONMENT AND STRATEGIC HOUSING)

The Chairman introduced Councillor J.G. Jarvis, Cabinet Member (Environment and Strategic Housing).

The Cabinet Member (Environment and Strategic Housing) briefly outlined the various elements within his Cabinet portfolio in relation to this Committee and highlighted a number of issues that would need attention namely: waste management both in terms of reducing waste and the increasing cost of dealing with it and various planning issues particularly in relation to the Edgar Street Grid and polytunnels. He also invited the Committee's opinion on where the scrutiny of Strategic Housing should sit as this was now within his portfolio.

The Committee noted that the Strategic Housing element of the portfolio could be scrutinised by either this committee from a planning or road building aspect or by Adult Social Care and Strategic Housing Scrutiny Committee from the point of view of housing allocations; homelessness and the provision of affordable housing. The Committee noted that any change to the Council's Constitution would be made at Council.

In relation to waste management the Committee appreciated that the subject had many complex aspects and a lot of work would need to be done particularly in

educating the public in the need for change.

The Chairman thanked the Cabinet Member (Environment and Strategic Housing) for his introduction. A further opportunity to question the Cabinet Member would be provided at the September meeting.

8. GOOD ENVIRONMENTAL MANAGEMENT (GEM) - REVIEW

The Committee reviewed the Council's environmental performance during 2006/07, particularly in relation to the corporate Environment Strategy & ISO 14001, to ensure that it continued to improve overall.

The Sustainability Manager presented the Council's performance against corporate Environment Strategy objectives (appendix 1 to the report) and highlighted the good partnership working, both internally and externally, and the Council's commitment to reduce the amount of waste per person both in the County and by the Council's work force.

The Committee scrutinised the report and debated issues concerning: Safer Routes to Schools and the provision of footpaths in rural areas; the number of staff cycling to work; the balance between the environmental benefit and the additional cost of increased recycling; the economic limitations of further rolling-out the kerbside collection scheme; difficulties experienced with the Trade Waste scheme; the robustness of implementing Travel Plans and the need to continually educate in the delivery of them; the increased number of Eco-Schools; the problems associated with the clearance of litter and graffiti; the apparent increase in nitrogen dioxide levels in Hereford and Market Towns noting the difficulty in obtaining robust baseline figures, and the difficulty encountered when dealing with seemingly conflicting policy issues e.g. conservation and emission reductions compared to house and road building schemes.

RESOLVED: that the report be noted.

9. CAPITAL BUDGET MONITORING

The Committee were advised on the final outturn position for the 2006-07 Environment Capital Programme and noted the agreed programme for 2007-08.

The Management Accounting Manager reported upon the outturn position for the Environment Capital Programme for 2006-07 as detailed in appendix 1 to the report. He further reported that the total of the Capital Programme had increased to £13,197,000 from £12,301,000 and elaborated upon the areas of net increase as detailed in the report.

He also reported that the Capital Programme for 2007-08, set out at appendix 2 to the report, had increased to £27,004,000 due to additional Local Transport Plan (LTP) funding, DEFRA funding for the Ross Flood Alleviation Scheme and AWM funding for the Rotherwas Access Road scheme.

On scrutinising the report the Committee noted that:

- Over the course of the year a number of changes may be made to the budget depending on how projects were progressing thereby ensuring the maximum use of capital funding. The Rotherwas Access Road project was ahead of schedule and therefore the expenditure profile had been adjusted to reflect this.

- While there was a degree of flexibility to move finance between budgets (virement) many of the transportation schemes were governed by the Local Transport Plan grant funding for which annual reports were submitted to government.
- The Environment General Capital Working Group was comprised of officers who, following consultation with the Cabinet Member and Director of Environment, regularly reviewed the overall spending position against the delivery of projects.
- Planning permission had now been granted for the Crematorium project and work on site was anticipated to start later this year.
- The underspend on SRTS (Safer Routes to Schools) (inc 20 mph zones) had occurred due to delays in the consultation process for a small number of schemes.
- Questioned on the financing of the Rotherwas Access Road the Committee were reminded of the response given at Council on 9th February 2007: *“the funding model for procuring the Rotherwas Access Road does not rely solely on receipt of s106 development money. It is as part of the wider Rotherwas Futures scheme. The funding package will include external contributions from Advantage West Midlands (AWM), Local Transport Plan funding, capital receipts generated as the regeneration project progresses and the Council will seek to optimise funding contributions from external sources with the balance being met from within the Council's prudential borrowing limits”*.
- While School Travel Plans were in existence greater prominence needed to be given to them to ensure their implementation.

Six questions from a member of the public had been submitted, as referred to earlier, and these, together with the Council's response, are set out at appendix 1 to these minutes.

RESOLVED: That the report be noted.

10. REVENUE BUDGET MONITORING

The Committee were advised on the final revenue outturn position for the Environment Directorate for 2006/07 and discussed the outline agreed budget for 2007-08, and considered the emerging budget pressures.

The Director of Environment and the Management Accounting Manager reported that in overall terms the Environment Directorate had underspent by £274,000, which represented a variance of 1.1% against agreed budget. The report summarised the variances against budget and a summary of the final revenue outturn variances was set out at appendix 2 to the report. It was reported that there would be pressures in all service areas arising from the Council decision not to allow inflationary uplifts on non-staff costs, however, services were expected to manage their budgets within these constraints. The Management Accounting Manager highlighted that reduction in the road maintenance budget was partly addressed by an increase in capital funding through the Local Transport Plan (LTP) Grant.

On scrutinising the report the Committee noted:

- It was commented that there appeared to be a disparity between the maintenance of rural roads and footpaths compared to urban areas which, it was suggested may warrant further scrutiny. The Head of Highways and Transportation reported that the maintenance budget was split 20/80% in favour of rural highways.
- Responding to questioning concerning the overspend on Concessionary

Fares - £258,000 with 2007-08 being forecast to be higher – the Committee noted that in effect there were two elements to the scheme. In relation to the Disabled and Elderly the Government funding had been topped up by the Council to alleviate a number of anomalies identified in the scheme. The potential take up of the Over 60s Fares scheme had been more popular than originally estimated.

- Substantial support was already given to sustain rural bus routes. However, the Committee noted that the Government were currently reviewing the level of financial support given to transport and therefore the result of the review could adversely affect public transport subsidy in Herefordshire.

RESOLVED: That the report be noted.

11. **ENVIRONMENT DIRECTORATE PLAN: OUTTURN FOR 2006/07 PERFORMANCE INDICATORS**

The Committee considered the achievement of targets included in the Environment Directorate Plan for the year April 2006 to March 2007.

Details of actual achievement against each of the targets were shown in Appendix 1 to the report.

The Director of Environment and the Improvement Manager reported that the 2007-10 Directorate Plan reflected actions being taken during the current year (2007-08) to bring those few indicators, indicated in the report, where targets were not achieved back on track. The Committee noted that longer-term targets for 2009-10, together with interim milestone targets for years 2007-08 and 2008-09 were being developed.

On scrutinising the report the Committee noted that while Indicators 39 and 40 indicated in real terms an improvement in highway cleanliness, the Committee expressed the view that public perception, particularly in rural areas, was that standards of cleanliness had fallen. The Committee noted comments concerning the apparent effectiveness of Parish Lengthsman schemes in relation to highway cleanliness.

It was further noted that Indicators 68 – 71 (conservation areas) were new targets and included last year. The stated targets had been based on the best evidence at the time and while the targets had not been achieved, actual performance had not fallen.

RESOLVED: That the report be noted

12. **SAFETY ON TRUNK ROADS**

The Committee were advised on the background and developments regarding safety on trunk roads within Herefordshire.

The Head of Highways and Transportation reported that in 1989 responsibility for trunk roads had passed from local authorities to the Highways Agency. While responsibility for safety matters on the trunk road network rested with the Highways Agency accident statistics for trunk roads within the County were included in Herefordshire's figures for the purpose of the key performance indicators. He further reported that liaison between the Council and the Highways Agency had improved

with quarterly meetings taking place. As a result some success had been achieved with a number of safety improvements being made with more planned.

The Committee noted the improvement works underway at Ashton near Leominster and noted that while Ward Members had not been consulted about the diversion route, a number of alternative routes had been considered and the one now being used, while not perfect, had been considered the safest and most expedient in the circumstances. The Committee hoped the police would be monitoring the traffic movements in the area.

RESOLVED: That the report be noted.

13. SCRUTINY REVIEW GROUP - HOUSEHOLD WASTE RECYCLING IN HEREFORDSHIRE

The Committee were advised of progress on the Scrutiny Review of Household Waste Recycling in Herefordshire and considered the Committees membership on the Review Group.

The Chairman of the Review Group, Councillor K G Grumbley, reported the background to the review. He reported that while a draft report by the Review Group had been compiled and submitted to the Committee in March 2007, the Committee had decided that in view of the then awaited outcome of the Government's Review of the National Waste Strategy the report had been held in abeyance until the Review Group could consider the implications of the Government's review. He suggested that rather than restart the review with new members, Councillor P Edwards be appointed to work with him to assess the implications of the Government Review and report the findings of the scrutiny review to the Committee at its September meeting.

The Chairman of the Review, Councillor K G Grumbley commented that, as noted from earlier discussion, waste management was a complex and potentially very expensive service and suggested that the Cabinet Member (Environment & Strategic Housing) consider holding a seminar to inform Members of the issues and implications for Herefordshire.

The Cabinet Member (Environment & Strategic Housing) agreed that a Members seminar on Waste Management should be held.

RESOLVED

THAT;

- a) **Councillor KG Grumbley, Chairman of the Review Group and Councillor P Edwards be appointed to complete the Scrutiny Review in accordance with the Scoping Statement;**
- b) **The resultant draft report of the Review Group be included for consideration in the Committee work programme for the September 2007 meeting; and**
- c) **The Cabinet Member (Environment & Strategic Housing) host a Members seminar on Waste Management as soon as possible.**

14. SCRUTINY REVIEW GROUP - DRAFT TRAVELLERS POLICY

Members were advised of progress on the Scrutiny Review of the Council's

Travellers' Policy.

The Head of Environmental Health and Trading Standards reported the background to the Scrutiny Review of the Traveller's Policy (Chaired by Councillor W.L.S. Bowen) and highlighted that while work on the review was nearing completion further work was needed to take account of the outcome of a recent review undertaken across the West Midland Region into Traveller Site need. He also reported that as a result of the elections there had been a change in the Committee membership and therefore suggested that the Committee consider its membership on the Review.

RESOLVED:

That

- a) Councillor WLS Bowen continue as Chairman of the Review Group together with Councillors: T Hunt, P Morgan and JB Williams; and**
- b) the findings of the Review Group be included for consideration in the Committee work programme for the September 2007 meeting.**

15. COMMITTEE WORK PROGRAMME

The Committee considered its work programme.

The Head of Policy Performance and the Senior Researcher reported on the results of the Herefordshire Satisfaction Survey. They explained that there was a statutory requirement to undertake a series of surveys every three years with questions tightly prescribed by the Department of Communities & Local Government. This involved a postal survey of Herefordshire residents aged 18 and over and asked for views about living in Herefordshire and council provided services. In 2006 over 2,100 responses were received from 4,200 randomly selected households. They highlighted a number of ways the results of the survey can assist the Committee in prioritising its work programme.

The Democratic Services Officer reported upon the Committee work programme, a copy of which was set out at appendix 1. Appendix 2 to the report set out ongoing issues on which the Committee expected actions or outcomes.

The Chairman suggested that within the next few days Members contact the Democratic Services Officer with suggested issues for future scrutiny following which the Chairman and the Vice-Chairman would consult the Director of Environment concerning the prioritisation of issues for the work programme.

The Chairman suggested that future meetings commence at 9.30 am.

RESOLVED: that

- a) Members submit suggested issues for future scrutiny and the Chairman and Vice-Chairman following consultation with the Director of Environment determine the draft work programme; and**
- b) Future meetings of the Committee commence at 9.30 am.**

The meeting ended at 1.06 p.m.

CHAIRMAN

Questions and Council's response referred to in Minute numbers 6 and 9

- 1. How much money is Council short for the Rotherwas relief road and where in details is the balance coming from?**

Monies will be provided from the Rotherwas Futures Model and from the following sources:

- Advantage West Midlands,
- Prudential Borrowings,
- Highways Local Transport Plan Allocations,
- Existing Capital Receipts, and,
- Future Capital Receipts.

- 2. Is Council putting up rents (at unprecedented rates) at the Rotherwas state to help pay for the Rotherwas relief road.**

The answer to this question is no.

- 3. How can Council justify spending so much money on the Rotherwas relief road, the benefits of which have yet to be proved, when there is not enough money for basic traffic calming at the County's schools and other places of danger like the store at Bartestree.**

The Council has committed to the Rotherwas Futures project to regenerate the estate and support further development and job creation. The majority of the funding for the scheme comes through economic development channels (AWM) and has so far not affected the level of funding available for LTP schemes to address Safer Routes to School etc. In the absence of the Rotherwas Futures project and Rotherwas Access Road, the same AWM funding would not be available for Safer Routes to School schemes for the County's schools.

- 4. On the awarding of planning gain against Bloor Homes at the Bullinghope development, how can the Council justify its decision to spend this money on a multi-million pound road for distant industrial estate that will in no way benefit the Bullinghope housing development? Guidelines say that planning gain must benefit the housing development and local area.**

The Bullinghope site offers the opportunity to secure funding for the Rotherwas Access Road. The Inspector at the UDP Inquiry accepted that this is a legitimate interest and that the Access Road would be a necessary accompaniment of housing development at Bullinghope. Further promotion of industrial development on the Estate is a key priority for the Council.

- 5. Is Council going to make taxpayers foot the bill for security (as announced by Roger Phillips) for McAlpine at the Rotherwas relief road construction site?**

Any security costs will have to be paid for by the taxpayer.

- 6. How can Council justify allowing the Bullinghope estate to pass planning in order to get planning gain for the Rotherwas relief road, when the UDP, which has other more suitable sites for housing, was ignored?**

The UDP Inspector increased the overall strategic dwelling requirement for the County from 11,700 to 12,200 dwellings for the Plan period in line with the Regional Spatial Strategy. An additional allocation is required to meet this revised figure. The Bullinghope site offers the opportunity to help ensure that the strategic housing requirement is appropriately met. Its allocation and development will serve to provide new housing in a Greenfield location to the south of Hereford, well related to employment provision at Rotherwas.