

A G E N D A

Environment Scrutiny Committee

Date: **Monday, 31st March, 2008**

Time: **9.30 a.m.**

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

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

For any further information please contact:

*Paul James, Members' Services, Tel:01432 260
460 Fax:01432 260286
e-mail pjames@herefordshire.gov.uk*

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Environment Scrutiny Committee

**To: Councillor RI Matthews (Chairman)
Councillor KG Grumbley (Vice-Chairman)**

**Councillors CM Bartrum, WLS Bowen, JHR Goodwin, JW Hope MBE,
MAF Hubbard, TW Hunt, PM Morgan, A Seldon and PJ Watts**

	Pages
<p>1. APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
<p>2. NAMED SUBSTITUTES (IF ANY)</p> <p>To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.</p>	
<p>3. DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by Members in respect of items on the Agenda.</p> <p>GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS</p> <p>The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.</p> <p>A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.</p> <p>Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.</p>	
<p>4. MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 25 February 2008.</p>	1 - 8

5.	SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY	
	To consider suggestions from members of the public on issues the Committee could scrutinise in the future.	
6.	REVIEW GROUP REPORT ON THE HEREFORDSHIRE TRAVELLERS' POLICY	9 - 82
	To consider the findings of the review on the Travellers' Policy.	
7.	THE COMMERCIAL VEHICLES AND TRAILERS PERMIT SCHEME FOR HOUSEHOLD WASTE SITES	83 - 88
	To report the current arrangements of the Commercial Vehicles and Trailers Permit Scheme for Household Waste Sites.	
8.	REVIEW OF HOUSEHOLD WASTE RECYCLING IN HEREFORDSHIRE: EXECUTIVE RESPONSE TO SCRUTINY REVIEW	89 - 90
	To report the current position regarding the Review of Household Waste Recycling in Herefordshire and the Executive response to the Scrutiny Review.	
9.	CAPITAL BUDGET MONITORING	91 - 94
	To advise Members on the progress of the 2007/08 Capital Programme for Environment within the overall context of the Herefordshire Council Capital Programme.	
10.	REVENUE BUDGET MONITORING	95 - 102
	To advise Members of the financial position for the Environment Programme Area budgets for the period to 29 th February 2008.	
11.	ENVIRONMENT DIRECTORATE PLAN: PERFORMANCE FOR THE TEN-MONTH PERIOD TO JANUARY 2008	103 - 114
	To update Members on the progress towards achievement of the targets for 2007-08 in the Directorate Plan.	
12.	COMMITTEE WORK PROGRAMME	115 - 118
	To consider the Committee work programme.	

PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

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

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

The principal roles of Scrutiny Committees are to

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

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

PUBLIC INFORMATION

Public Involvement at Scrutiny Committee Meetings

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

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

1. Identifying Areas for Scrutiny

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

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

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

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

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

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

Remits of Herefordshire Council's Scrutiny Committees

Adult Social Care and Strategic Housing

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

Children's Services

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

Community Services Scrutiny Committee

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

Health

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

Environment

*Environmental Issues
Highways and Transportation*

Strategic Monitoring Committee

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

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Please Note:

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

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

A public telephone is available in the reception area.

Public Transport Links

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

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



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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

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

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

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

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

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

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday, 25th February, 2008 at 10.00 a.m.

Present: Councillor RI Matthews (Chairman)

Councillors: WLS Bowen, JHR Goodwin, JW Hope MBE, MAF Hubbard, R Mills, PM Morgan, AT Oliver, A Seldon, RV Stockton and PJ Watts

In attendance: Councillors: H Bramer, PJ Edwards, JP French, JG Jarvis (Cabinet Member - Environment & Strategic Housing) and DB Wilcox (Cabinet Member – Highways & Transportation).

49. APOLOGIES FOR ABSENCE

Apologies were received from Councillors: C. M. Bartrum, KG Grumbley (Vice-Chairman) and T. W. Hunt.

50. NAMED SUBSTITUTES

Councillor R Mills substituted for Councillor KG Grumbley (Vice-Chairman), Councillor A.T. Oliver for C.M .Bartrum and Councillor RV Stockton for Councillor T Hunt.

51. DECLARATIONS OF INTEREST

There were no declarations of interest.

52. MINUTES

The Clerk reported that the published minutes indicated the presence of the Chairman at both meetings when in fact he had submitted his apologies and the Vice-Chairman had taken the Chair.

RESOLVED: That subject to the minutes being amended to indicate the absence of the Chairman, the Minutes of the meetings held 3rd December 2007 and 2nd January 2008 be approved and signed by the Chairman.

In response to a number of questions concerning progress at the Colwall Railway Bridge the Cabinet Member (Highways and Transportation) briefly reported that while the Council had taken the lead on highway grounds to replace the railway bridge with a temporary bailey bridge, it was now most unlikely that that option would proceed. Network Rail, the owners of the bridge, had now agreed to bring forward the replacement of the bridge in their maintenance programme. Talks were therefore underway regarding the design and installation of a replacement bridge. While the programme of works was in the hands of Network Rail he anticipated that the Councils contribution to costs (due to increased highway weight capacity) was likely to come from the 2009/10 budget.

The Committee requested that: close attention be given to the Councils proportion of costs; that Committee members be kept informed of progress with Colwall bridge and that close attention be given to similar bridges in the County.

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

The Chairman referred to a letter dated 24 January 2008 from Leominster Town Council raising concerns about flooding and drainage issues, particularly in Silurian Close and Worcester Road, Leominster, which had come to light during the floods in July 2007 and minor incidents since.

The Director of Environment reported that the service had been working hard to undertake maintenance throughout the County as a result of the floods that could be claimed for under the Governments Belwin scheme.

The Acting Head of Highways and Transportation reported that in excess of £2 million of flood related works had been undertaken. While this had held up the normal programme of maintenance, efforts were being made to bring the programme back on schedule. In relation to Leominster he was aware of a number of issues. Property ownership investigations were being made and, where necessary, schemes would be developed to address the problem.

The Committee noted the position.

54. GOOD ENVIRONMENTAL MANAGEMENT (GEM) REVIEW

The Committee reviewed the Council's corporate environmental management / ISO 14001 system to ensure that it continued to be suitable, adequate and effective, delivering improvement in environmental performance and full complied with all relevant legal and other requirements.

The Sustainability Manager reported on the GEM / ISO14001 Management Review for the period October 2006 to September 2007, a copy of which was appended to the agenda report.

On scrutinising the report the following comments or principle points were noted:

- The Committee wished to continue to receive updates on the GEM performance and noted that the next report would include the outcome of the recent external inspection.
- Questioned on the recycling of trade waste the Cabinet Member (Environment) reported that while the Council had no statutory responsibility for trade waste the possibility of incorporating elements e.g. glass from pubs, into any revised collection contract was being investigated. The Committee also noted the principle that the producer should pay.
- The Committee appreciated the good educational work being undertaken in schools on environmental issues, particularly through the EcoSchool scheme. The Committee requested that information on the content of the scheme be provided to Members.
- Responding to whether GEM sought to preserve the County or allow for change, the Cabinet Member (Environment) reported that development in the County was governed by the Local Development Framework.
- That the Council's GEM Policy was disseminated to the wider County via partners under the Community Strategy.
- Overall in 2006/07 the Council would have saved £4.5k by buying all greenlist

rather than standard items from West Midlands Supplies. In response to concerns that approving additional cost of up to 20% for greenlisted items could, for some items, represent a significant sum the Cabinet Member (Corporate Customer Services and Human Resources) as a Council member on the WMS Board, undertook to raise the issue at the next WMS Board meeting.

- Since compiling the report, efforts had been made to close out the non conformances and observations, however, issues around the Carbon Management Action Plan were still outstanding. In relation to this the Director of Environment commented that the plan had a bearing on the Local Area Agreement and he was keen to ensure that the calculation methodology was correct. Questioned on whether the County was likely to reach its carbon management target, and what quantitative reductions could be achieved by setting more stringent requirements for house building, the Cabinet Member (Environment) reported that the house building issue was being looked at, however, there was a balance to be struck between the need for new housing and meeting the carbon reduction target. The Committee questioned whether set parameters were in place.
- Methane gas from landfill will be burnt more efficiently when the new flare is installed at Stretton Sugwas thus reducing the greenhouse gas emission. However, these mitigating measures would not be counted under new National Indicators 185/186 for emissions.
- Efforts were continuing to ensure confidence in the data sets relating to utility usage and billing. It was anticipated that National Indicator 185 will give clear guidance on what data the government expected to be collected. It was suggested that any new build premises should have easily accessible utility meters.
- The Committee supported the MY Energy initiative and encouraged all staff, including schools, to reduce costs, resource consumption and carbon emissions. The Chairman of Strategic Monitoring Committee suggested that office relocation under the accommodation strategy should produce further environmental improvements.
- Consultancy under the Energy Savings Trust programme was only available to the end of the current financial year and so would not be available to schools.
- Questioned on recommendation 11 – misuse of sewage treatment plant – the Committee noted that this was an historical problem relating to the sale of properties connected to the plant. In relation to recommendation 12 – single contract for maintenance of sewage works - the Committee requested that further information be provided.
- The new Hereford crematorium, which will have many environmentally beneficial features, was planned to open in November 2008.
- Noting the differing opinion expressed in the staff opinion survey responses between understanding their roles and feeling the Council was doing enough on environmental issues it was noted that a further staff survey was planned to establish greater detail and priority for action.
- Many of the main timber suppliers now stock timber that meets acceptable certification schemes and its use is now standard practice in Property Services and Amey Wye Valley Ltd.
- The Committee noted that only 4 out of 18 Directorate Service Plans had included specific environmental improvement targets in 2007/08. Revised Service Plans were being monitored for 2008/09.

The Committee appreciated the detail in the report and complemented the good work being done.

RESOLVED: that subject to the above points the report be noted.

55. TRANSPORT ASSET MANAGEMENT PLAN

The Committee received an update on the progress of developing a Transport Asset Management Plan (TAMP) to improve long term planning of investment in the transport network.

The Acting Head of Highways and Transportation reported that the Transport Asset Management was defined as a 'strategic approach which helped identify the optimal allocation of resources for the management, operation and enhancement of the highways infrastructure to meet the current and future needs of users.' He explained that the Local Transport Plan (LTP) 2006/7 to 2010/11 included a commitment to develop a Transport Asset Management Plan (TAMP) in recognition of the challenge and the need to continue improving delivery of the vital local service.

Development of the TAMP began in autumn 2007 and included an extensive public consultation exercise which would end 29th February 2008. A seminar for all Council Members had been held on 12th February when views on a number of key elements of the transport network were expressed.

The response to the consultation, Members views, including those of Parish Councils, would contribute to the development of 'levels of service' for transport assets. These will be clear statements of the performance of the asset in terms understandable to the customers. This work will lead to the development of 'lifecycle management plans', a key element of the TAMP the improvement plan. The improvement plan will bring together a number of actions for ongoing improvement and will identify the further work required to improve the quality of the TAMP and more importantly the long term planning of the service delivery. A first draft of the TAMP was due in April 2008 with a final document expected in May 2008.

The Committee debated the following themes:

The asset maintenance, – Responding to questions concerning street lighting the Committee noted that, in broad terms, the service were looking to upgrade the asset if possible. There was no specific budget for an improvement programme and therefore improvements would be sought through the planning process. The Committee noted the need to balance adequate light levels for safety without causing light pollution. Responding to a suggestion concerning reducing the level of highway maintenance to promote slower driving, it was noted that accident prevention, and therefore improved maintenance and signage, was a high priority for the Council and was included as a Local Area Agreement indicator. With regard to the overall service delivery, concern was raised that the Service Delivery Review, being the subject of a later agenda item, should not have an adverse effect on asset maintenance.

Highway drainage – Questioned on the clearance of culverts and bridges the Acting Head of Highways and Transportation reported that while there was no specific budget for this, bridge work was contained in the LTP and the Land Draining Engineer worked to address any problems. Complex issues arose concerning land owner responsibilities. Comment was made that despite recent Highway Agency works on the A49, drainage problems still occurred which the Acting Head of Highways and Transportation undertook to raise with the Highways Agency. The Service advised colleagues in Planning concerning highway and drainage issues arising from planning applications.

HGV Routes – Members commented that following recent highway diversions for

works on the A49 and the increased use of Satellite Navigation systems an increased number of HGVs were using narrow country lanes. Concern was expressed that adequate signage be provided indicating HGV routes. It was noted that the Council worked with the Freight Partnership to encourage the proper management of routes. An alternative option could be the imposition of lorry bans from certain roads.

Highway Signage – Comment was made concerning Streetscene and the urbanising of rural locations by inappropriate usage of signage. The Committee noted that a policy on illegal signs was being developed and the issues of 'A' board advertising signs would also be looked at.

Speed Restrictions – The Committee noted that the LTP set out the policy on speed restrictions, particularly in villages and at schools. The Cabinet Member (Highways & Transportation) informed the Committee that an innovative part-time 20 mph scheme was being piloted at Sutton St Nicholas School.

RESOLVED: That the report be noted and;

- a) **the Director of Environment convey the concern of this Committee to the Executive in relation to the Service Delivery Review efficiency proposals and any possible adverse effect on service delivery; and**
- b) **the Cabinet Member (Highways and Transportation) consider a more environmentally friendly signage scheme for rural areas and in villages in particular.**

At this point the Committee adjourned for 5 minutes and reconvened at 12.15pm

56. SERVICE DELIVERY REVIEW

The Committee received a presentation on the Services Delivery Partnership Review of the Council's Service Delivery partnership with Amey that was currently underway.

The Director of Environment reported that the Directorate were responsible for a number of major contracts. In accordance with Council policy no up lift to budgets had been made to take account of inflation. Therefore there would be increasing pressure on budgets. Accordingly a review of the Service Delivery Partnership had been initiated and he reported that two key objectives had been set for the review namely: to review alternative forms of delivery with a view to securing annual savings to the Council of a minimum of £1 million and to improve current quality and level of service. He emphasised that any changes to the current arrangements arising from the review would be by agreement between Amey Wye Valley Ltd and the Council and would not require a re-procurement process.

The Acting Head of Highways and Transportation gave a presentation on the review outlining: the scope, aim and objectives; the comprehensive approach to providing opportunities for staff involvement; progress so far - the completion of stage one (identification of possible delivery models and their assessment against key criteria) and start of stage 2 (detailed evaluation). The next steps were identified as to complete the stage 2 assessment by April 2008; report the outcome and recommendations to Cabinet (April/May); undertake negotiations with Amey, and subject to successful negotiations, seek Cabinet approval to implement any changes.

During the course of debate the following principle points were noted:

- While other service delivery models were being looked at Herefordshire

would have its own model to reflect the local circumstances.

- The Scope of the review covered not only highways and transportation but included parks, countryside, public right of way (PROW) and property.
- Responding to questions on value for money (VFM) and the need to ensure flexibility in the remainder of the contract, the Committee were reminded that VFM and improvements to quality and level of service were key objectives for the review. The need to be aware of long term implications e.g. any transfer of property maintenance to a Community Partnership, would also need to be considered.
- Amey Wye Valley Ltd generally welcomed the opportunity to review the contract.
- VFM may also be tested by benchmarking services rather than by market testing.
- Questioned on the ability to respond to extraordinary events e.g. flooding, the Director of Environment reported that, when compared to the previous contractor, Amey Wye Valley Ltd had extensive resources and technical knowledge to call upon. Members suggested that flexibility and resource capacity be included in the contract.

RESOLVED: That the report be noted and the Committee be kept informed of progress at each key stage.

57. ON-STREET PARKING

The Committee were informed of the Council's current policy with regard to on-street parking controls and considered whether it was appropriate to undertake a scrutiny review to determine whether it would wish to recommend any improvements to the policy.

The Acting Head of Highways and Transportation reported that the Council's Countywide Car Parking Strategy formed part of the Council's Local Transport Plan that set out the overall transport strategy for the County. A copy of the Parking Strategy had been appended to the agenda report.

He reported that the current strategy identified that during the period of the current Local Transport Plan, consideration would be given to the introduction of on-street charges in central Hereford to contribute to managing demand and provide revenue funding to support Park and Ride or other sustainable transport improvements. The Council was currently developing proposals for park and ride facilities for Hereford and it hoped to bring forward a scheme to serve traffic entering the City from the North in 2009. In addition, the Council had over recent years continued with a programme of Residents Parking Schemes in residential areas close to the centre of Hereford, and in appropriate locations in the Market Towns, to deter commuter and shopper parking and help enable residents to park. Given the number of schemes that had now been introduced, he suggested it may be appropriate to review the extent to which they had been successful and whether there were any improvements that could be made to how the schemes were operated and enforced.

The Director of Environment suggested the Committee may wish to consider the approach they would wish to take to reviewing any improvements to the Council's policy in relation to the management of on-street parking.

The Committee agreed to undertake a review and noted a suggestion that the review group consider as part of the review the Oxford Park and Ride scheme.

RESOLVED: that the report be noted and a scrutiny review of on-street parking

be undertaken the membership of which to be Councillors: MAF Hubbard (to Chair the review); RI Matthews; PM Morgan; A Seldon and PJ Watts.

58. COMMITTEE WORK PROGRAMME

The Committee considered its work programme.

The Cabinet Member (Environment) reported that various matters were ongoing in relation to waste and the waste disposal contract. He was conscious that all Members needed to be updated and reported that a Member seminar would be held on the subject in due course.

RESOLVED: That the Committee work programme be approved and reported to Strategic Monitoring Committee.

The meeting ended at 1.32 p.m.

CHAIRMAN

REVIEW GROUP REPORT ON THE HEREFORDSHIRE TRAVELLERS' POLICY

Report By: Chairman of the Traveller Policy Review Group

Wards Affected

County-wide

Purpose

1. To consider the finding of the review of the Travellers' Policy.

Financial Implications

2. None arising due to this review. The Review Group acknowledges that there will be cost implications associated with expected new legislative requirements and that the Cabinet will have to consider these.

Background

3. The Environment Scrutiny Committee on the 25th September 2006 nominated a Review Group for the draft Travellers' Policy, which produced a finalised draft policy, this was issued for consultation as agreed by the Environment Scrutiny Committee held on the 4th December 2006. Issues arose during the early stages of consultation particularly as regards the tenure of plots on Council owned sites and work was being undertaken on Traveller housing needs on a sub-regional level (Shropshire, Herefordshire, Telford & Wrekin, Powys), which could have an impact on the final policy.
4. The Director of the Environment reported to the Environment Scrutiny Committee on the 9th November 2007 that work on the needs assessment had progressed to a point where it was appropriate to call a meeting of the Review Group.

INFORMATION GATHERING

5. Representations have been sought both from external organisations and departments within this Council. Those consulted include site residents, the Primary Care Trust; the West Midland Consortium Education Services for Travelling Children, The Herefordshire Travellers Support Group and the West Mercia Constabulary. Internally the views of Legal Services, Planning Services and the Equality and Diversity Manager were sought.
6. The Review Group had further meetings to consider the representation received and were informed of likely new developments such as changes in legislation. The Review Group also made visits to Council owned Travellers sites. A revised draft reflecting the views of the Review Group is attached as annex A.

Further information on the subject of this report is available from Aris Trezins,
Environmental Protection Manager, (01432) 261765

7. Key Issues

In reviewing the Policy a number of minor changes have been made throughout the document, however, the Review Group have specifically concentrated on a number of identified key issues.

7.1 Security of Tenure

Concerns about the lack of security of tenure of residents on Council owned sites were highlighted during consultation. On the 6th November 2007 the Under Secretary of State for the Department of Local Government wrote to local authorities advising of the departments proposals for improving the security of tenure and other rights and responsibilities of Gypsies and Travellers on local authority sites. The letter identified the discrepancy in security between those living on Council owned sites and the much greater protections provided by legislation on privately owned sites. The European Court of Human Rights has ruled that the lack of the procedural safeguards to the eviction of Gypsies and Travellers on local authority sites breaches article 8 of the convention (The right to respect for private, family and home life) New legislation is proposed which will address these concerns and afford the occupiers of Council owned sites the same protections and rights as those on privately owned sites, and the provisions of the Mobile Homes Act 1983 are to apply to all sites. This will make significant changes to the protection travellers have on our sites and will also involve rewriting all current licences to tenancies and setting annual rent reviews. It is expected that proposals will become law later this year.

7.2 Process for investigating breach of licence:

The issue of a site licence is the method by which a plot on a local authority Gypsy and Traveller site is allocated. It contains a set of rules by which the licensee is required to abide. Issues on one of our sites highlighted the need for a procedure to investigate breaches of the site licence conditions, which included an appeals process. This has been included as appendix 7 to the Traveller Policy.

7.3 Future of existing sites:

The Review Group made visits to Council owned Traveller sites and their condition is described in the Traveller Policy. However the group had particular concerns about Stoney Street Madley and Open Fields, Linton, Bromyard.

- i. Stoney Street Madley - this is a seventeen pitch site with no utility buildings having just concrete slabs, water standpipes and electricity. It was only ever intended as a transit/semi-permanent site and suffered problems with drainage and sanitation. It was also never popular with travellers as it is somewhat isolated and is not on the usual routes used by Travellers. The site has not been used since 2002 apart from occasional unauthorised encampments and has suffered vandalism. In its present condition it is not available for further use. The Review Group is concerned about the ongoing situation with this site and takes the view that an alternative location for the site should be sought but as this is a valuable asset it should be made available for use until such time that a replacement can be secured. It is important that transit/short stay stopping places are provided in order that the problems associated with unauthorised encampments can more effectively be addressed.

- ii. Open Fields, Linton, Bromyard - this is a fourteen-pitch site which has been badly vandalised. At present only two pitches are occupied. These are the only plots that could be occupied without major refurbishment. The Herefordshire Unitary Development Plan has identified that this site needs to be redeveloped and redesigned with a reduction in pitch numbers. The Review Group would like this to be progressed as soon as is practicable.

7.4 Future site provision:

A sub-regional Gypsy and Traveller Accommodation Assessment (Shropshire, Herefordshire, Telford & Wrekin, Powys) has been done and the consultants have reported their findings. This report will be incorporated with other sub-regional assessments for the Regional Assembly that will identify how much Gypsy and Traveller accommodation will need to be provided by each local authority. The findings of this sub-regional report show that Herefordshire will generate the need for a considerable number of plots over the next 10 years. The numbers quoted are 100 plots plus stopping places between 2007 and 2012, with a further 31 between 2012 and 2017. The number for the first 5 years includes existing tolerated sites and sites with temporary planning permission. If these were regularised and permanent use was secured this number would be reduced. There are a range of options that could be considered including small rented sites and socially rented sites. It will be important for the local authority to have good links with the Gypsy and Traveller community and to consult fully on the way forward.

7.5 Plot allocation policy:

Consultations attracted representations seeking changes that might promote site harmony and allow existing residents a greater input into plot allocations. Alternatives have been considered however the Review Group is satisfied that the proposed scheme is appropriate and will ensure that the allocation process is fair, transparent and complies with legal requirements.

7.6 Protocol with the West Mercia Constabulary::

Government guidance and good practise in dealing with unauthorised encampments advises that a protocol with the police should be established. The West Mercia Constabulary is currently revisiting their own procedures. Once this work is complete a Service Level Agreement will be drawn up by your officers, which reflects the position in neighbouring local authority areas.

8. CONCLUSIONS - Which have been reflected in the attached draft Travellers Policy.

8.1 Stoney Street Madley - This site should remain available for use until a more favourable site is secured.

8.2 Open Fields, Linton, Bromyard - Ongoing work to secure its redevelopment should be progressed as quickly as practicable.

8.3 Further investment in the form of officer time will be required in the review of licence agreements.

8.4 In the future there will be increased pressures to identify and provide more Traveller sites in Herefordshire.

Further information on the subject of this report is available from Aris Trezins,
Environmental Protection Manager, (01432) 261765

8.5 A protocol with the West Mercia Constabulary needs to be agreed which clarifies responsibilities and duties primarily in the event of unauthorised encampments.

8.6 The Review Group considers that there is a role for elected members on the ongoing development of policy for this particularly sensitive minority.

9. Next Steps

9.1 The Review Group anticipates that if approved by the Environment Scrutiny Committee the attached draft Traveller's Policy will be presented to Cabinet for consideration.

9.2 The Review Group anticipates that if the report is approved the Council would act upon the recommendations and suggestions made in the report.

9.3 The Review Group would also expect the Cabinet to report back to the Environment Scrutiny Committee in 6 months with details on activity taken on the Review Groups recommendations.

RECOMMENDATION

THAT;

- (a) The Environment Scrutiny Committee refers the draft Travellers Policy to the Cabinet Member (Environment and Strategic Housing) for approval;**
- (b) Subject to the Review being approved, the Executive's response to the Review including an action plan is reported to the first available meeting of the Committee after the Executive has approved its response.**
- (c) A further report on progress with respect to the Review be made after six months with consideration then being given to the need for any further reports to be made; and**
- (d) The Cabinet Member (Environment and Strategic Housing) considers involving the Review Group in any further development of this Policy.**

BACKGROUND PAPERS

- None identified.

Further information on the subject of this report is available from Aris Trezins,
Environmental Protection Manager, (01432) 261765

**Herefordshire Council
Travellers' Policy**

10 March 2008

DRAFT

Contents

	Page
Vision	3
Introduction	4
Local Context	5
Health Service	9
Education	10
West Mercia Constabulary	12
Travellers' Sites for Herefordshire	13
Unauthorised Encampments Policy	16
Planning Policy	18
Policies and Procedures for Dealing with Unauthorised Use of Private Land as a Caravan Site	19
Policy for the Allocation of Plots on Council Owned Gypsy Sites	25
Allocations Scheme for Council Owned Traveller Sites	27
Appendices	
Appendix 1 – Advice Note for Landowners and Members of the Public	38
Appendix 2 – Advice Note for Travellers	40
Appendix 3 - Unauthorised Traveller Encampment Visit Record	41
Appendix 4 - Site Application Form	46
Appendix 5 – Site Licence Conditions	50
Appendix 6 - Site Standards	56
Appendix 7 - Procedure for investigating breach of site licence conditions	60

Vision

“To create in Herefordshire an environment where different communities, the traditionally nomadic and the traditionally settled, live in harmony and where all have access to the basic needs and benefits which characterise an inclusive society. Herefordshire will be a place where people, organizations and businesses working together within an outstanding natural environment will bring about sustainable prosperity and well being.”

INTRODUCTION

The Herefordshire Council Travellers' Policy has been drawn up and agreed by the cabinet of Herefordshire Council on.....

The document is intended to reflect the work, role and duties of the various agencies and voluntary organisations in Herefordshire whose work impacts on the Traveller population of Herefordshire.

Policy Review

The Policy will be reviewed periodically to review its effectiveness and continuing applicability to the residents. The responsibility for this Policy rests with the Cabinet Member for the Environment **and Strategic Housing**. The role of reviewing the Policy should be the responsibility of the Herefordshire Council Traveller Service who will make recommendations to the Cabinet Member for the Environment.

Herefordshire Plan

The Policy **is in accordance with corporate priorities** and reflects the commitment from the members and officers of the Council to the Herefordshire **Plan** and makes particular contributions to the following.

- **To maximise the health, safety, economic wellbeing, achievements and contributions of every child, including those with special needs and those in care.**
- **To enable vulnerable adults to live independently and in particular, to enable many more older people to continue to live in their own homes.**
- **To sustain vibrant and prosperous communities including by securing more efficient, effective and customer-focused services, clean streets, tackling homelessness and effective emergency planning**
- **To promote diversity and community harmony and strive for equal opportunities for all the people of Herefordshire, regardless of race, religion, disability, gender, sexual orientation, geographical location, income or age.**
- **To develop its community leadership role, working with partners to deliver the Herefordshire Community Strategy, including the Local Area Agreement.**
- **Better to understand the needs and preferences of service users and Council Tax-payers, and to tailor services accordingly.**

•

Race Relations (Amendment) Act 2000

Reference should also be made to the Council's Race Equality Scheme and the associated Action Plan as well as the Council's Comprehensive Equality Policy.

THE LOCAL CONTEXT

PREAMBLE

The Traveller population of Britain comprises a number of culturally distinct groups: English, Welsh and Scottish Gypsies, Irish Travellers and New Travellers and members of all these groups can, on occasion, be found living in Herefordshire. For the main part, however, the local population is predominately an English Gypsy and New Traveller one, and its exact size is hard to estimate, as it is partially nomadic.

The situation is further complicated because there are many families currently living in housing or permanently settled on sites who no longer travel at all, or only travel occasionally, also identify themselves as Gypsies having been born into a distinct racial group with its own history and culture. Many families in the past have moved into housing only to move out again later. The Gypsy community currently forms the county's largest ethnic minority and has been part of our shared history since the 16th century. Their long established presence is reflected in or local place names e.g. Tinkers Corner, Romany Way etc. and the vestiges of the international language of the Gypsy people - Romany are still in use today.

The County's farms have traditionally required a seasonal workforce and this is still a reason why some sections of the community chose to pursue a nomadic lifestyle. Most of Herefordshire's Gypsy families travel predominately within the County boundary, but there is a small and generally more affluent group who travel in pursuit of work throughout Britain and the Continent. Travellers often turn their hands to a variety of jobs, e.g. land work, tarmac laying, barn painting, tree surgery, scrap collection, carpet selling, holly and mistletoe gathering, antique dealing etc.

New Travellers have their origins in the settled community but have chosen to become modern nomads for a variety of reasons. The majority of horse drawn caravans one sees on the County's roads were originally owned by Gypsies but are now in the possession of New Travellers. Their population locally has increased steadily since the 1960's and their children are attending local schools in growing numbers.

No Gypsy or Traveller can be excluded from a site by virtue of race but the site at Croft Lane in Luston is predominantly occupied by New Age Traveller and the Council particularly welcomes New Age travelers to apply for pitches on this site.

Despite the complexities of the Traveller population, people still frequently make reference to 'real Gypsies' out of a lack of understanding of the history of the various groups that make up the Traveller community and without appreciating that their culture like ours is in a continuous process of change.

Over the centuries many groups - tinkers, pedlars, drovers, circuses, migrant works, merchants, Gypsies, showmen etc. have travelled the highways of the county for a variety of reasons and inevitably intermarriage and cultural exchange has taken place not only between the various groups but between the various groups and the settle community.

Local Travellers have access to the services of The Herefordshire Travellers' Support Group which operates a children play scheme, the Travellers' Health Project which visits local sites, the West Midlands Consortium Education Service for Travelling Children which assists the county's school in serving the needs for Traveller children.

Under the terms of the 1968 Caravan Site Act, which has since been repealed, the local authority had a duty to provide sites for Travellers residing in or resorting to the county and a number of sites were built, but this issue of sufficient appropriate accommodation for a numerically fluctuating and diverse community remains an ongoing challenge, which has to be met if its members are to continue to enjoy the benefits of proper health care and education to which they are entitled and which are enshrined in Human Rights legislation.

BACKGROUND TO SITE PROVISION

The County of Hereford currently has 7 Local Authority run sites as follows: -

Romany Close, Grafton, Hereford	9 pitches (permanent)
Croft Lane, Luston, Leominster	10 pitches (permanent)
Open Fields, Linton, Bromyard	14 pitches (permanent)
Watery Lane, Lower Bullingham, Hereford	11 pitches (permanent)
Tinkers Corner, Near Bosbury	7 pitches (permanent)
Turnpike, near Pembridge/Shobdon	6 pitches (permanent)
Stoney Street, Madley	17 pitches (Transit/Emergency/Stopping)

The three significant dates in the history of site provision are:

1 st April 1970	The 1968 Caravan Sites Act became law requiring Local Authorities to provide 'accommodation for Gypsies residing in or resorting to' their area
December 1979	Local Government Land Act providing 100% Exchequer Grants to pay for site provision
1994	Criminal Justice and Public Order Act repealed the 1968 Act duty and the grants

The first site in the area was produced by the former Bromsgrove Rural District Council at Wythall in 1968. Further sites followed in 1974/5 at Hipton Hill, Evesham and Pinvin, Pershore started by the Worcestershire County Council and finished by the Hereford and Worcester Council.

Two sites were opened in Herefordshire in the first week of November 1988 (Turnpike and Watery Lane). Sites followed at Grafton (1992), Luston (1996), Madley (1995), Bosbury (1997) and Bromyard (1998).

Although following the repeal of the Government grants, as these sites were already in the pipeline, 100% government funding was secured.

No further local authority sites have been built since the formation of the Herefordshire Council but further sites are actively being sought.

The transition of the English (and Welsh) Gypsy population from a state of semi-nomadism to the more settled condition provided by sites was not without difficulties. However, there have been many examples of very successful sites operating for varying periods.

So far, however, there has not been much success in meeting the need for temporary stopping places with basic facilities for groups of Travellers passing through the County. When they have been obliged to camp illegally there has sometimes been annoyance caused to the settled population around them and disturbance to local Travellers with whom they compete for sites.

Some successful permanent sites have operated for many years where casual encampments have been left undisturbed and gained acceptance - even rights of occupation. They do not all have planning permission but have been treated by the local authority as "tolerated" sites.

Privately owned and managed sites are much prized by those Gypsies that can afford them and are able to get planning permission. There are around 20 such sites in the county of varying sizes but in the main provide 1 to 2 caravan pitches per plot.

An inherent difficulty confronting Travellers on council provided permanent residential sites is that they have not chosen their neighbours. The close proximity of the Pitches precludes the families resolving any disputes in the traditional way - by separating themselves off. If they leave they many find they have forfeited their place and cannot get back.

There is currently no government subsidy for the running of a Traveller Service and attempts to fund it through rents from sites has meant that the service has been underfunded and not flexible enough to copy with the difficulties caused between residents.

The consequences of this policy have been that there has been a move out of Council sites by the Gypsy population - the more well to do finding small pieces of ground to set up family sites and those unable to do that applying for, and securing, social housing.

In addition, the movement into housing, although it has been remarkably smooth in most cases, may be a temporary phenomenon.

The Council is now to decide the future of its sites. The policy that follows will need to focus on a Community Development challenge; how to accommodate a distinctive minority, with respect for its varied traditions and wishes and in accordance with Human Rights legislation (which would seem to prohibit the exclusion of certain groups per se) and taking account of the responsibilities imposed by S.71 of the Race Relations Act (as amended) to work positively to secure good race relations and to minimise friction with the majority and will compliment the Councils Comprehensive Equality Policy, which sets out how the council should be working to eliminate all unlawful discrimination and is committed to promoting equality of opportunity and, good community relations.

For while the Traveller population has too often been seen in terms of 'a problem', there is no doubt that its contribution to the economy and distinctiveness as well as the cultural diversity of Herefordshire has been very great. In an age of increasing conformity and uniformity, the existence of alternative traditions and cultures that resist these overwhelming pressures becomes consequently more important to us all.

Herefordshire is fortunate in having a range of services for Travellers which is probably as extensive and experienced as anywhere in the country. The Unitary Authority allows the dovetailing of major services under one provider and the Police boundaries coincide with those of the Local Authorities.

HEALTH SERVICE -

In addition to mainstream health care, Herefordshire Primary Care Trust (HCPT) has provision to fund a Travellers health project, which offers additional support to Travellers who have well recognised health inequalities. The project offers a 9am -5pm service Monday - Friday working from an administration base within the city. The team currently consists of a Lead Nurse/Project Manager, Health Visitor, Health Visitor Support Worker, Mobile Unit Drive and administration support. We offer outreach health care, advice, support, advocacy, health education and health promotion to Travellers wherever they may be living within the county. We also provide outreach clinics at Traveller sites via a mobile unit as pre-arranged and previously advertised.

The project works closely with other health professionals with the aim of providing optimum health care to this population. The team will adapt the health care work provision offered according to needs assessment and patient involvement. We work closely with the local Travellers Support Group - with which we have a service level agreement (SLA) - to provide Traveller run pre-school play groups to local Travellers. We also work closely with other local statutory services e.g. Council, Housing, Education, Police etc.

The projects steering group meets 3 to 4 times annually to which are invited representatives from local Traveller groups and local health, voluntary and statutory agencies. Travellers are encouraged to provide their views on what services they would like provided and ways in which the project can best meet health needs.

Planning for success and continuity

- **Partnership Working** - continuing to work closely with local Traveller Voluntary and Statutory agencies to ensure Travellers health needs are met as well as possible for this potentially vulnerable group.
- **Efficiency** - ensuring the project teams are identifying Traveller health needs and are trained to respond to these needs as well as possible.
- **Equality and Diversity** - ensuring Travellers health needs are taken into consideration when planning local services.
- **Health Management** - empowering Travellers to access services and manage their own health needs

EDUCATION FOR TRAVELLING CHILDREN IN HEREFORDSHIRE

Herefordshire Local Authority is member of the West Midlands Consortium Education Service for Travelling Children.

WMCESTC is a statutory agency dedicated to the access and inclusion of all Traveller children aged 3-19 into mainstream education throughout the West Midlands.

A priority of the Service's work, as directed by the Department for Education and Skills is supporting highly mobile children who may have no legal stopping place.

Herefordshire Council assists WMCESTC in its work with families by:

- ❑ Notifying WMCESTC of unauthorised encampments.
- ❑ Notifying WMCESTC of families taking up tenancies on Local Authority Caravan sites/ housing association accommodation.
- ❑ Conducting initial checks that encompass education needs health and general welfare, and subsequently informing relevant agencies.

Our joint commitment under the Children Act 2004 is to ensure that Traveller children, including those resident in unauthorised encampments, enjoy their legal entitlement to the minimum standards detailed under the five outcomes of Every Child Matters, namely:

- ❑ Be Healthy
- ❑ Stay Safe
- ❑ Enjoy and Achieve
- ❑ Make a Positive Contribution
- ❑ Achieve Economic Well-being

WMCESTC currently deploys two Advisory Teachers and a Senior Field Welfare Officer to support children and families in accessing education and other mainstream services. The Advisory team offers in-service training and support to all statutory agencies.

For further information please contact...Pat Holmes (Co-ordinator)

WMCESTC
The Graiseley Centre
Pool Street
Wolverhampton
WV2 4NE
01902 714646
Fax 01902 714200
enquires@wmcestc.biblio.net

THE SERVICE OPERATES:

A public record transfer system to ensure that the educational records of the children keep pace with the childrens, movements from school to school and LEA to LEA.

A system for monitoring records ensuring that individual children make progress and that the schools receive advisory support.

An advisory welfare service for the benefit of the Travelling families and the Local Authority Social and Welfare Services.

A pool of Advisory/Support Teachers experienced in teaching communication skills and who are familiar with the lifestyles of the travelling communities.

A transport budget to provide immediate assistance to schools registering travelling children, but experiencing transport difficulties.

An advisory education service through the pool of Advisory/Support Teachers under the direction of the Senior Advisory Teacher to assist schools in meeting the need of travelling children.

A resource Centre containing appropriate and tested materials for use with travelling children.

A library/archive for use by teachers, students and colleagues in other agencies.

An in-service training program for school staff, welfare staff, students and others involved with Travelling families to promote awareness of Traveller culture and lifestyles, positive attitudes towards the children and an understanding of their educational needs.

PLANNING FOR SUCCESS AND CONTINUITY – RESOURCES

In order to assist Traveller children towards being confident and successful learners, the Service has concentrated on developing and providing resource materials to encourage their positive self-image and also to support better understanding of Traveller lifestyle amongst all children.

Attainment Targets and levels of National Curriculum are taken into account when developing materials, ranging from wooden toys, matching, sequencing and jigsaw items using real photographs taken within Traveller communities; materials for project work, wooden inset scenes for language extension, pre-literacy and numeracy booklets, projects, a phonic program, reading books and an introductory reading and writing program “The Literacy Trail”.

“The Literacy Trail” is intended to give some structure support and continuity to Traveller children’s early reading experiences as they move between schools, Authorities and regions. It is not intended to provide their sole reading and language experience.

As with all children they should be given access to a wide variety of books, reading materials and language experiences.

A display and master copy of “Literacy Trail” and other materials are also available for sale outside the West Midlands Region (price list on request).

DISTANCE LEARNING: FAIRGROUND, CIRCUS AND SEASONAL TRAVELLERS

Families travel for work purposes usually between Spring and Autumn each year. Children attend the schools near to their winter sites. All West Midlands schools provide children with Distance Learning Work when they leave each Spring. The work is discussed with their parents who will provide support for them when they travel. The Service supports schools in preparing the work, supports the children's work during the travelling season and supports the winter schools when the children return. The school, the parents, the children and the Service work together in partnership. Distance Learning Work passes between families and schools throughout the travelling season and the Service plays a vital link role in the process.

WEST MERCIA CONSTABULARY – HEREFORD DIVISION

- West Mercia Constabulary is committed to providing equality of service to all members of the community regardless of their sex, marital status, race, ethnic origin, disability, or any other reason, which may include religion, sexual orientation or age.
- The Chief Inspector, Local Policing, will be the named Officer as the Portfolio Holder for Traveller issues.
- Any response to incidents involving Travellers will be dealt with under the West Mercia Constabulary Managed Response Guidelines.
- A protocol between Herefordshire Council and West Mercia Constabulary to define responsibilities in responding to incidents involving travelers is to be established.
- The Constabulary is presently reviewing its own procedures, particularly as regards to unauthorised encampments. A service level agreement between the Constabulary and Herefordshire Council is to be agreed once this review is complete.

Considerations:

- Issues in respect of the use of Section 61 of the Public Order Act.
- A review of incidents with a view to Anti-Social Behaviour Orders and Partnership Action to support both Travellers and the Community.
- The West Mercia Constabulary is a member of the Herefordshire Equality Partnership.

UNAUTHORISED ENCAMPMENTS POLICY ON COUNCIL OWNED OR ADMINISTERED LAND

1 General Statement of Principles

- There will be a consistent application of the Council's Policy towards all Travellers.
- Due regard will be given to the Government Guidance

2 Subject to the satisfactory assessment of the following factors, Herefordshire Council will not normally pursue an order for the removal of vehicles from any land on which they are stationed for a period of no less than 14 days. All Travellers will receive an assessment of their welfare needs.

- For the purpose of this policy "Traveller" means persons of nomadic habit of life, whatever their race or origin, who wander or travel but does not include members of an organised group of travelling showmen or of persons engaged in travelling circuses, travelling together as such.

3 Travellers, will normally be allowed to stay on sites when the following conditions are met:

- The maximum number normally acceptable will be 3 caravans or motorhomes or other moveable dwellings such as tents or benders in any one group although slightly larger groups may be permissible in locations remote from residential or commercial premises.
- The distance between groups of Travellers shall be distinct as determined by officers of the Gypsies and Traveller's Service.
- The occupation of any land shall not have a serious effect on the amenities, otherwise cause nuisance to, the occupants of any adjacent property.
- No damage shall be caused to any property, fences, trees etc. on that or adjacent land.
- The behaviour of the Travellers to other people shall be acceptable i.e. no intimidation especially where this constitutes a hazard to public health, nor any stockpiling of materials.
- No fires shall be lit on any land.
- Vehicles shall be parked, and any animals kept, in such a manner so as to cause no inconvenience or affect the safety of users of the adjacent or nearest highway.
- The occupation of local authority or other statutory authority land or agricultural land shall not impede its necessary operational use or, insofar as

parkland or other public open space is concerned, shall not detract from its amenity value.

- Once the agreed period of occupation has elapsed then the distance moved must be a least two miles from the site occupied. Re-occupation of the same site must not take place within three months.

4 In turn the Council will:

- Provide refuse sacks
- Will identify places where water supplies can be accessed.
- Provide Travellers with a copy of the Code detailed in Appendix 2
- Will inform all appropriate Statutory Bodies of the existence of the encampment.

5 The Council will not secure evictions from council owned or administered land where there is a long and established history of occupation without complaint.

6 The Council will not secure evictions from private land.

7 Where the Council takes enforcement action in relation to Council owned land the action will be determined by the Director of Environment or the Head of Environmental Health.

PLANNING POLICY

GYPSIES AND OTHER TRAVELLERS

Extracts from UDP

- 5.5.20 The Housing Act 2004 requires Local Authorities to include within their Local Housing Assessments the accommodation needs of Gypsies and Travellers. In addition, Government planning policy is increasingly favouring the identification of sites for Gypsies and Travellers in Development Plan Documents. Herefordshire Council recognises these requirements, which will be taken forward in the preparation of new Development Plan Documents forming part of the Local Development Framework. In the interim, however, the following policy is still required in order to consider the merits of planning proposals.
- 5.5.21 Herefordshire Council together with a number of external organisations established a Traveller Policy Task Group in order to produce a comprehensive countywide strategy for traveller issues. The resulting Travellers' Policy was adopted by the Council in November 2002 with a resolution to review and further develop the policy on an annual basis.
- 5.5.22 The provision of new Gypsy/traveller sites is recognised in policy H7 as one of the exceptional circumstances where development may be permitted outside of defined settlements. However, although sites may be acceptable in rural settings their impact upon the character of the countryside should be minimised, particularly within the County's Areas of Outstanding Natural Beauty (AONB). Sites should be well landscaped in order to limit their visual impact and should be in locations with access to local facilities and services such as shops and schools. Small sites (up to 5 or 6 caravans accommodating pitches for individual or extended families) will be preferred, as they can be unobtrusive and easier to manage. Permanent dwellings on Gypsy/traveller sites will only be permitted in locations where such proposals would accord with other housing policies of this Plan.
- 5.5.23 The nature of sites will vary in terms of the location, size, characteristics and level of service according to the type of site needed. Three types of site are identified in Government advice:
- Residential sites for settled occupation, with infrastructure including provision of sanitation and other services. Such proposals should also identify areas for work and storage within the site, having regard to the safety of the occupants and their children;
 - Temporary stopping places, with basic facilities; such as hard standings, convenient drinking water supply a means of sewage disposal and refuse collection point; and
 - Transit sites, with facilities to minimise impact and avoid health hazards (e.g. refuse collection point, access to a drinking water supply and sewage disposal).

H12 Gypsies and other travellers

Proposals for the development of sites intended to provide for the accommodation needs of Gypsies or other travellers will be permitted where:

- 1. The site is within reasonable distance of local services and facilities;**
- 2. Sites for settled occupation should be small, as should temporary or transit sites, unless there is a need to provide a site on a route frequented by groups travelling in large numbers;**
- 3. Adequate screening and landscaping is included within the proposal in order to ensure that the proposal does not result in an adverse impact upon the character and amenity of the landscape, particularly within the Malvern Hills and Wye Valley AONB, Conservation Areas or other sensitive locations; and**
- 4. They contain appropriate levels of residential amenity, including safe play areas for children and provide satisfactory work and storage areas.**

POLICIES AND PROCEDURES FOR DEALING WITH UNAUTHORISED USE OF PRIVATE LAND AS A CARAVAN SITE.

1. Introduction

The purpose of this policy and procedure document is to:

- Provide guidance to all Council officers on the Council's approach to unauthorised caravan sites on private land to ensure consistency of approach and proper liaison between departments and compliance with planning law.
- Ensure that the Council can discharge its duties to those living on the site and neighbouring residents by licensing caravan sites under the Caravan Sites Act 1968
- Enable those running sites or living on sites and neighbours of the sites to be informed of the Council's approach and likely response.
- Assist those living on sites to access services that they need provided by the Council and the health services.
- Ensure that the Council complies with its obligations under the Human Rights Act 1998
- Ensure that the Council properly discharges its obligations to business rates and council tax payers by collecting charges properly due

2. Scope of this Document

This policy only deals with unauthorised use of private land as a caravan site where the owner of the land has consented to this use. If the landowner is taking action to have a site removed, no action should be required.

For these purposes a "caravan site" includes the residential use of the land by people occupying caravans, vans, buses, bendovers, coaches, trailers and tents. In other words any temporary structure or vehicle used for accommodation.

The identity of the residents is not material to this policy. It therefore includes use of the site by both traditional Gypsies and Travellers.

3. Planning Permission

Use of a site, as a permanent caravan site requires planning permission. Whether or not planning permission will be granted for a particular site will depend on the particular features of the site and the planning policies. **As contained in the Herefordshire Unitary Development Plan.**

4. Toleration of sites without permission

The Council's policy is that they will not tolerate sites without permission, except in very exceptional circumstances and that sites should therefore have permission or be cleared.

This is for the following reasons:

- It is important for both site residents and local residents to have certainty about which sites are tolerated and why so that they can be clear about the future use of the site and any constraints on such use enabling them to plan their lives and the dealings with their homes accordingly.
- Consideration of an application for planning permission gives the local planning authority the opportunity to control development through the imposition of appropriate conditions and to ensure such matters as the protection of the environment, visual amenity and amenity for local residents and highway safety are properly addressed.
- If there is no permission this prevents an assessment being made and then controls being enforced on the number of residents on the site that can appropriately be accommodated on the site without a major adverse effect on the environment, other local residents, traffic safety.
- Enforcement, in the absence of planning permission, results in stress due to uncertainty.
- The Council's experience of sites that have operated in the county without permission is that the numbers living on site have grown, there have been adverse effects from the increased size of the sites in terms of the impact on other residents, the environment.
- The Council, mindful of its duty to the whole community, cannot properly discharge its legal obligations to protect against nuisance to other residents or protect the safety of residents on the site (sometimes including children) under the Caravan Sites Act 1968 unless the site has planning permission. For example, such matters, as drinking water quality, sanitation and fire safety cannot be satisfactorily addressed.

The Council's experience is that the nature of the mobility of occupants of caravans, means that the impact of a caravan site can alter on frequently basis as residents arrive or leave and that more people arrive if toleration occurs, increasing the impact of the site on others and making toleration less acceptable.

5. The Council's Approach to New Sites

When there is reason to believe that there is a new caravan site in use without planning permission the Council's approach is set out below. The aim will be that once the site has been identified and it is clear that it is not going to be removed quickly, steps will be taken to establish the position and decide on appropriate action.

5.1 Non domestic rates

Where there is a site on which residential caravans, tents or other structures and vehicles are being moved around regularly, or where the occupants are transient but the site is permanent the district valuer will treat the site as a business subject to non-domestic rates. The site owner will be contacted and asked for details so that an assessment can be made of rateable value.

A site can be rated regardless of whether or not it has planning permission or a site licence. The rating legislation makes the site owner liable for rates.

Once the site is on the valuation list, future liaison will be with the Council's Revenues Department.

5.2 Applying for Planning Permission and Preparing for Possible Enforcement Action

When the use of a site is identified, the person believed to be the owner will be sent a letter together with a form to apply for planning permission and a requisition notice.

This letter invites the site owner to enter into pre-application discussions about the site whilst also preparing the Council for enforcement action should the need arise. It also provides the owner with the information and forms they need to seek planning permission, should they choose to do so. The letter will make clear that the Council's policy that toleration is only an option in the most exceptional circumstances and set a deadline by which the application should be received after which enforcement action will be considered. It will also make clear that if they think there are exceptional circumstances why the site should be tolerated, they should make these clear.

5.3 Visit to residents

Residents will be visited by planning enforcement officers or gypsy officers. Each person who is resident on the site will be interviewed and letters left for any additional persons who are not present in a plastic bag attached to their caravan or home inviting them to contact the officer concerned.

The person visiting the residents will have the following information with them:

- A form for completion of interview (welfare check form).
- A housing application form.
- A gypsy site pitch application form.

The interviews will be conducted using the form shown in Appendix 3 which will deal with the following issues:

- Their previous accommodation history e.g. addresses or sites occupied previously.
- Their previous history of living, working or attending school in the county.
- Where they could go if they are required to leave.
- Where they work if they or family members are employed or self employed (They will be given a leaflet about the local job centre if interested in finding work).
- Where they or family members receive education if attending an educational establishment (They will be given a contact number for the Education

Department if they have children of school age and asked to agree to the Department having details of their child).

- Whether they would accept housing if required to leave (if so, they will be given a housing application form and also advised of the phone number to contact if they become homeless).
- Whether they have any health needs or any family member has any special needs or disabilities (They will be given the number to contact to obtain a GP and the contact number for the Travellers' health visitor service and asked to agree to information being passed to that service).
- Whether any family member requires assistance from the Council's Social Care department e.g. child in need or adult with physical or mental disability. If so, they will be asked to agree to information being passed to that service.
- Whether they wish to apply for a pitch on a council site (they will be given an application form and advised to return it to the Gypsy service).

The Council's policy of not tolerating caravan sites, except in the most exceptional circumstances, will be explained to them. In particular, it will be explained to them that permission should be obtained for the site it is likely that the site will be removed and the deadline that the owner has been given.

If any resident has difficulty with reading or writing, we will put them in touch with the Travellers Liaison officer to assist them with completing any of the forms.

5.4 After the visit

5.4.1 Contacting other departments and forwarding information

After the visit:

- Any housing application form will be sent to housing to process.
- Any application for a pitch on a council site will be sent to the gypsy service to determine. They will also be asked what alternative sites might be available for use by the residents if required to leave.
- The officer will notify other departments and organisations of the number of residents on site and areas of need e.g. health.
- Specific needs e.g. of a particular child or adult to health services, will be passed to that department where the site resident has agreed.
- Any concerns about health and safety of occupants on site, fire safety or noise nuisance, will be passed to environmental health to investigate.
- Revenues will be notified of the existence of the site so that they can ask the district valuer to assess it for rating purposes.

For this purpose, each department and the health services will have a named contact person who will receive this information.

5.4.2 Assessing the position

If no application for permission has been received by the deadline, the appropriate Planning Officer and Environmental Protection Manager will decide on the appropriate enforcement action in consultation with the Legal Department. They will take account of the following:

- The impact of any enforcement action on the rights of the site residents for respect for their home and family life. Taking into account the availability of places to go, the availability of housing accommodation, gypsy site pitches and the impact on household members eg because of health, education or work.
- The response of the site owner and track record of site owner. His or her history of compliance or lack of compliance and co-operation on planning and site licensing matters. In particular, whether disregard of planning and site licensing requirements are deliberate and flagrant.
- Any complaints received from residents in the area.
- The impact on residents in the area and on the amenity and environment, particularly visual amenity and property values of other properties in the area.
- The impact of the site on other matters, eg access and highway safety.
- The safety of residents on the site and the need for licensing controls to protect residents and others.
- The ability of the Council to control the size and extent of the site and health and safety aspects of licensing if the site is tolerated. This would include consideration of the extent to which a s106 agreement would secure sufficient control
- The need to maintain public confidence in the planning and licensing systems by controlling unauthorised development

6 S 106 agreements

In exceptional circumstances a s106 agreement may be entered into with the site owner to secure the future use of the land. This method might be used to secure some control over a tolerated site where the s106 would contain the limits of the tolerated use.

7 Toleration

This would be highly exceptional. A personal permission avoiding the need for those individuals on site to leave is an option to be considered.

8 Enforcement action

Action considered will include:

- Injunction to have the site removed.

- Injunction against the owner not to permit any additional residents on the site and / or not to allow those leaving to return and no one else to join either indefinitely or pending the determination of a planning application.
- Enforcement notice requiring the site to be removed or numbers limited. Numbers likely to be number of vehicles and structures but in some circumstances a limit on the number of occupants may be appropriate.
- Injunction requiring the use of the site to cease without a caravan site licence.

In cases where there are specific problems with the site such as health and safety concerns or nuisance, the following additional action will be considered:

- Environmental health action e.g. because of noise nuisance or statutory nuisance.
- Action against individuals for public nuisance.
- An Anti Social Behaviour Order against individual residents.

9 Preventing an increase in unauthorised use

Where information is received that the use of an unauthorised site is increasing, the planning department will liaise closely with the legal department. Consideration will be given to obtaining an injunction against the owner not to permit any additional residents to join the site and / or restricting any extension of the site pending determination of any application for permission or conclusion of other enforcement action.

POLICY FOR THE ALLOCATION OF PITCHES ON COUNCIL-OWNED TRAVELLERS' SITES

Background

The purpose of this document is to explain the aims and objectives of Herefordshire Council's policy for the allocation of Pitches on the Council's Travellers' sites.

Policy Aims

Herefordshire Council aims to provide an allocation service that:

- Ensures maximum occupancy of its Travellers' sites.
- Sustains the existing communities living on its sites.
- Allocates Pitches in accordance with a published Allocations Scheme.
- Is sympathetic to the needs of the its users.

To these ends it has set itself the following **objectives**:

1. Service Provision

Herefordshire Council will provide an allocations service that:

- Complies with the requirements of the all-relevant legislation.
- Ensures that there is an element of choice in the allocation of Pitches
- Is of the highest quality.
- Continuously improves.
- Regularly monitors performance against targets.
- Has clear service delivery standards.
- Reviews the implementation of this policy and the service standards in conjunction with service users, other statutory agencies and the Travellers' Liaison Group.
- Complies with the Human Rights Act 2000, the Race Relations Act 1977 and the Race Relations (Amendments) Act 2000.
- Has staff who are competent to the tasks of the service.

The Allocations Service will be expected to operate in accordance with standards, performance targets and local performance indicators.

The service provision will be regularly monitored and independent reviews will be carried out periodically.

2. Partnership Working

Herefordshire Council will work in partnership with other statutory and voluntary agencies to:

- Meet its statutory duties.
- Develop the Gypsy and Travellers' Policy for the county.
- Increase the options available to Travellers.
- Work towards preventing homelessness among Travellers wherever possible.
- Deal promptly with applications from Travellers requiring a Pitch because of domestic violence, harassment and anti-social behaviour.
- Deal promptly with applications resulting from discrimination or harassment, (c.f. Discrimination and Harassment Policy).
- Deal promptly with applicants with special needs.

Partnership working is recognised as a fundamental requirement in dealing with the accommodation needs of gypsies. This policy commits it to developing partnerships jointly with other organisations that are open, honest and equal.

ALLOCATIONS SCHEME FOR COUNCIL-OWNED TRAVELLER SITES

Purpose

This scheme sets out the criteria by which Herefordshire Council allocates Pitch on its traveller sites, both to new applicants and to existing tenants seeking a transfer. This document should be read in conjunction with the Council's Policy for the Allocations of Pitches on Council-owned Traveller Sites.

The scheme aims to allocate Pitches to eligible applicants on the basis of three criteria:

- **Need, as assessed by the allocation of needs points;**
- **Time spent on the waiting list, and;**
- **Whether the applicant is new, or an existing tenant seeking a transfer.**

The Council will also provide transit sites that will be covered by their own allocation scheme.

Eligibility

Eligibility to apply for a Pitch on a council-owned Traveller site (other than transit sites) is restricted to people aged eighteen or over who:

- Are Travellers whose primary residence is the county of Herefordshire.
- Are Travellers who regard Herefordshire as their primary base.
- Are Travellers who have close family living in the county.
- Are Travellers who can demonstrate a need to live in Herefordshire for the following reasons:
 - Employment
 - Education
 - Health (including those who cannot live in fixed housing for health reasons)
 - Caring responsibilities. In exceptional circumstances pitches may be occupied by persons other than family members i.e. spouse or partner of licensee and children with the prior written agreement of the Environmental Protection Manager
- Other special circumstances considered appropriate by the Environmental Protection Manager.

Additionally those who are not eligible to apply are:

- Previous and/or current residents of Herefordshire council-owned sites with records of failing to pay due rent on time.
- Previous and/or current residents of Herefordshire council-owned sites with unsettled overdue rent accounts.
- Previous and/or current residents of Herefordshire council-owned sites with records of behaviour that would lead, or did lead the Council to take possession proceedings against them (e.g. violence against other residents, or council staff, anti-social behaviour, etc.).
- Current residents of Herefordshire council-owned sites who are subject to a Notice of Seeking Possession, a Notice to Quit, or any other possession proceedings.
- The Council is unable under the current legislative regime to accept applications from Travellers subject to controls under immigration or asylum regulations.
- Residents of sites outside Herefordshire who have unacceptable tenancy record or have a history of violence.
- Applications will be accepted from persons who have secured accommodation but it is expected that if a Pitch is awarded that the current accommodation will be relinquished.

All applicants found to be ineligible to make an application will receive an explanation of the decision and are entitled to appeal against that decision to the Head of Environmental Health and Trading Standards within 21 days of notification in person, or in writing. All applicants will be given information about where they can receive independent advice.

The Waiting List

All eligible applications will be entered onto a waiting list that is administered by the Gypsy and Traveller Officer. All Applicants will receive notification when possible that their application has been registered and has been given a serial number.

Successful applicants will be offered a licence to occupy a plot. A breach of the licence conditions may result in termination of the licence.

Attached, as appendix 7 is the procedure that will be followed if such a breach of condition occurs.

New legislation is expected that will mean that the current licence arrangements will have to be replaced. The new arrangements shall be implemented to ensure compliance with legislative requirements



**HEREFORDSHIRE
COUNCIL**

Points Scheme
For Allocation of Pitches
on
Council Gypsy Sites

Applicant: _____

Reference: _____

Date of Review Meeting: _____

Officers Present: _____

Points Scheme

The point's scheme shown in this section is the Herefordshire Council's Gypsy Service scheme.

1. Local connection

	Available points	Total points
Applicants who are living on the roadside, and who have lived in Herefordshire 3 out of the last 5yrs.	150	
Applicants who have lived in Herefordshire for three years out of the last five but not currently living on a Traveller site	100	
Members of the applicant's immediate family who have lived in Herefordshire for at least twelve months prior to the application being made.	75	
Existing licensees who have held a licence with Herefordshire Council for a minimum of two years who wish to transfer to another site.	50	
Existing licensees who wish to take up an additional Pitch on a site.	0	

Use one box only

2. Current Accommodation

	Available points	Total points
Roadside with no facilities	30	
Field or common with no facilities	30	
Private Site (Reference required)	5	
Housing (Reference required)	5	
Council Site (Reference required)	5	

Use one box only

3 Homelessness

	Available points	Total points
Has the applicant submitted a homeless request?	30	
Has the application gone through and homeless status been granted?	50	
Did the applicants intentionally make themselves homeless?	20	

Use one box only

4 Lack of facilities

	Available points	Total points
No water supply	5 points	
No bathroom	5 points	
No W.C.	5 points	
No electricity, mains or generator	5 points	
No laundry facilities	5 points	

Use all appropriate boxes

5 Security of Tenure

	Available points	Total points
Court Eviction Order	50	
Notice of Seeking Possession (NSP), Notice to Quit (NTQ) or other notice of possession proceedings.	40	

Use one box only

6 Welfare Needs

	Priority	Examples	Available points	Total points
Category 1	Where the need is for urgent consideration for applicants personal safety.	Fleeing violence or harassment, or the threat of violence or harassment.	100	
Category 2	Where the need for a Pitch is of a supporting, caring & compassionate nature.	Moving to Herefordshire to receive support or care from family members.	75	
Category 3	Where the need for a Pitch is of a supporting, caring & compassionate nature.	Moving to Herefordshire to provide support or care for family members.	75	
Category 4	Where the need for a Pitch is of a social nature.	Joining family members on one particular site.	50	
Category 5	Where the need for a Pitch is of a less urgent nature.	Returning to Herefordshire to work.	25	
Category 6	Where there is no urgent need for a Pitch.	Applicant moving into Hereford but has no connection with the area.	10	

Use one box only

7 Medical Circumstances

	Priority	Examples	No of persons	Available points	Total Points
Category 1	Where the need is so urgent that the applicant should be considered for the next available Pitch.	Applicant or member of household needs regular outpatient hospital treatment for life threatening complaint.		100	
Category 2	Where the need for a Pitch is urgent.	Applicant or member of household attends regular outpatient hospital or doctor's appointments.		50	
Category 3	Where the need for a Pitch is necessary but of a less urgent nature.	Applicant or member of household needs to live in proximity with doctor's surgery and/or pharmacy.		20	
Category 4		Applicants or member of household contains a pregnant woman.		10	

Use all appropriate boxes

8 Special Family needs

	No of persons	Points per person	Total Points
Applicants' family contains children less than 1 year?		10	
Applicants' family contains persons over the age of 60 years?		10	

Use all appropriate boxes

9 Educational Needs

	No of persons Attending a local school	Points per person	Total Points
Children age 5 - 11 with special educational needs.		20	
Children age 12 - 16 with special educational needs.		20	
Children age 5 - 11		10	
Children age 12 - 16		10	

Use all appropriate boxes

10 Time in Need for accommodation and transfer applicants

Additional points awarded for every 3 months applicant is on waiting list. These are weighted to favour those in greatest need.

Existing need points	Additional time points (per completed 3 months on list)	Total
1 - 25	= 1 additional point	
26 - 50	= 2 additional points	
51 - 75	= 3 additional points	
76 - 100	= 4 additional points	
101 plus	= 5 additional points	

Use one box only

Summary -		
1.	Local connection	
2.	Existing/Previous tenants	
3.	Current Accommodation	
4.	Homelessness	
5.	Lack of facilities	
6.	Security of Tenure	
7.	Welfare Needs	
8.	Medical Circumstances	
9.	Special Family needs	
10.	Educational Needs	
11.	Time in Need	
	TOTAL POINTS	

Offers

As vacancies arise the allocation panel will review the waiting list and make an offer the highest placed applicant who has expressed a preference for the site where the vacancy has occurred. Applicants will be offered an accompanied viewing of the site and will have 14 days within which to accept the offer.

Review

- Periodically the allocation panel will conduct an overall review of the waiting list to ensure that applicants' circumstances have not changed since making their initial application. Where circumstances have changed points awarded will be adjusted. Where an applicant is found to have become ineligible they will be removed from the waiting list. Applicants will be formally notified of any changes and will be able to appeal against any decision to remove applicants' name from the waiting list. Appeals should be made to the Head of Environmental Health and Trading Standards within 21 days of notification in person, or in writing. All applicants will be given information about where they can receive independent advice.

ADVICE NOTE TO PUBLIC AND PRIVATE LANDOWNERS

Gypsies, Travellers and the Law

Everyone has rights, including Gypsies, Travellers and people on whose land unauthorised camping takes place.

Gypsies and Travellers are protected from discrimination by the Race Relations Act 1976, together with all ethnic groups who have a particular culture, language and values, including white and black people.

The aim of this Advice Note is to set out how local authorities and official agencies will work to try and balance the rights of all of those involved.

Here are the answers to some of the most frequently asked questions on the subject:

Q. Why do Gypsies/ Travellers pursue a travelling lifestyle?

A. Their way of life means that they travel the country staying for various periods in different locations in order to earn a living. In most cases it has been a way of life for generations.

Q. Does the Council have a duty to move Gypsies/Travellers when they are camped without the landowner's permission on private land?

A. No. If Travellers are camped on council land, the council can evict them. If they are on private land, usually it is the landowner's responsibility. The Government has advised that when Gypsies/Travellers are not causing a problem, the site may be tolerated.

Q. If Gypsies/Travellers camp on my land what can I do?

- A. (i) Talk to them to see if a leaving date can be agreed.
- (ii) Take proceedings in the County Court under the Civil Procedure Rules, 1998. There must be a minimum of two clear days between service of documents and the Court hearing.
- (iii) The Gypsy and Traveller service may be available to give general advice on an individual basis

Q. What if I decide to let them stay on my land temporarily?

A. Unless you have already obtained planning permission for a caravan site or you are a farmer and they are helping you with fruit picking, etc., then you could be in breach of the Planning Acts. You may wish to seek further advice from the Planning Department of Herefordshire Council.

Q. I have seen Gypsies/Travellers camping on the side of the road and sometimes on parks or other Council-owned land. What can the Council do in these cases?

A. If the Gypsies/Travellers are causing problems they will be moved on as soon as is reasonable (and in accordance with the Council's Policies). The Council will consider each case on its merits. In all cases the site is visited and every effort made to try and make sure that the Gypsies/Travellers keep the site tidy and do not cause public health problems. This sometimes means that refuse collection facilities may be provided for this purpose.

Q. If the Council want to, can they force Gypsies/Travellers to move immediately?

A. No. Because the Council must:

- Be able to show that the Gypsies/Travellers are on land without consent;
- Make enquiries regarding the general health and welfare of the Gypsies/Travellers;
- Go through relevant steps in terms of serving notices and follow due processes in the courts to gain the necessary authority to order the Gypsies/Travellers to leave the site.

Q. Can the Court refuse to grant the Council an order to move the Gypsies/Travellers on?

A. Yes. If there is an unavoidable reason for the Gypsies/Travellers to stay on the site, or if the Court thinks the Council have failed to make adequate enquiries regarding general health and welfare of the Gypsies/Travellers. The Council must try to find out this information before going to Court.

ADVICE TO TRAVELLERS

Code for Travellers in Herefordshire

‘The stay on land will depend on your co-operation:

- Keep groups small. Up to three caravans will normally be acceptable. Slightly larger groups may be OK away from built-up areas.
- Space yourselves out; park away from other groups.
- Look after the land you park on
- Don't cause problems for nearby residents.
- Don't dump or burn rubbish.
- Ask the local Council for black plastic bags for rubbish, which they will then collect from you on a weekly basis.
- The Council may be able to tell you where the nearest supply of water is.
- Park vehicles safely and keep all animals under control.
- Only park on land not needed for another purpose.

Follow the above advice and in most cases, Herefordshire Council will not pursue an immediate order for the eviction . . .’

Unauthorised Traveller Encampment Visit Record

1: Address	
Location of Trespass	
Grid Reference	

2: Date of arrival of Travellers	
---	--

3: Visiting Officer:	
Post held:	
Date of visit	

NB: if no information offered or available, place X in box beneath the appropriate paragraph or sub-paragraph.

4: Family Make up (Complete on additional sheets if required)		
NAME	Date of Birth	STATUS
		Head of family
		Partner
		Son/Daughter
		Son/Daughter
		Son/Daughter
		Son/Daughter
		Son/Daughter
		Son/Daughter
5: Additional Occupants of Site (complete on additional sheets if required)		
NAME	Date of Birth	STATUS

6: Persons over 60 years			
NAME	Date of Birth	STATUS	REMARKS
		Mother	
		Father	
		Relative	

7: Vehicles			
Make	Description		Registration

8: Health including pregnancies and special needs		
Name:	DOB:	Remarks:
Concerns:		
Local Doctor:		
Name:	Address:	
Local Hospital:		
Name:	Address:	
Dates Attended:	Dates of future Appointments:	

9: Education			
a) Request for children to have access to education			
Name		Date of Birth	Parents
b) School enrolled and date			
Name	School	Date	Remarks
(c) Special Needs (School):			
School Name:		School Address:	
Special Needs:			
Date enrolled:			

10: Was any offer made to put Travellers in contact with		
(a)	Health	Yes/No
(b)	Welfare	Yes/No
(c)	Housing organisations	Yes/No
(d)	Education	Yes/No

11: If Yes was this accepted	Yes/No
Details of action taken:	

12: If 'No', is it considered that, nevertheless, such contact is needed?	Yes/No
If 'Yes' give reasons or action taken	
Give details:	

14: Site Information	
(a)	How long do the occupants intend to remain in this location?
(b)	Are there any mechanical problems?
(c)	If so, how long will repairs take?
(d)	What is the purpose of the encampment?
(e)	Any known problems associated with this location?

15: Persons discussions took place with on site	
Name	
Name	
Name	
Name	
16: General Comments	

Print Name & Sign:	
Date:	



**HEREFORDSHIRE COUNCIL
TRAVELLERS' SITE APPLICATION FORM**

Section 1 [Complete all sections]

Personal Details

Applicant

Mr/Mrs/Miss	Forename	Surname	Sex	Date of Birth	NI Number

Joint Applicant (Where appropriate)

Mr/Mrs/Miss	Forename	Surname	Sex	Date of Birth	NI Number

Address

.....

Telephone Number

Family (all those who will be living on Pitch with applicant)

Full Name	Sex	Date of Birth	Relationship to applicant

Section 2

Relationship to Families Currently accommodated on a Herefordshire Council Site

Please indicate family connection (i.e. parent, sister, brother, etc.)

Site Name	Pitch No.	Occupant Name	Relationship

Section 3

Previous Tenancies, Licences, Stopping Places

Please give address/location for the past five years, if roadside please give Village/Town/County.

Location/Address	From	To

Section 4

Previous Local Authority Tenancies

Council	Date	Length of Tenancy	Comments

Section 5

Medical; Special Family; & Educational Needs

YES/NO

If yes, please note any medical special Family & Educational factors (including pregnancies) you feel should be taken into consideration.

Applicant or member of household needs regular outpatient hospital treatment for a life threatening complaint	
Applicant or member of household needs attends regular outpatient hospital or doctors appointments	
Applicant or member of household needs to live in proximity with a doctors surgery and/or pharmacy	
Applicant or member of household is pregnant	
Other reasons (please specify)	
Applicants family contains persons over the age of 60 years	
Applicants family contains children with special educational needs	

Please detail below any Medical; Special Family & Educational Needs you wish to be taken into consideration

Name	Date of Birth	Sex	Details

Current Accommodation

Roadside	Field or Common	Private Site	Housing	Council Site	Other
Current Facilities					
Access to Water	Access to Showers / Washing Facilities	Access to toilet facilities	Access to Electricity (mains or generator)	Access to Laundry Facilities	Other
Please detail current facilities					
Have you received a Court Eviction Order for you current accommodation (please detail below)					Yes / No Please delete if not applicable
Have you received a Notice Seeking Possession, Notice to Quit or other notice of possession proceedings (please detail below)					Yes / No Please delete if not applicable
Reason for Application					
Returning to Herefordshire to Work			Please give example where applicable		
To join family members on a particular site					
To provide support or care to a family member					
To receive support or care from a family member					
For reasons of personal safety					
Other Reasons					

Section 6

Site Requested and Caravan Size

Please indicate site name and address and order of preference (you will not be considered for any site not listed)

Site Name	Area
(a)	
(b)	
(c)	

Caravan Size	Please check if offered a Pitch the Number of caravans that can be accommodated (maximum of two caravans)
(1)	
(2)	

Section 7

Vehicles and Pets

Please Note:

1. The size of Pitch or number of caravans may restrict vehicles allowed on the Pitch (maximum two vehicles)

Number of type of vehicles
(1)
(2)

Pets

2. No animal, other than cats, dogs and caged birds, may be kept on the site without the written approval of the Council. These animals should not be allowed to roam and be restricted to Licensees individual Pitch only.

Any other factors that you wish to be taken into consideration for this application

DECLARATION

I/we certify that the particulars given on this form are true and correct to the best of my knowledge. I/we also understand and agree that the Herefordshire Council may approach any previous landlords to gain tenancy references. I further understand that the completion of this application form in no way gives automatic right to allocation of a Pitch until called forward by the Council's proper Officers.

Signature 1 Date

Signature 2 Date

For office use only

App. Date	
App. No.	

Rev Date	
Rev No	

Pts	
Acc	

Please return this application form to:

**The Gypsy and Traveller Officer
Environmental Health and Trading Standards
PO Box 233
HEREFORD, HR1 2ZF**



Herefordshire Council

TRAVELLER CARAVAN PITCH LICENCE AGREEMENT

I / We

Mr/Mrs/Miss	Forename	Surname	Sex	Date of Birth	NI Number

Joint Applicant (Where appropriate)

Mr/Mrs/Miss	Forename	Surname	Sex	Date of Birth	NI Number

Accept the licence of:

Plot Number _____

Site Address _____

With effect from Monday, _____

At a current rent of £ 48.00 per week, made up as follows:-

Accommodation Charge £ _____

Water Charge £ _____

Total Rent £ _____

- Please note that the rent is payable on a Monday in advance and is reviewed annually in March. Should you believe that you may be entitled to Housing Benefit, you are advised to take this licence to the Housing Benefit Office, Town Hall, Hereford without delay.
- Electricity on the site is provided through a pre-payment meter, cards to operate these meters can be purchased for £5.00 each from the Council Offices, Garrick House, Widemarsh Street, Hereford, or from the Site Officers during their regular scheduled visits.

Any personal information on this Licence Agreement will be held securely by Herefordshire Council. In some cases it may be necessary to share some of this information with other organisations. If this is the case any such sharing of information will be carried out strictly under the terms of the Data Protection Act 1998 and disclosure would be kept to a minimum.

This pitch is provided for the use of yourselves as licensee(s) together with the following persons only:

Family [for the avoidance of doubt this means spouse or partner and children only] (all those who will be living on pitch with applicant)

Full Name	Sex	Date of Birth	Relationship to applicant [see above note]

Caravan Size	If offered a pitch please check the Number of caravans that can be accommodated (maximum of two caravans)
(1)	
(2)	

Vehicles and Pets

Please Note:

- The size of pitch or number of caravans may restrict vehicles allowed on the pitch (maximum two vehicles)

Number and type of vehicles
(1)
(2)

Pets

- No animals, other than cats, dogs and caged birds, may be kept on the site without the written approval of the Council. Dogs should not be allowed to roam and be restricted to Licensees' individual pitch only.

Any other factors that are relevant to this licence

- The rights and duties of both parties are set out in the Terms of Licence for Pitch on a Traveller Caravan Site (attached).
- Please read the agreement carefully.
- If you are joint licensees, the terms 'you' refers to both or each of you.
- Please keep your copy of the Licence Agreement in a safe place.

THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

TERMS OF LICENCE FOR PITCH ON A TRAVELLER CARAVAN SITE

In this set of Terms the following expressions have the following meaning:-

The Council:	means the County of Herefordshire District Council or its successors in title.
Caravan:	includes a mobile home/living van fit and suitable for habitation in present state.
The Site:	means the whole area of land owned by the Council comprising the caravan site to which the licence relates.
The Pitch:	means the Pitch as shown in red on the attached map of the site for an individual Licensee.
The Occupier:	in any term hereunder means the Licensee and all named occupants (in writing) in occupation of their particular pitch as shown on the Traveller Caravan Site Licence Agreement.
His/Her:	word importing any gender shall include every gender.
Motor Vehicle:	car/van excluding motorised mobile home.

1. Before occupying any Pitch the Licensee shall pay a deposit of **£300.00** or such other sums as the Council considers appropriate. The deposit will be refundable upon termination of the Licence by either party less any amount the Council considers is due to them in respect of damage to the site or arrears or any cost arising from any breach of the terms of the Licence by the Licensee.
2. The Licensee agrees to pay the Council a weekly site charge of £42.00 rent & £6.00 water. The Council requires two weeks rent and water to be paid in advance or any such sum as approved and set by the Council. The sum may be varied by the Council at any time by its giving to the Licensee not less than four weeks written notice.
3. The Licence permits the Licensee to place one caravan on the Pitch allocated to him. A second residential caravan may be placed on the Pitch with the written agreement and at the prior discretion of the Council's Site Officers. In no circumstances is the licensee to place more than two caravans on the Pitch. This Licence also permits the Licensee to use the Pitch amenity block, (if provided) and to park no more than two motor vehicles on the Site.

Large goods vehicles or trailers are not permitted on site without the written permission of the Council. Only vehicles capable of negotiating under the entrance barrier are normally permitted with a maximum 3.5 tonnes unladen weight

4. The Occupier shall pay to the Council the above-mentioned weekly sum which will be collected on the designated day in each week and shall produce to the Council Officer the official Payment Card on demand.

Croft Lane	Monday & Thursday
Pembridge	Monday & Thursday
Bosbury	Monday & Friday
Bromyard	Monday & Friday
Watery Lane	Thursday
Grafton	Monday & Thursday

5. The Occupier shall only use the caravan(s) placed on the Pitch for private residential purposes involving occupation by the Licensee and named occupants. The Licensee is not entitled to allow any other person to occupy the Pitch. Lodgers are not permitted.
6. All persons occupying the Pitch must be named in the Traveller Caravan Site Licence Agreement.
7. Before occupation of the Pitch the Licensee must ensure that the electrical system of any caravan brought on to the Site is safe. The Council will not accept liability for any losses arising from the failure of any electrical system or appliance.
8. The Licence shall be a weekly one commencing and terminating at 12 noon on a Monday and may be ended by the Occupier giving not less than 14 days clear notice in writing and by the Council giving not less than 28 days notice in writing. When the Occupier's licence ends he shall at once remove his caravan(s) and belongings from the Site and if he fails so to do the Council may remove them to such a place they think fit and recover the cost from the Licensee. The Council will not be liable for any damage caused to the Occupier's caravan and/or belongings whilst exercising this right.
9. Any notice given by the Council to the Licensee shall be deemed to be duly served on the Licensee if addressed to him/her and left at or affixed to the Caravan or the pitch amenity block. The Licensee shall not alter deface or remove any notice relating to any other plot.
10. Any notice given by the Licensee shall be deemed to be duly served on the Council if sent by first class post or delivered to the Director of Environment, Herefordshire Council, Brockington, Hafod Road, Hereford.
11. This Licence is personal to the Licensee and cannot be transferred.
12. The Occupiers shall permit employees of the Council or its agents at any reasonable time access to the Pitch and the amenity block to examine the condition thereof or undertake work whether at the request of the Licensee or not.
13. The Occupier at all times shall treat Council employees or agents thereof with courtesy and shall behave reasonably at all times. Any incidences of physical or verbal abuse to officers/agents/vehicles or equipment shall give the Council the right to serve notice of termination on the licensee.

14. The Occupiers shall keep the Pitch and the Site in a clean and tidy condition and shall keep any grass on the Pitch allocated to the Licensee short.
15. The Licensee shall be responsible for payment of charges for the use of electricity through a pre-payment meter installed in the amenity block or adjacent to the Pitch. No extensions of electrical wiring or alteration thereto may at any time be made except by prior arrangement with the Council and the approval of the electricity supply provider. No electrical connections are permitted under any circumstances between Caravans either in separate pitches or off the Site.
16. The Occupier shall respect the rights and privacy of other Occupiers and the Occupiers shall not do, or permit to be done anything in or upon the Pitch, their Caravans(s) or Site, which may be, or may become a nuisance or annoyance to other Licensees. The Occupier shall not do or permit to be done anything in or upon the Pitch, the Caravans(s) or Caravan Site, which may be, or may become a nuisance or annoyance to adjoining owners or occupiers of premises in the vicinity of the Site, **in particular no resident shall threaten or use violence.**
17. The Occupier shall not, without the consent in writing of the Council, erect any structure on the Site or any annexe or extension to their Caravan(s) but may install a television or wireless aerial of a height and position agreed in writing by the Council.
18. The Occupier shall not erect any fence, gate or other means of enclosure without the written permission of the Council.
19. The Occupier shall use refuse sacks. Sacks in use shall at all times be kept in the holder/bin provided. Full sacks shall be removed from the bin holder properly tied down and placed in the designated place ready for collection.
20. The Occupier shall not cut, lop or damage any tree, shrub or hedge growing on or over the site.
21. All persons using the Site must comply with any reasonable request made by the Council Officers and/or its agents.
22. Caravans and their contents are brought onto, left on or removed from the Site at the owner's risk and any person using the Site or visiting any buildings thereon do so at their own risk. Subject to statute law the Council accepts no liability for damage, loss or inconvenience suffered which in any way arises from the use or occupation of the Site by anyone.
23. **Accidental damage.**
The Licensee will be responsible for any accidental damage however caused to their Pitch, its grounds, buildings, fencing and utilities being the property of the Council.

Any items or equipment damaged must be rectified to its original condition at the expense of the Licensee. Such damage will be properly rectified at the first available opportunity and immediately in circumstances contravening general or specific Health & Safety regulations at that time being in force.

Criminal or non-accidental damage.
It is the responsibility of the Licensee to prevent as far as reasonably practicable any act(s) of criminal damage being caused to the Council's property or their Pitch. The Licensee must report any such damage to the Council's Traveller's Officer immediately upon its discovery. It will also be the Occupier's responsibility to report any such damage to the Police immediately upon its discovery. Failure to do so will render the Licensee liable for any such damage.
24. No scrap or other waste material shall be kept on the Site other than that loaded onto the Occupier's motor vehicle.
25. No animals other than one cat, one dog and one caged bird may be kept by the Licensee, any other animal(s) shall not be allowed on the Site without written permission from the Council.

Any animal so allowed shall at all times be kept under proper control and not permitted to cause nuisance or danger to any other person nor damage the Site or grounds. Dogs must not roam unsupervised on the Site. The Licensee shall be responsible for removing from the Site and properly disposing of any excreta deposited by their animals.
26. The carrying of or use of any airgun, shotgun or firearms of any description including weapons of offence is strictly prohibited on the Site.
27. Car breaking or similar work shall not be carried out on the Site, such work is strictly prohibited.
28. The Occupier shall not cause or permit any open fires to be lit on their Pitch, or within any other area of the Site, without the written permission of the Council.
29. Where outside fire taps are provided by the Council the Licensee shall provide and maintain a tap hose in good condition for effective use in the case of emergency. Occupiers shall provide their own fire extinguishers and fire alarms which, must be properly maintained at all times to the Council's satisfaction.
30. Only two gas containers are allowed on a Pitch at any time and must be for the Occupiers personal use. All containers must be kept in the open air.
31. The Licensee will at all times keep the Caravan(s) on their Pitch in a sound state of repair.
32. All vehicles parked on the Site must be kept in working order.
33. The Licensee is responsible for the internal redecoration of the Pitch amenity block if provided.

34. Nothing in this Licence shall be construed as giving the Licensee exclusive possession of the Pitch on which the Caravan(s) are stationed or the amenity block or any other part of the Site or as creating a tenancy or secure tenancy between the Council and the Licensee.
35. The use of equipment for generating electricity on the Site is prohibited, except in the case of emergency. In an emergency permission must be obtained from the Council.
36. In the interest of accident prevention and pedestrian safety, no vehicle should be driven in excess of 5 m.p.h. on the Site or its access roads.
37. The Council reserves the right to vary, alter or extend the above conditions with 28 days notice.
38. No businesses shall be conducted from the Site without the written approval of the Council and such permission may be subject to conditions.
39. Rent arrears outstanding for more than four consecutive weeks may cause termination of the Licence Agreement and lead to proceedings being taken by the Council for eviction of the Occupier from the Site.
40. The licensee shall ensure that any absence of 13 weeks or more shall be notified to the Council in writing, where possible on the appropriate form. Where a Licensee is already absent from a Site and subsequently extended to 13 weeks or more they shall notify the Council without fail of this fact.

By signing, you and the Council accept the terms and conditions of this agreement and agree to comply with them.

Declaration

I agree to abide by all the above conditions outlined above and if I fail to honour any of these obligations I understand that the County of Herefordshire District Council have the unreserved right to terminate this Licence Agreement by serving upon me a termination notice. If such a notice of termination is issued upon me or if I am evicted from the Site by a Court Order I shall not be able to apply for a further Pitch Licence within the said County of Hereford for a minimum period of 12 months from the date of my eviction or service of the notice (whichever the later).

Acceptance of an application will be at the complete discretion of the Council.

Signed by Licensee	Dated
Name of Licensee	
Signed on behalf of the Council	Dated
Name of Officer	
Post Held	

- Copy to be retained by the Licensee
- Copy to be retained by the Council

APPLICATION FOR SECOND CARAVAN ON RESIDENTIAL PITCH

Name:

Pitch Number:

Site:

Details of Caravan

Make:

Colour and year (if known)

Capacity: persons

1. I/we confirm that the above caravan is owned by me/us.
2. I/we confirm that the caravan will be used for residential purposes only.
3. I/we confirm that the caravan will only be used by the Applicant(s) and/or their immediate family (ie. Spouse or Partner and Children) who are identified on the site license
4. I/we undertake to notify the Council as soon as possible as to the details of any change of immediate family who are using the caravan.
5. I/we understand that the caravan is permitted entirely at the Council's discretion and I/we undertake to comply promptly with any request to remove the caravan made by the Council.

Signed:

Dated:

SITE LICENCE CONDITIONS FOR PRIVATELY OWNED AND OPERATED TRAVELLER SITES

TRANSIT SITES

(All Travellers)

1. FIRE PROTECTION

NOTE: The Fire Prevention Officer should be consulted if a specific site is identified. The latest advice from the Fire Authority suggest that fire precaution measures should reflect the needs identified by risk assessment.

- i) FIRE POINT - Shall be located within 90 m of any caravan. Clearly marked 'FIRE POINT' and easily accessible. Suitable fire fighting equipment shall be provided at each fire point with a suitable means of raising the alarm in case of fire.

Clearly written/illustrated notices should be provided giving advice on what action should be taken in the case of a fire.

Travellers should be encouraged to carry adequate fire fighting equipment (2.5 kg dry powder extinguisher or fire blanket) and have smoke alarms

N.B. depending on circumstances fire protection requirements may lie within the remit of the fire service and not form part of the site licence.

Desirable		
ii)	FIRE SAFETY LEAFLETS	- It is recommended (and <u>not</u> a requirement) that, <i>Hereford and Worcester Fire and Rescue Authority 'Fire Safety for Travellers' leaflets are made available to all travellers.</i>
iii)	SEPARATION	- The design of the site should be such as to encourage adequate separation between caravans, hedgerows/boundary fences and other buildings. A minimum separation of 3metres should be provided between caravans and other buildings.
iv)	COMBUSTIBLE MATERIALS	- The site should be kept free from accumulations of combustible materials. Grass and vegetation should be cut at regular intervals where necessary to prevent it becoming a fire or safety hazard. Any such cuttings should be removed from the vicinity of the caravans

- v) **GAS BOTTLES** When not in use Liquefied Petroleum Gas (LPG) bottles shall not be stored or allowed to accumulate on the site unless a secure compound approved by Herefordshire Council is provided. Suitable arrangements shall be made for the disposal of used gas bottles off the site.

N.B Travellers should be encouraged to carry adequate fire fighting equipment (2.5 kg dry powder extinguisher or fire blanket) and have smoke alarms. This would prove unenforceable as a requirement particularly for Transit sites.

2. HEALTH & SAFETY

- i) **ELECTRICAL SAFETY** Any electrical installation provided to the site should comply with IEE Regulations and be periodically tested and inspected by a competent person.
- ii) **HARD STANDINGS** Each caravan shall be sited on a hard ground level standing which is firm and safe in poor weather conditions.

3. WATER SUPPLY

A standpipe with a constant supply of wholesome drinking water shall be available. No caravan should be more than 90 metres from a drinking water standpipe.

4. SANITATION/WASHING

- i) **CHEMICAL TOILETS** - A suitable disposal point shall be provided for the contents of chemical toilets together with a water supply for cleansing containers. The water supply provided to this disposal point must be separate from the drinking water supply point and shall be clearly marked 'CHEMICAL TOILET DISPOSAL – NOT DRINKING WATER'.
- ii) **TOILET FACILITIES** - A toilet and wash hand basin with hot and cold water shall be provided in a suitable enclosure at the following ratio:
Up to 10 pitches : One unisex toilet.
More than 10 but is less than 30 pitches : 1 toilet and urinal for men and 2 toilets for women.
Each enclosure should be designed to be

- iii) DRAINAGE
- vandal proof and provision made for regular cleansing.
Satisfactory provision shall be made for the disposal of foul drainage

5. REFUSE

There shall be adequate provision for the storage, collection and disposal of refuse.

Desirable

6. WORK/FACILITIES

It is recommended (and not a requirement) that a hard standing should be provided for the repair of vehicles etc. This area need not be adjacent to the caravans.

7. HEALTH CARE

Advice should be given on the availability of local health care, doctors, dentist, chemist etc. A formal agreement with the Health Authority may be required.

8. RECREATIONAL AREAS

Areas should be available for recreational purposes including children's play areas.

Indoor recreational areas to be used for crèches, meeting room etc.

The provision of electricity supplies to the site for those wishing to use it.

PERMANENT

(All Travellers)

1. FIRE PROTECTION

NOTE: The Fire Prevention Officer should be consulted if a specific site is identified. The latest advice from the Fire Authority suggest that fire precaution measures should reflect the needs identified by risk assessment.

- i) FIRE POINT - Shall be located within 30 m of any caravan. They should be housed in a weatherproof structure, easily accessible and clearly and conspicuously marked '**FIRE POINT**'. Suitable fire fighting equipment shall be provided at each fire point with a suitable means of raising the alarm in case of fire.

Clearly written/illustrated notices should be provided giving advice on what action should be taken in the case of a fire.

Travellers should be encouraged to carry adequate fire fighting equipment (2.5 kg dry powder extinguisher or fire blanket) and have smoke alarms fitted. If this can be imposed through licence agreement then consideration may be given to dispensing with the need for fire points.

Note: Consideration should be given to ensuring that all caravans carry adequate fire fighting equipment (2.5 kg dry powder extinguisher or fire blanket) and have smoke alarm fitted. If this can be imposed through licence agreement then consideration may be given to dispensing with the need for fire points.

N.B. depending on circumstances fire protection requirements may lie within the remit of the fire service and not form part of the site licence.

Desirable

- ii) FIRE SAFETY LEAFLETS - It is recommended (and not a requirement that *Hereford and Worcester Fire and Rescue Authority* 'Fire Safety for Travellers' leaflets should be made available to all travellers)

- iii) TELEPHONE - Should be made available on the site for calling emergency services.

- iv) SEPARATION - The design of the site should be such as to

encourage adequate separation between caravans, hedgerows and other building (6m – 3m between family units). It may be appropriate in some instances to increase the separation to a 10 m distance.

- v) COMBUSTIBLE MATERIALS - The site should as far as reasonably possible be kept free from accumulations of combustible materials. Grass and vegetation should be cut at regular intervals where necessary to prevent it becoming a fire or safety hazard. Any such cuttings should be removed from the vicinity of the caravans..

- vi) GAS BOTTLES
When not in use Liquefied Petroleum Gas (LPG) bottles shall not be stored or allowed to accumulate on the site unless a secure compound approved by Herefordshire Council is provided. Suitable arrangements shall be made for the disposal of used gas bottles off the site.

2. HEALTH & SAFETY

- i) ELECTRICITY
Electrical installations on the site should comply with IEE Regulations and be periodically tested by a competent person
- ii) HARD STANDINGS
Each caravan shall be sited on a hard ground level standing which is firm and safe in poor weather conditions.
- iii) LIGHTING
A suitable level of lighting shall be provided to roadways, footpaths and utility buildings
- iv) ROADS
All roadways shall be constructed of a hard, level surface and maintained in a good state of repair so as to permit vehicular access. Roads should not be less than 3 metres wide with at least 3.7 metres clearance to allow access for fire appliances. No Pitch shall be more than 50 metres from a road and each Pitch shall be connected to a road by a footpath with a hard surface not less than 0.75 metres wide.
- v) Footpaths - Suitably surfaced footpaths should be provided to provide access between the roadway, car parking areas, and utility rooms etc.

3. WATER SUPPLY

A constant supply of wholesome drinking water shall be available to all caravans on the site. It is recommended that drinking water is supplied to each Pitch, however it is a minimum requirement that no caravan be more than 50 metres from a drinking water standpipe. The supply shall be fitted with a tap and suitably mounted to prevent contamination.

Desirable

Drinking water supply to each Pitch.

4. SANITATION/WASHING FACILITIES

- i) CHEMICAL TOILETS - A suitable disposal point shall be provided for the contents of chemical toilets together with a water supply for cleansing containers. The water supply provided to this disposal point must be separate from the drinking water supply point and shall be clearly marked 'CHEMICAL TOILET DISPOSAL – NOT DRINKING WATER'.

- ii) TOILET & WASHING FACILITIES - Toilet, washing laundry and dish washing facilities must be provided. It is recommended that every Pitch is provided with its own utility building housing WC, washing, dish washing and laundry facilities, however it is a minimum requirement that communal facilities are provided as follows:-
Men – 1 WC + 1 urinal per 15 caravans.
Women – 2 WCs per 15 caravans.
1 wash basin for every WC (with hot and cold water).
1 shower or bath for each sex for every 20 caravans.
Dish washing and laundry facilities.

Desirable

Utility building with the above facilities at every Pitch.

5. REFUSE

Provision should be made for a proper disposal point for rubbish with regular collection.

6. WORK/FACILITIES

- i) PITCH SIZE - each Pitch should be of sufficient size to allow for at least 2 caravans

Essential

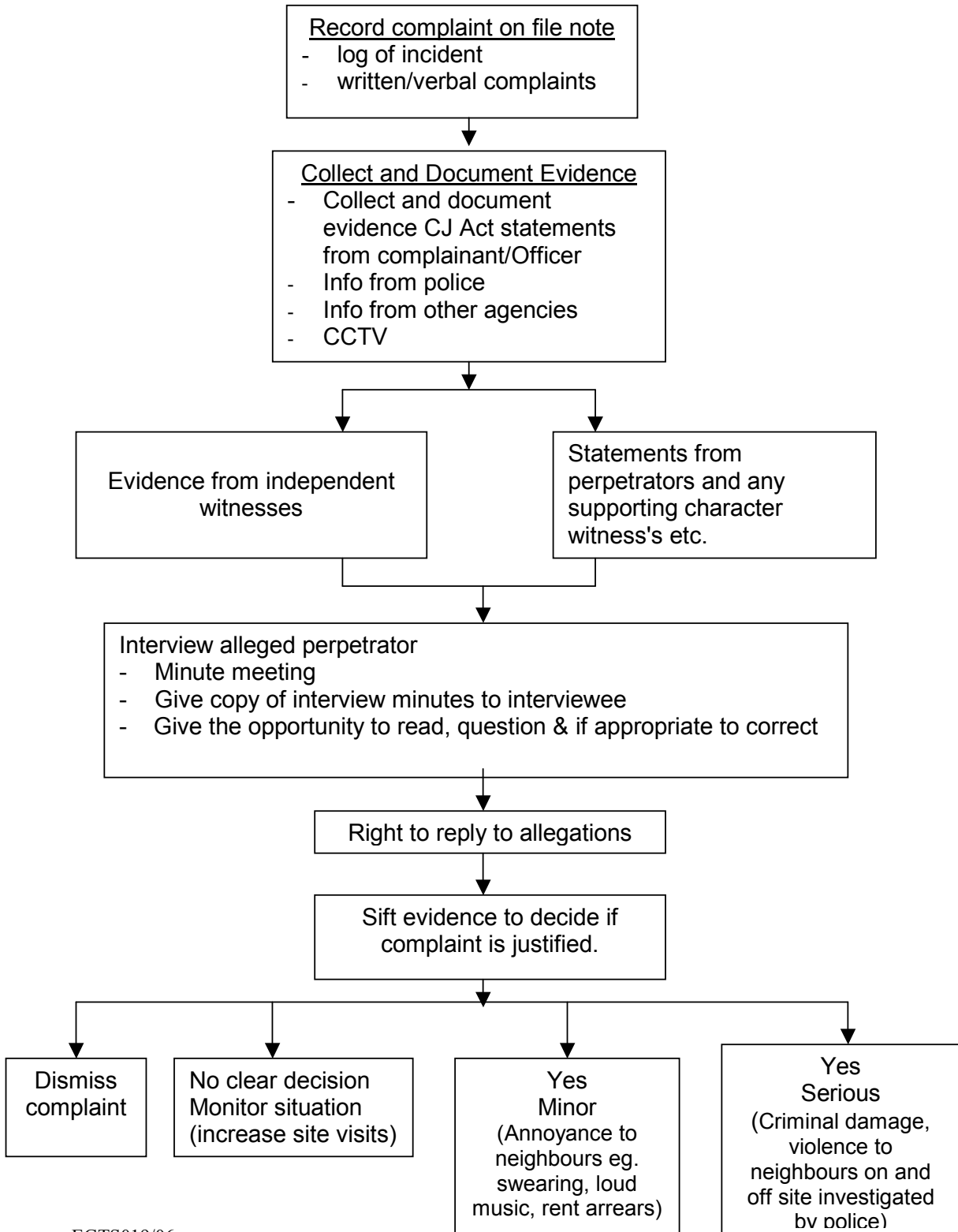
- v) RECREATIONAL AREAS - Areas should be available for recreational purposes including childrens play areas.
- iii) ADDITIONAL FACILITIES *It is recommended (but not a requirement) that the following additional work area/facilities are provided:*
- a) Areas should be made available for work purposes.
 - b) Hard standings should be provided for the repair of vehicles.
 - c) Grassed areas should be available for the erection of tents/benders etc.
 - d) Areas separate from the residential element should be made available for the grazing of horses etc.
 - e) Indoor recreational areas to be used for crèches, meeting room etc.
 - f) The provision of electricity supplies to the site for those wishing to use it.

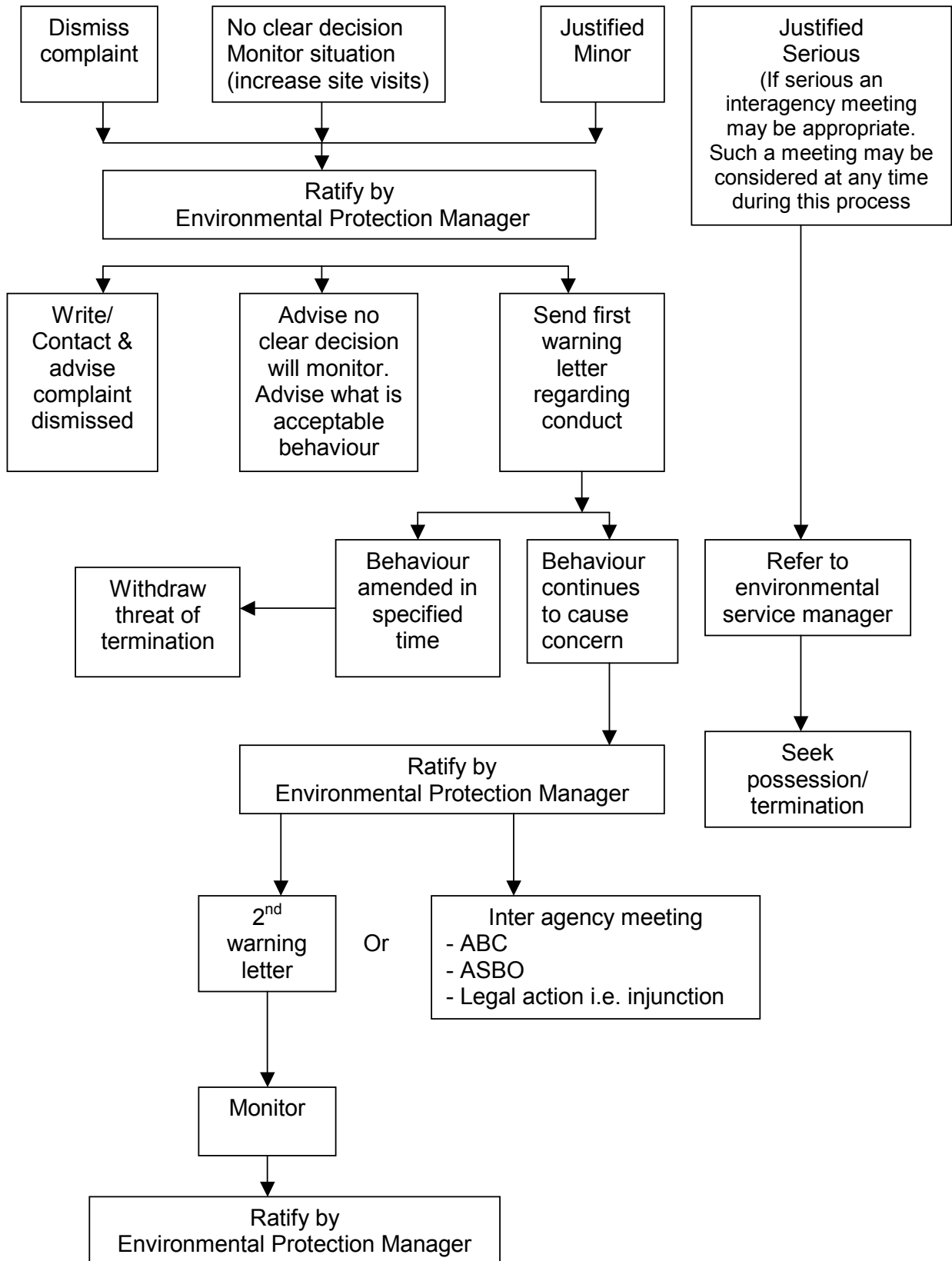
7. HEALTH CARE Desirable

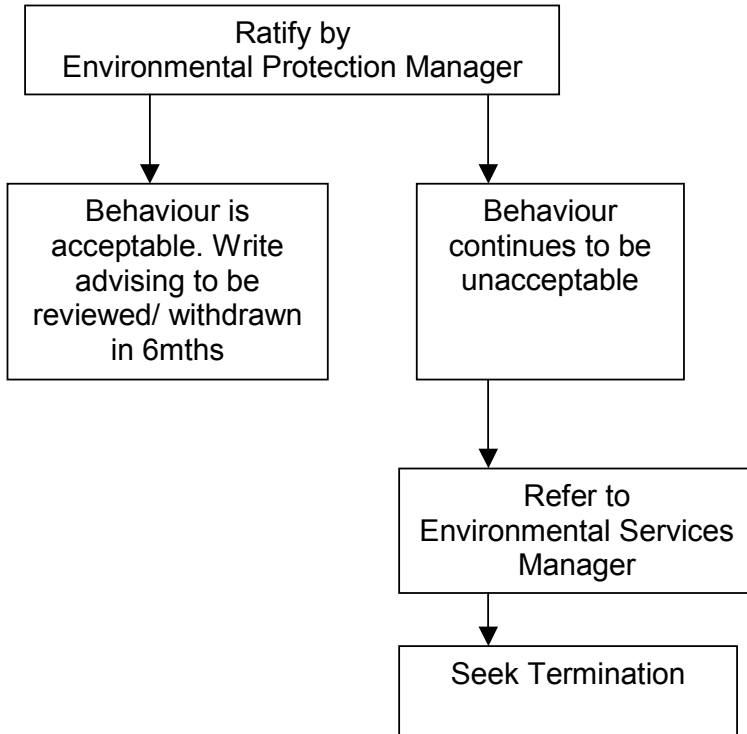
Advice should be given on the availability of local health care, doctors, dentist, chemist etc. A formal agreement with the Health Authority may be required.

PROCESS FOR INVESTIGATING BREACH OF LICENCE

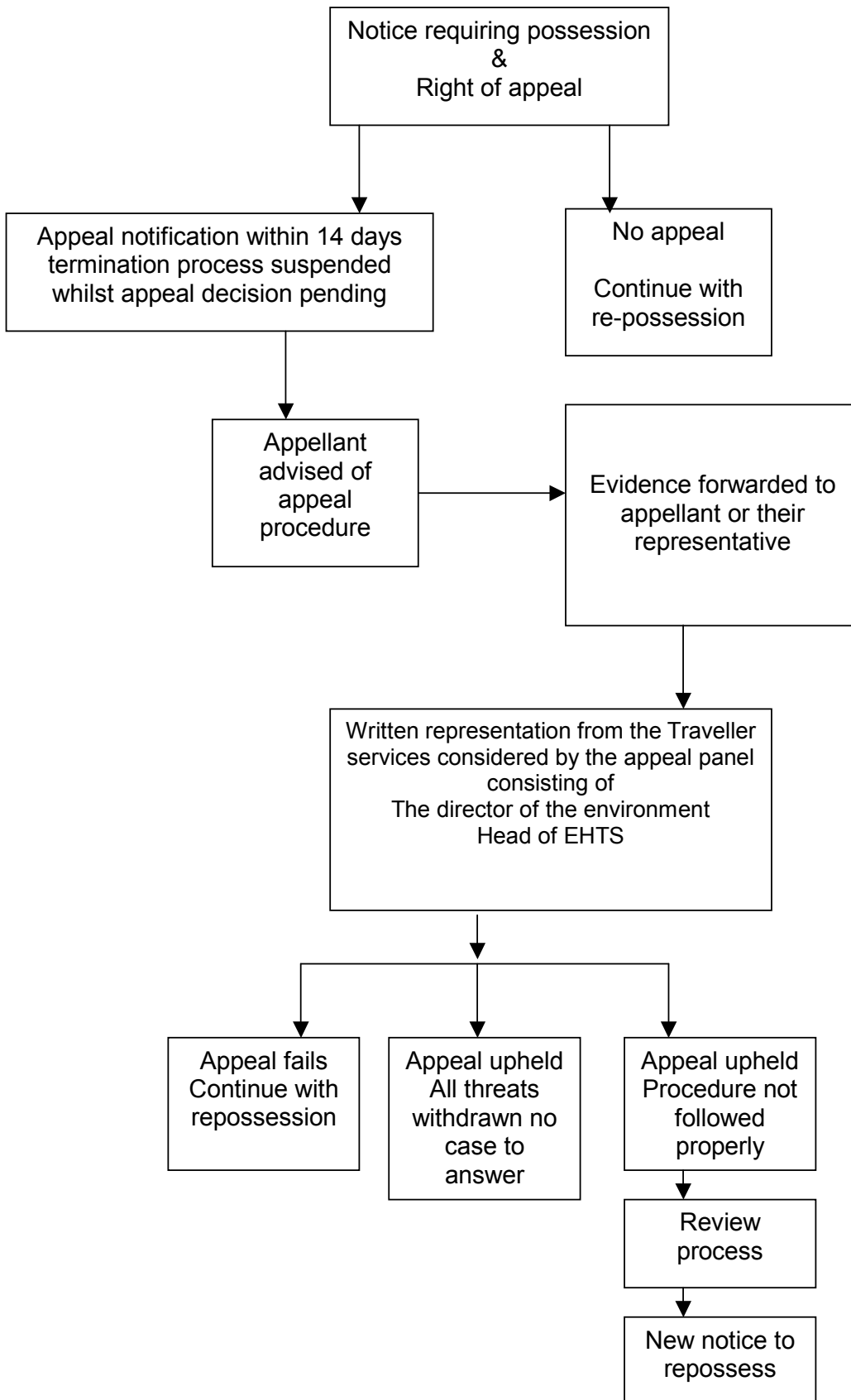
COMPLAINT REGARDING/ OBSERVED BREACH OF LICENCE







APPEAL PROCESS



**THE COMMERCIAL VEHICLES AND TRAILERS PERMIT
SCHEME FOR HOUSEHOLD WASTE SITES**

**Report By: Head of Environmental Health and Trading
Standards**

Wards Affected

County-wide

Purpose

1. To report the current arrangements of the Commercial Vehicles and Trailers Permit Scheme for Household Waste Sites.

Financial Implications

2. The Financial Implications are detailed in the main text of the report.

Background

3. Following questions at the Environment Scrutiny Committee concerning the introduction of the Trailer and Commercial Vehicle Permit Scheme at Household Waste Sites, this report has been prepared to outline the issues that have arisen since the introduction of the scheme, with particular reference to fly-tipping.
4. The principle of the scheme is to stop the illegal use of the Household Waste Sites by businesses. The Household Waste Sites are licensed to handle only household waste and cannot legally accept commercial waste. There has been considerable evidence that businesses have been using the Household Waste Sites to dispose of their waste, thereby escaping the costs they are required to pay to dispose of their own waste. The impact of this is that Council Tax Payers are subsidising businesses waste disposal costs.

Savings and Household Waste Site Tonnages

5. Appendix 1 to this report outlines the impact of the Trailer and Commercial Vehicle Permit Scheme on the Tonnages of waste handled by through the Household Waste Sites, across both Herefordshire and Worcestershire.
6. Since the scheme was introduced there has been an overall reduction in waste of 12% across all of the Household Waste Sites in the two Counties. Whilst overall reductions across the two Counties are slightly higher this is due to a "Residents Scheme" being introduced in Bromsgrove, the combination of the Residents Scheme and the Trailer and Commercial Vehicle Permit Scheme have reduced the waste tonnages at this site by 50% as this now effectively stops residents from Birmingham City Council's area using the site.
7. The scheme has undoubtedly led to savings for the two authorities. As detailed in Appendix 1 the savings for 2007/08 are estimated to be some £871,000, whilst the costs of the scheme are estimated to be £240,000. This makes a net saving of

Further information on the subject of this report is available from Andrew Tector.

Head of Environmental health and Trading Standards

Tel 01432 26(1989)

£631,000. Herefordshire's Contract payments are based on 25% of the overall contract payment; therefore our net saving through the scheme is £157,750.

Fly tipping

8. It has been alleged that fly tipping has increased as a consequence of the introduction of the Trailer and Commercial Vehicle Permit Scheme. There is evidence to support this assertion but some care needs to be exercised in assessing the scale of the problem.
9. The Council, along with all local authorities record fly tipping through a national database run by the Environment Agency, called Flycapture. In April 2007 the Service became aware that it was underreporting fly tipping incidents because of confusion over the definition of what is a recordable fly tip incident. This was rectified in April 2007 and this means that we effectively increased the number of recordable fly tip incidents by 100%. This means without any increase in the number of fly tip incidents we will have doubled the number of incidents we record. The underlying trend appears to have been an increase of around 57%. This figure would seem to be high as the authorities in Worcestershire have reported only a minimal increase in fly tipping for the same period.
10. The figures also show a split between the origin of fly tips, that is whether the Council assesses them to have been domestic or commercial origin. This data has shown that there was an increase in domestic fly tips from April to August 2007 and since August there has been an overall decline in domestic waste being fly tipped. Interestingly the highest level of domestic waste fly tipping occurred in August 2007 when, due to flooding, the Trailer and Commercial Vehicle Permit Scheme was suspended.
11. The statistics for commercial fly tipping show an ongoing increase with the highest levels being recorded in November 2007.
12. The overall costs to the service of clearing fly tips stands at an estimated level of £22,500 (based on expenditure up to November 2007) for the financial year 2007/08. (The final figure may well exceed this because of a large commercial fly tip in late November of hundreds of tyres and lpg cylinders – this incident is the largest fly tip in the County for a number of years and is completely unrelated to the permit scheme on Household Waste Sites.) Using the £22,500 figure as the cost of clearing all fly tips the increased levels this year are costing about an extra £9,000. This extra cost, when set against the savings of the Permit Scheme means the Council are saving in the order of £148,000 this year on the introduction of the scheme.
13. In addition to these savings there are a number of other issues that need to be taken into account. The reduction in tonnages will undoubtedly improve our strategic objective in reducing the municipal waste the Council collects and disposes of. This, in addition, reduces our need to trade Landfill Allowances, helping us to meet targets for the Diversion of Bio-degradable Waste. The Council is now also far more active in taking formal action over fly tips. In 2006/07 the Service undertook one formal action, in 2007/08 formal action has been instituted 45 times, up to November. Where evidence is found, formal investigations are undertaken and legal action is undertaken, this action includes seeking payment from fly tippers to pay for the costs of any clean up operations. In addition the Council's web pages on fly tipping have been updated and improved.

Further information on the subject of this report is available from Andrew Tector.

Head of Environmental health and Trading Standards

Tel 01432 26(1989)

RECOMMENDATION

THAT the report be noted.

BACKGROUND PAPERS

- None identified.

Further information on the subject of this report is available from Andrew Tector.
Head of Environmental health and Trading Standards
Tel 01432 26(1989)

Household Waste Sites Commercial Vehicle and Trailer Permit Scheme Herefordshire and Worcestershire

Key Points

Permits

- Since the scheme started we have issued permits to almost 20,000 applicants.
- 90% of these have been standard 4 or 8 permit issues.
- Only 10% of all issued permits have been emergency permits. This rate has been decreasing from 700 per week at the start of the scheme to less than 300 in September.
- The number of 1st applications issued has reduced from 500 per week to less than 200 per week
- Renewal permits have been increasing from 100 per week to 130 per week.
- 10% of all applicants have applied for second applications, and less than 1% have applied for third application.

Marketing

- The number of CVT Permit enquiry calls received has decreased from 1539 in April (at the introduction of the scheme) to just 217 during September.
- The majority of callers heard about the scheme either via word of mouth (42%) or directly from a visit to the HWS(30%).
- The most effective of the published marketing methods was the newspaper adverts followed by the website.
- The radio advert was the least cited method of hearing about the scheme.

Usage on site

- On average 17 permits are used each day on each site.
- The most permits are used at Rotherwas, Leominster, Hill & Moor and Malvern.
- On surveyed sites the percentage of commercial vehicles & trailers has decreased

Vehicle Type

- Commercial vehicles account for 53% of all applications and trailers 42%. The remaining 3% is hired vehicles.
- The most popular commercial vehicles to apply for CVT permits are as follows:
 - Ford Transit
 - Mitsubishi L200 pickup
 - Volkswagen Transporter

- The most popular vehicles and trailers to apply for CVT permits are as follows:
 - Landrover Discovery
 - Ford Mondeo
 - Vauxhall Astra
- Pick-ups (all types) make up 9.6% of all applications.
- Landrovers (all types) make up 2.6% of all applications..

Waste Tonnages (May – Oct 2007)

- Since the Residents Permit scheme started there has been a reduction in material accepted into the Quantry Lane HWS by 50%, and a reduction at Redditch HWS by 11%.
- At all the HWS in Herefordshire and Worcestershire there has been a reduction in tonnage accepted by 15%.
- Excluding the high tonnage reduction at Redditch and Quantry, there has been a total reduction in waste accepted by all other sites by 12%.

- This reduction equates to over 7446 tonnes of waste.
- This has had a cost saving to the council of £499,826.
- The estimated saving to the council for the financial year 2007-8 is £871,000
- The total cost to administer the scheme until March 2008 has been £240,000

REVIEW OF HOUSEHOLD WASTE RECYCLING IN HEREFORDSHIRE: EXECUTIVE RESPONSE TO SCRUTINY REVIEW

**Report By: Head of Environmental Health and Trading
Standards**

Wards Affected

County-wide

Purpose

1. To report the current position regarding the Review of Household Waste Recycling in Herefordshire and the Executive response to the Scrutiny Review.

Financial Implications

2. None.

Background

3. Since the review was completed and reported to Committee on 9 November 2007 and subsequently passed to the Cabinet Member (Environment & Strategic Housing), there have been some fundamental changes to the strategic views on waste collection. At this stage the Cabinet Member (Environment & Strategic Housing) wishes to thank the review group for their work and advise the group that elements will be taken forward under the revised thinking. The Cabinet Member would also remind members that a seminar will be held on further issues relating to waste disposal and collection in the near future.

RECOMMENDATION

THAT the report be noted

BACKGROUND PAPERS

- None identified.

CAPITAL BUDGET MONITORING

Report By: DIRECTOR OF ENVIRONMENT

Purpose

1. To advise Members on the progress of the 2007/08 Capital Programme for Environment within the overall context of the Herefordshire Council Capital Programme.

Financial Implications

2. Capital Budgets for the Environment Programme Areas for 2007/08 are shown in Appendix 1, on an individual basis, with funding arrangements indicated in overall terms.
3. The total of the Capital Programme has been decreased to £27,586,000 from £28,931,000 notified to the previous meeting (see Appendix 1). This is a net reduction of £1,345,000 and relates to:
 - An increase of £87,000 in estimated costs of the Rotherwas Access Road project, based on the latest grant claim projections;
 - A transfer to 2008/09 Capital Programme of £60,000 in relation to the City Centre Enhancements project. This relates to repaving work in Widemarsh Street, Hereford;
 - A transfer to 2008/09 Capital Programme of £1,348,000 in relation to Hereford Crematorium. As the contract of works was only signed off in January, major costs will be incurred in 2008/09;
 - An increase of £95,000 to Public Toilets reflecting the completion of schemes by 31st March 2008, such as St. Martins Hereford.
 - The transfer of £9,000 to Property Services in relation to final works at Pembridge Travellers site final costs;
 - A net reduction in budget of £117,000 relating to the transfer of unspent 2006/07 Waste Performance and Efficiency Grant into 2008/09;
 - A net increase of £2,000 in funding through section 106 agreements in relation to the Asda site and Hereford Sixth Form Parking;
 - An additional budget of £23,000 for LPSA Streetscene funding in relation to unspent Grant in 2006/07 which should be spent before the end of the current year;
 - The transfer of the Strangford Closed Landfill Site project, budgeted costs £18,000, to take place in 08/09.

Considerations

4. The report has been largely based on the latest round of capital monitoring, which involved an examination of all schemes at the end of January 2008. Care is being taken to ensure the forecast spend accurately reflects the expected spend in 2007/08. The Environment General Capital Working Group is keeping the overall spending position under careful review.
5. The total spent or committed to 31st January 2008 is £20.7 million or 74.9% of the Revised Forecast. The actual amount spent is £14.7 million.

RECOMMENDATION

THAT the report be noted.

BACKGROUND PAPERS

- None identified.

Environment Capital Programme 2007-08

Scheme	Budget 2007-08	Revised Forecast as at 31st January 2008	Change in Forecast	Spend/Known Commitments at 31st January 2008	% Spent/ Committed
	£000	£000	£000	£000	%
Hereford Integrated Transport Strategy					
Walking and Access					
Pedestrian Route & Disabled Access Imps	75	75		72	96.0%
City Centre Pedestrian Enhancement	100	50	(50)	32	64.0%
Cycling					
Cycle Network Development	200	150	(50)	101	67.3%
Public Transport Minor Schemes					
Rail Improvements	25	25		9	36.0%
Accessible Bus Network	45	85	40	58	68.2%
Park and Ride					
Christmas Park and Ride	20	16	(4)	15	93.8%
Park & Ride Permanent Site Development	500	95	(405)	46	48.4%
Rotherwas Access Road					
Rotherwas Access Road	8,100	7,459	(641)	7,779	104.3%
Hfd Intelligent Transport System	25	20	(5)	4	20.0%
Rural Areas & Market Towns Integrated Transport Strategy					
Walking and Access					
Pedestrian and Disabled Access Imps	20	20		19	95.0%
Rural Footway Improvements	60	45	(15)	14	31.1%
Cycling					
Network of Cycle Routes and Pkg	200	200		174	87.0%
Public Transport Minor Schemes					
Rural Rail Imps	75	15	(60)	17	113.3%
Public Transport Minor Improvements	55	55		44	80.0%
HGV Projects	50	50		(18)	(36.0%)
Travel Awareness Campaign	35	35		33	94.3%
Accessibility Partnership Development	30	30		30	100.0%
Public Rights of Way Access Imps	25	25		9	36.0%
Countrywide Safety Strategy					
Hearts and Minds					
School Travel Plan Support	25	25		25	100.0%
Minor Safety Schemes					
Minor Safety Improvements	300	400	100	372	93.0%
Traffic Calming					
Traffic Calming	220	130	(90)	105	80.8%
SRTS (Including 20mph zones)					
SRTS (Inc. 20 mph zones)	380	300	(80)	281	93.7%
Speed Control					
Speed limit reductions & signage	60	105	45	83	79.0%
Monitoring					
Monitoring (data collection)	40	48	8	47	97.9%
Highways Maintenance					
Capitalised Maintenance of Principal Roads	1,867	1,867		1,640	87.8%
Capitalised Maintenance of Non-Principal Roads	3,550	3,996	446	3,196	80.0%
Footways - Footways	1,065	1,065		700	65.7%
Embankments	100	100		86	86.0%
Rights of Way Improvements	25	25		14	56.0%
Bridge Maintenance					
Capitalised Assessment & Strengthening of Bridges	700	750	50	598	79.7%
Staff costs to be allocated over LTP	301	301		301	100.0%
Local Transport Plan TOTAL	18,273	17,562	(711)	15,886	90.5%

Environment Capital Programme 2007-08

Scheme	Budget 2007-08	Revised Forecast as at 31st January 2008	Change in Forecast	Spend/Known Commitments at 31st January 2008	% Spent/ Committed
	£000	£000	£000	£000	%
Non LTP Schemes					
Ross On Wye Flood Alleviation Scheme	5,000	5,000		3,041	60.8%
City Centre Enhancements - High Town & High Street		200	200	86	43.0%
Crematorium Hereford	2,158	810	(1,348)	459	56.7%
Leominster Closed Landfill Site Monitoring Infrastructure	482	482		325	67.4%
Public Convenience improvements	403	498	95	298	59.8%
Grafton Travellers Site	39	49	10	16	32.7%
Pembridge Travellers Site		0	0		0.0%
Land at Belmont Road		45	45	43	95.6%
Waste Performance and Efficiency	129	12	(117)	12	100.0%
Flood Defence Works(s106 - Asda)		2,172	2,172		0.0%
Bus Service & Ped/Cycle Route Works (s106 Asda)		129	129	8	6.2%
Shobdon Car Park (s106 - Kingspan)		25	25	12	48.0%
LPSA2 - Street Scene	144	167	23	63	37.7%
LPSA2 - Road Safety	218	218		216	99.1%
Stretton Sugwas Closed Landfill Site - Gas Well & Pipework	70	70		64	91.4%
Strangford Closed Landfill Site	18		(18)	0	0.0%
Stretton Sugwas Closed Landfill Site - Gas Flare	70	70		63	90.0%
Specific Road Safety Grant		70	70	70	100.0%
Parking - Hereford Sixth Form s106		7	7		0.0%
NON LTP TOTAL	8,731	10,024	1,293	4,776	47.6%
Total Environment Capital Programme	27,004	27,586	582	20,662	74.9%

Funded by:

	Original Budget 2007-08	Revised Forecast as at 31st January 2008
	£	£
Supported Capital Expenditure (Revenue)	7,582	7,582
LTP Grant	3,021	3,021
Prudential Borrowing	3,201	4,089
Specific Road Safety Grant	70	70
Revenue Contributions		45
LPSA 2 Funding	362	385
Waste Performance & Efficiency Grant	129	12
DEFRA	5,000	5,000
AWM Rotherwas Access Road Grant	5,000	5,000
Capital Receipts Reserve	2,639	49
s106 Funding		2,333
	27,004	27,586

REVENUE BUDGET MONITORING

Report By: DIRECTOR OF ENVIRONMENT

Purpose

1. To advise members of the financial position for the Environment Programme Area budgets for the period to 29th February 2008. The report lists the variations against budget at this stage in the year.

Financial Implications

2. It is expected that the Environment Revenue Budget for 2007/08 will be underspent by a net amount of £77,000.

Considerations

3. The detailed report on Budget Monitoring to 29th February 2008 is attached at Appendix 1 for Members' consideration.
4. The total Environment Budget for 2007/08 is has reduced from the amount reported to a previous meeting of the Committee, which was £24,741,000, to £24,735,000. This reduction of £6,000 relates to the transfer of finance staff budgets to Financial Services in Resources Directorate.
5. The summary position is set out in the table below.

2007/08	Budget	Projected Outturn	Variance Over/(Under) spend
<u>Service Area</u>	£000	£000	£000
Directorate Management & Support	352	352	-
Planning	1,909	2,202	293
Highways & Transportation	9,153	9,483	330
Environmental Health & Trading Standards	13,321	12,621	(700)
Environment Total	24,735	24,658	(77)

6. There has also been a transfer of budget from Environmental Health & Trading Standards to Highways & Transportation. At the beginning of 2007/08 the Roads Maintenance budget was reduced in order to meet inflationary pressures on the Waste Collection contract however contract prices did not increase at the anticipated level. This means that £165,000 of revenue budget has been re-allocated back to the Roads Maintenance budget.

Environmental Health & Trading Standards

7. The current projected underspend in this service is £700,000.
8. £600,000 relates to the Waste Disposal budget. This projection is mainly based on forecasts from Worcestershire County Council in relation to the joint Waste Disposal contract. In previous years there has been significant underspend on Waste Disposal and until the new Contract variations are agreed this position will continue, however the cost of the new contract will be considerably higher than at present. The final position will be reflected in the overall revenue account but, as in previous years, any underspend against the contract will need to be earmarked for reserves to meet future waste management pressures.
9. One area of risk is that current Waste Contract volume percentages between Herefordshire Council and Worcestershire County Council are getting closer to a potential 1% increase for Herefordshire Council. If this happens this would mean an additional cost of £300k which is not reflected in the outturn.
10. There is also a projected underspend in relation to Commercial Environmental Services of £50,000. This relates to additional income received in the current year in relation to the Cadbury's case compensation for expenditure incurred and loss of inspection income in the previous year.
11. There is also a projected underspend of £50,000 in relation to Licensing, this is due to income exceeding budgets. This increase in income was intended to fund additional staff but we have not been able to recruit.
12. All other areas spending will be contained within the service budget.

Highways & Transportation

13. The current projected overspend for this service is £330,000.
14. Concessionary travel is expected to overspend by a net amount of £50,000. This consists of £100,000 projected overspend due to inflationary increases during the year on fares of 10% and an increase of patronage of 5%. £50,000 budget has been transferred to this area from Highways running costs budgets to mitigate this overspend.
15. Winter Maintenance budget is forecast to overspend by £210,000. This reflects the costs for an average winter and July flood works.
16. Income on Car Parking has been less than anticipated and is likely to fall short of target by £70,000.
17. The Highways budgets continue to be under considerable pressure in relation to road maintenance. This is mainly due to net budget virements, reported to the previous Committee and included in point 5 above, reducing the Roads Maintenance budget by £753,000 to meet contract inflationary pressures elsewhere within Environment. Local Transport Plan funding through the Capital Programme will be utilised where possible to meet pressures on the Highways revenue budgets and every effort will be made to contain spending within the service budget.

Planning

18. The current projected overspend in this service is £293,000.
19. There is likely to be an overspend in relation to IT SLA charges in Planning of £100,000. In the previous year, on a one-off basis, this pressure was met by Planning Delivery Grant however there is no capacity to do this in the current year. Planning Delivery Grant has mainly been used to fund costs in relation to the Local Development Framework in 2007/08.
20. There is also an additional projected overspend of £43,000 in relation to a revenue contribution to Capital for the purchase of land at Belmont.
21. There is also a predicted overspend of £150,000 in relation to IT contract fees for scanning and legal costs, again in the previous year these pressure were met by Planning Delivery Grant however there is no capacity to do this in the current year.

RECOMMENDATION

THAT the report be noted.

BACKGROUND PAPERS

- Appendix I attached.

	Annual Budget	Estimated Outturn	Actual to 29th February 2008	Budget to 29th February 2008	Overspend /(Underspend) to date
	£'000	£'000	£'000	£'000	£'000
<u>Summary</u>					
Directorate Management and Support	352	352	619	623	(4)
Planning Services	1,909	2,202	1,750	1,594	156
Highways & Transportation	9,153	9,483	8,511	8,165	346
Environmental Health & Trading Standards	13,321	12,621	9,402	10,245	(843)
ENVIRONMENT	24,735	24,658	20,282	20,627	(345)

	Annual Budget	Estimated Outturn	Actual to 29th February 2008	Budget to 29th February 2008	Overspend / (Underspend) to date
	£'000	£'000	£'000	£'000	£'000
<u>Directorate Management and Support</u>	352	352	619	623	(4)
<u>Planning Services</u>					
Management & Admin	676	819	433	463	(30)
Building Control	(83)	(83)	(86)	(76)	(10)
Development Control	116	266	313	107	206
Conservation	717	717	627	657	(30)
Forward Planning	483	483	463	443	20
Sub-Total PLANNING SERVICES	1,909	2,202	1,750	1,594	156

	Annual Budget	Estimated Outturn	Actual to 29th February 2008	Budget to 29th February 2008	Overspend / (Underspend) to date
	£'000	£'000	£'000	£'000	£'000
<u>Highways & Transportation</u>					
Public Conveniences	358	358	360	308	52
Highways Staff & Running Costs	2,032	2,032	2,068	2,082	(14)
Roads Maintenance	1,737	1,737	1,496	1,472	24
NRSWA	(65)	(65)	(123)	(114)	(9)
Winter Maintenance	782	992	1,164	650	514
Land Drainage/Flood Alleviation	142	142	72	98	(26)
Bridgeworks	68	68	56	57	(1)
Shop Mobility	58	58	46	53	(7)
Street Lighting	707	707	589	594	(5)
Searches - Highways	(2)	(2)	(4)	(2)	(2)
S38 Fees	(45)	(45)	(54)	(41)	(13)
Public Transport (incl Rural)	1,337	1,337	1,012	1,014	(2)
Transport Planning	87	87	69	79	(10)
Traffic Management	467	467	387	417	(30)
Road Safety	136	136	(71)	125	(196)
Bus Stations	(15)	(15)	(8)	(4)	(4)
Concessionary Travel	1,284	1,334	896	1,009	(113)
Transportation Staff	525	525	747	757	(10)
Car parks	(1,553)	(1,483)	(1,184)	(1,403)	219
Decriminalised Parking	111	111	124	113	11
Street Cleansing	1,002	1,002	869	901	(32)
Sub-Total Highways & Transportation	9,153	9,483	8,511	8,165	346

	Annual Budget	Estimated Outturn	Actual to 29th February 2008	Budget to 29th February 2008	Overspend / (Underspend) to date
	£'000	£'000	£'000	£'000	£'000
<u>Environmental Health & Trading Standards</u>					
Cemeteries	72	72	50	60	(10)
Crematorium	(266)	(266)	(260)	(245)	(15)
Commercial Environmental Health	451	401	316	413	(97)
Pollution	560	560	439	509	(70)
Landfill & Contaminated Land	238	238	198	218	(20)
Pest Control	42	42	6	32	(26)
Dog Control	102	102	73	80	(7)
Animal Health & Welfare	162	162	164	167	(3)
Trading Standards	502	502	401	459	(58)
Env't Health Management & Support	447	447	220	238	(18)
Licensing	(10)	(60)	(108)	(17)	(91)
Traveller Sites	63	63	56	58	(2)
Waste Disposal	7,524	6,924	5,104	5,551	(447)
Recycling	470	470	422	396	26
Trade Waste	(449)	(449)	(520)	(517)	(3)
Domestic Waste Collection	3,413	3,413	2,841	2,843	(2)
Sub-Total ENVIRONMENTAL HEALTH & TRADING STANDARDS	13,321	12,621	9,402	10,245	(843)

**ENVIRONMENT DIRECTORATE PLAN:
PERFORMANCE FOR THE TEN-MONTH PERIOD TO
JANUARY 2008**

Report By: Director of Environment

Wards Affected

County-wide

Purpose

1. To update Members on the progress towards achievement of the targets for 2007-08 in the Directorate Plan. The report has a similar format to that used for the Integrated Performance and Finance Report (IPFR), but reports on performance only.

Financial Implications

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

Content

HIGHLIGHTS OF PERFORMANCE	
	<ul style="list-style-type: none"> • 3 of 30 Environment Directorate-lead indicators from the AOP are currently marked R. 10 remain A (two of which are measured through the council's Annual Satisfaction Survey; the change in performance for these is within the accepted statistical variance and not significant). 9 are judged G.
	<ul style="list-style-type: none"> • 54% of indicators which may be used in external judgements, where data is available, are currently showing an improvement against last year's performance.
	<ul style="list-style-type: none"> • Both LPSA indicators are judged G.

Progress against the Council's AOP Priorities (Appendix A)

1. Performance has been monitored for each indicator using the following system.

	G	On target/met target
	A	Some progress/data not yet available so not possible to determine trend
R		Not on target

Further information on the subject of this report is available from John Eades, Improvement Manager
on 01432 260985

2. Analysis of performance against target by Council priority is detailed below:

Priority	No. of Indicators	Judgement			n/a ¹
		R	A	G	
Improving transport and the safety of roads	9	1	5	3	0
Sustaining thriving communities	11	2	1	3	5
Protecting the environment	10	0	4	3	3
Total number of indicators	30	3	10	9	8

3. Details of the indicators within each of the priorities above are in **Appendix A**.

Exceptions – indicators judged R at the end-of-September

3 indicators are now judged as R. These are:

83a – Principal road condition
<i>Although performance has improved considerably, 6% in an unsatisfactory condition compared with 14% for last year, the target of 5% was not achieved</i>
94 HC - Grade for the year-on-year reduction in the total number of incidents and increase in total number of enforcement actions taken to deal with ‘fly-tipping’
<i>The number of fly-tipping incidents has increased since May, following the introduction of permits at household waste amenity sites. Performance against this indicator in recent months has improved, but is not anticipated to move above level 3 in the current financial year.</i>
96 HC - % of abandoned vehicles removed within 24 hours from the point where the Council is legally entitled to remove the vehicle
<i>Performance fell during the summer. One team deals with both abandoned vehicles and fly-tipping; handling a significant, and initially unexpected, increase in fly-tipping incidents resulted in a reduction in the response times for abandoned vehicles. Arrangements have now been put in place to provide back-up for the team and there has been sustained improvement in recent months; however, as the target is 100% this will not be achieved this year.</i>

¹ 10 indicators have been considered as not suitable for awarding a judgement in this report, essentially because they are either tracker indicators or indicators that require a baseline to be set during the year.

Strategic Monitoring Committee comments

4. The following is an extract from the minutes of the Strategic Monitoring Committee of 10th March:

“It was noted that performance against indicator 83a HC - principal roads condition had moved from amber (some progress/or data not yet available so not possible to determine trend) to red. Concern was expressed by Members at the perceived condition of both principal and non-principal roads based on their personal observation. However, noting that the target against the indicator for non-principal roads was on track to be exceeded it was proposed to formally record concern only about performance against the indicator on the condition of principal roads and highlight the need for improvement.

RESOLVED:

That (a) dissatisfaction be expressed at performance against indicator HC 83a: the condition of principal roads, and the need for improvement be highlighted;”

Local Public Service Agreement (LPSA)

5. Both of the 2 LPSA targets were judged , **G**.

Local Area Agreement (LAA)

6. For the LAA, no indicators were judged **R**, 4 **A** and 5 **G**. These include the LPSA indicators.

Direction of Travel and CPA (Appendix B)

7. In addition to those indicators which the council measures itself against through its Annual Operating Plan, the council is externally judged on its performance against a number of national indicators, including Best Value Performance Indicators (BVPIs). Performance by the Environment Directorate against relevant indicators is shown in **Appendix B**. Primarily, the council is judged **on its performance against previous year**, rather than against target, and this comparison will be used by the Audit Commission to inform the annual Direction of Travel Assessment in February 2009.
8. Of those indicators where in-year data is currently available, the current direction of travel shows that 54% of indicators are on course to improve on last year, but 15% of indicators are currently predicted to be worse than last year.

9. The CPA service score for Environment was 3 star (covering performance in 2006-07) an improvement on the previous service score of 2 star.

RECOMMENDATION

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

BACKGROUND PAPERS

- None

APPENDIX A - AOP INDICATORS
PERFORMANCE AGAINST TARGET

Reference Number	Indicator	Herefordshire Community Strategy (HCS)	Local Area Agreement (LAA)	Local Public Service Agreement - second generation (LPSA2G)	Baseline	May Report	July Report	September Report	November Report	Target	April-July	April-September	April-November	April-January	Frequency of Reporting	Commentary (where relevant)
Improve transport and the safety of roads																
52	HCS No. of people (all ages) killed or seriously injured on Herefordshire roads	✓	✓	✓	119		133			<=134	G	G	G	G	Monthly	
99	HC No. of people slightly injured in road traffic collisions				732		713			<=788	G	G	G	G	Monthly	
6	HCS The percentage of adult residents in Herefordshire that usually travel to work for their main job by driving a car or van - on their own (Method of Travel to Work)	✓			61%		58%			<=57%	A	A	A	A	Annually @ end of November	No significant change.
7	HCS a Index of annual average daily traffic (AADT) volumes into Hereford City	✓	✓		100.63					<=108	A	A	A	A	Annually @ end of March	Integrated transport projects included in the LTP are being implemented
7	HCS b Index of annual average daily traffic (AADT) volumes on principle rural road networks	✓	✓		100.63					<=109	A	A	A	A	Annually @ end of March	
72	HC Indexed number of cycling trips				118.99					>=118	A	A	A	A	Annually @ end of March	
76	HC No. of passenger journeys per year on public buses in Herefordshire (thousands)				3,433,043					>=3,948,000	A	A	A	A	Annually @ end of March	
83a	HC Principal Roads condition				14%		6%			<=5%	A	A	A	R	Annually	
83b	HC Non Principal Roads condition				21%		11%			<=19%	A	A	A	G	Annually	
Sustain thriving communities, including by securing more efficient, effective and customer-focused services, clean streets, tackling homelessness and effective emergency planning																
54	HCS % of streets and public areas falling below Grade B for cleanliness (litter)	✓	✓	✓	17%		21%	16%	14%	<=15%	G	G	G	G	Monthly	
92	HC Proportion of relevant land and highways from which unacceptable levels of graffiti are visible				2%		2%	1%	2%	<=2%	G	G	G	G	Monthly	
93	HC Proportion of land and highways from which unacceptable levels of fly-posting are visible				1%		0%	0%	0%	<=1%	G	G	G	G	Monthly	
94	HC Grade for the year-on-year reduction in the total number of incidents and increase in total number of enforcement actions taken to deal with fly-tipping (Grading 1 - very effective; 2 - effective; 3 - good; 4 - poor)				Grading 1 (very effective)		1	3	3	1	G	R	R	R	Monthly	The number of fly-tipping incidents has increased since May, following the introduction of permits at household waste amenity sites. Performance against this indicator has now levelled-off, but is not anticipated to improve above level 3 in the current financial year.
96	HC % of abandoned vehicles removed within 24 hours from the point where the Council is legally entitled to remove the vehicle				99%		94.74%	96.67%	97.67%	100%	A	R	R	R	Monthly	Performance fell during the summer. One team deals with both abandoned vehicles and fly-tipping; handling a significant, and initially unexpected, increase in fly-tipping incidents resulted in a reduction in the response times for abandoned vehicles. Arrangements have now been put in place to provide back-up for the team and performance has improved in recent months; however, as the target is 100% this will not be achieved this year.
95	HC % of people satisfied with the cleanliness standard in their area				66%		63%			>=66%	A	A	A	A	Annually @ end of November	Statistically, this does not represent a significant change
90	HC Adult perceptions of improvement in facilities for young children				-5%		-2%				n/a	n/a	n/a	n/a	Annually @ end of January	

APPENDIX A - AOP INDICATORS
PERFORMANCE AGAINST TARGET

Reference Number	Indicator	Herfordshire Community Strategy (HCS)	Local Area Agreement (LAA)	Local Public Service Agreement - second generation (LPSA2G)	Baseline	May Report	July Report	September Report	November Report	Target	Frequency of Reporting	Commentary (where relevant)
97	HC				-23%						Annually @ end of January	
97	HC				-24%						Annually @ end of January	
97	HC				-51%						Annually @ end of January	
97	HC				-42%						Annually @ end of January	
Protect the environment, producing much less waste, recycling much more of what remains and reducing carbon emissions												
56	HCS	a	✓	✓	505.82kg	127.28kg (3 months)	219.33kg (5 months)	299.92kg (8 months)	371.58kg (9 months)	<=505kg	A A A Monthly	
56	HCS	b	✓	✓	72.85%	73.68% (3 months)	70.85% (5 months)	69.62% (8 months)	69.91% (9 months)	<=68.5%	A G G Monthly	
56	HCS	c	✓	✓	0%	0% (3 months)	0% (5 months)	0% (8 months)	0% (9 months)	0%	G G G Monthly	Although current performance is behind target, projections suggest year-end performance will achieve target
56	HCS	d	✓	✓	100%	100% (3 months)	100% (5 months)	100% (8 months)	100% (9 months)	100%	G G G Monthly	
56	HCS	e	✓	✓	18.71%	18.02% (3 months)	19.42% (5 months)	20.54% (8 months)	21.53% (9 months)	=>23.97%	A A A Monthly	As a tracker indicator, no judgement should have been made in the last report
55	HCS		✓		22%						Annually @ end of March	Key species are still to be defined
57	HCS		✓		No baseline						Annually @ end of March	
58	HCS		✓		No baseline						Annually @ end of March	
67	HC				13.42%					=>15%	A A A Monthly @ end of March	Data will be available at year-end
102	HC				To be set					10% reduction by 2010	A A A Monthly @ end of March	

KEY														
△	Performance is better than last year													
◁▷	Performance is either the same or likely to be the same as last year													
▽	Performance is worse than last year													
n/a	There is either no guidance to suggest whether high / low performance is good or bad; or, a direction of travel judgement does not apply to this indicator													
BVPI	Best Value Performance Indicator													
CPA	Comprehensive Performance Assessment - these indicators are used in CPA service assessments for Culture, Environment and Housing													
PAF	Performance Assessment Framework - used by CSC in Adult Social Care and Children's Services													
BLOB	Used by Commission for Social Care Inspection (CSCI) to indicate performance thresholds, with 5 being the best and 1 the worst.													
BVPI	CPA	PAF	Indicator	Good Performance	Baseline	May Report	July Report	September Report	November Report	January Report	Frequency of Reporting	Target	Direction of Travel	Commentary
126			Domestic burglaries per 1,000 households	Low	4.2	0.9 (June)	0.9 (June)	1.8		2.6	Monthly	4.2	△	

Performance Indicator

Performance indicator: national reference

Indication as to whether good performance is High or Low return

Last year's performance

Performance to date

How often and when will data be reported

Current year's target

Commentary on performance

Shaded boxes signify data was not due to be reported in this period; unshaded boxes signify data was expected but not available

A number of the national indicators also feature in Appendix A, primarily through inclusion in either the LPSA or LAA. Where this is the case, the target may differ between appendices. This is because the LPSA and LAA targets were set using historical outcome data.

APPENDIX B - NATIONAL INDICATORS
DIRECTION OF TRAVEL AGAINST LAST YEAR'S PERFORMANCE

BVPI	CPA	PAF	Indicator	Good Performance	Baseline	May Report	July Report	September Report	November Report	January Report	Frequency of Reporting	Target	Direction of Travel	Commentary
ENVIRONMENT														
82a i			The percentage of household waste arisings which have been sent by the Local Authority for recycling	High	18.71%		18.02% (June)	19.42% (August)	20.54% (October)	21.53% (December)	Monthly	23.97%	△	
82a ii			Tonnage of household waste arisings which have been sent by the Local Authority for recycling	High	16,921.66		4,100.41 (cumulative) (June)	7,617.45 (cumulative) (August)	9,665.28 (cumulative) (October)	14,183.56 (cumulative) (December)	Monthly	22,444.11	◁▷	
82b i			The percentage of household waste sent by the Local Authority for composting or treatment by anaerobic digestion	High	7.36%		8.3% (June)	9.73% (August)	9.84% (October)	8.74% (December)	Monthly	6.85%	△	
82b ii			The tonnage of household waste sent by the Local Authority for composting or treatment by anaerobic digestion	High	6,657.02		1,888.49 (cumulative) (June)	3,814.63 (cumulative) (August)	4,628.25 (cumulative) (October)	5,807.25 (cumulative) (December)	Monthly	6,413.94	△	
82c i			The percentage of the total tonnage of household waste arisings which have been used to recover heat, power and other energy sources	High	1.08%		0% (June)	0% (August)	0% (October)	0% (December)	Monthly	1.05%	▽	
82c ii			The tonnage of household waste arisings which have been used to recover heat, power and other energy sources	High	974.5		0 (June)	0 (August)	0 (October)	0 (December)	Monthly	983.16	▽	
82d i			The percentage of household waste arisings which have been landfilled	Low	72.85%		73.68% (June)	70.85% (August)	68.62% (October)	69.73% (December)	Monthly	68.50%	△	
82d ii			The tonnage of household waste arisings which have been landfilled	High	65,887.51		16,764.62 (cumulative) (June)	27,995.47 (cumulative) (August)	32,998.31 (cumulative) (October)	46,830.2 (cumulative) (December)	Monthly	63,792.96	◁▷	
84a	E26		The number of kilograms of household waste collected per head of the population	Low	505.82		127.26 (June)	219.33 (August)	299.92 (October)	371.58 (December)	Monthly	505.00	◁▷	
84b			The percentage change from the previous financial year in the number of kilograms of household waste collected per head of the population	Low	-3.04%		-6.52% (June)	-1.42% (August)	-2.99% (October)	-3.61% (December)	Monthly	-0.15%	n/a	
91a			The percentage of households resident in the Local Authority's area served by a kerbside collection of recyclables	High	68%		70%	70%	70%	70%	Monthly	70%	△	
91b	E45		The percentage of households resident in the Local Authority's area served by a kerbside collection of at least 2 recyclables	High	68%		70%	70%	70%	70%	Monthly	70%	△	
98a i			The number of people killed or seriously injured (KSI) in road traffic collisions (in 2006)	Low	147							<134	△	This BVPI uses data from 2006. The number of KSIs in 2006 was 119.
98a ii			The percentage change in the number of people killed or seriously injured (KSI) in road traffic collisions since the previous year	Low	4%							-28%	n/a	
98a iii			The percentage change in the number of people killed or seriously injured (KSI) in road traffic collisions since the 1994-98 average	Low	-41%							-46%	n/a	
98b i			The number of children (aged under 16 years) killed or seriously injured (KSI) in road traffic collisions (in 2006)	Low	13							<15	△	This BVPI uses data from 2006. The number of KSIs of children in 2006 was 10.
98b ii			The percentage change in the number of people killed or seriously injured (KSI) in road traffic collisions since the previous year	Low	63%							-7%	n/a	
98b iii			The percentage change in the number of children killed or seriously injured (KSI) in road traffic collisions since the 1994-98 average	Low	-41%							-30%	n/a	
99c i			The number of people slightly injured in road traffic collisions (in 2006)	Low	732							<788	△	This BVPI uses data from 2006. The number of slight injuries in 2006 was 663.
99c ii			The percentage change in the number of people slightly injured in road traffic collisions since the previous year	Low	-6%							5%	n/a	
99c iii			The percentage change in the number of people slightly injured in road traffic collisions since the 1994-98 average	Low	2%							10%	n/a	

Performance for these indicators is in respect of 2006. Outturn is now known (see commentary), and will be used in the Direction of Travel judgement.

APPENDIX B - NATIONAL INDICATORS
DIRECTION OF TRAVEL AGAINST LAST YEAR'S PERFORMANCE

BVPI	CPA	PAF	Indicator	Good Performance	Baseline	May Report	July Report	September Report	November Report	January Report	Frequency of Reporting	Target	Direction of Travel	Commentary
100			Number of days of temporary traffic controls, or road closure, on traffic sensitive roads, caused by road works, per km of traffic sensitive road	Low	0	0	0	0	0	0	Quarterly	0	△	
109a			The percentage of major applications determined within 13 weeks	High	75%	59%	61%	55.60%	69%	76%	Monthly	76%	▽	
109b			The percentage of minor applications determined within 8 weeks	High	84%	78%	80%	79.50%	79%	85%	Monthly	85%	▽	
109c			The percentage of 'other' applications determined within 8 weeks	High	92%	91%	91%	89.10%	89%	93%	Monthly	93%	▽	
165	E16		The percentage of pedestrian crossings with facilities for disabled people, as a proportion of all crossings in the Local Authority area	High	92%	92%	92%	92%	92%	100%	Monthly	100%	◀▶	
166a	E21		Score against a checklist of best practice for Environmental Health	High	98.75%					100%	Annually @ end of March	100%	No data	
166b	E27		Score against a checklist of best practice for Trading Standards	High	100%					100%	Annually @ end of March	100%	No data	
199a			The proportion of relevant land and highways (expressed as a percentage) that is expressed as having combined deposits of litter and detritus that fall below an acceptable level	Low	17%	21%	16%	14%	14%	15%	Monthly	15%	△	The year-end forecast is 15%
199b			The proportion of relevant land and highways (expressed as a percentage) from which unacceptable levels of graffiti are visible	Low	2%	2%	1%	2%	2%	2%	Monthly	2%	◀▶	
199c			The proportion of relevant land and highways (expressed as a percentage) from which unacceptable levels of fly-posting are visible	Low	1%	0%	0%	0%	0%	1%	Monthly	1%	△	
199d			The year-on-year reduction in the total number of incidents and increase in the total number of enforcement actions taken to deal with 'fly-tipping'	Low	Grading 1 (Very Effective)	1	3	3	3	1	Monthly	1	▽	Following the introduction of the permit scheme at household waste sites there has been a significant increase in the number of incidents of fly-tipping. The score of 3 is predicted to remain for the year.
204	E42		The number of planning appeal decisions allowed against the authority's decision to refuse on planning applications, as a percentage of the total number of planning appeals against refusals of planning applications	Low	22%	30%	32%	32%	33%	21%	Monthly	21%	▽	
205	E43		The local authority's score against a 'quality of planning services' checklist	High	94%	94%	94%	94%	94%	94%	Monthly	94%	◀▶	
215a			The average number of days taken to repair a street lighting fault, which is under the control of the Local Authority	Low	8.78	2.79	8.43	3.5	3.5	5	Monthly	5	△	
215b			The average time taken to repair a street lighting fault, where response time is under the control of a Distribution Network Operator (DNO)	Low	57.16	0	22	27.5	27.5	30	Monthly	30	△	
218a			The percentage of new reports of abandoned vehicles investigated within 24 hours of notification	High	98%		89.16%	92.20%	93.85%	100%	Monthly	100%	▽	
218b			The percentage of abandoned vehicles removed within 24 hours from the point at which the Local Authority is legally entitled to remove the vehicle	High	99%		94.74%	96.67%	97.67%	100%	Monthly	100%	▽	Performance fell during the summer. One team deals with both abandoned vehicles and fly-tipping; handling a significant and initially unexpected, increase in fly-tipping incidents resulted in a reduction in the response times for abandoned vehicles. Arrangements have now been put in place to provide back-up for the team and performance has improved in recent months; however, as the target is 100% this will not be achieved this year.
219b			Percentage of conservation areas in the local authority area with an up-to-date character appraisal	High	12.50%	20%	20%	23.43%	26.56%	26.56%	Monthly	26.56%	△	
223			Percentage of the local authority principal road network where structural maintenance should be considered	Low	14%				6%	5%	Annually	5%	△	

APPENDIX B - NATIONAL INDICATORS
DIRECTION OF TRAVEL AGAINST LAST YEAR'S PERFORMANCE

BVPI	CPA	PAF	Indicator	Good Performance	Baseline	May Report	July Report	September Report	November Report	January Report	Frequency of Reporting	Target	Direction of Travel	Commentary
224a			Percentage of the non-principal classified road network where maintenance should be considered	Low	21%					11%	Annually	19%	△	
224b	E11		Percentage of the unclassified road network where structural maintenance should be considered	Low	24.28%					32%	Annually @ end of March	19%	▽	
86			Cost of household waste collection per household	Low	£47.03						Annually @ end of March	£52.13	No data	
87			Cost of waste disposal per tonne of municipal waste	Low	£79.09						Annually @ end of March	£82.33	No data	
102			Number of local bus passenger journeys originating in the authority area undertaken each year	High	3,433,043						Annually @ end of March	3,948,000	No data	
106	E23		Percentage of new homes built on previously developed land	High	76.70%						Annually @ end of March	60%	No data	
187	E18		Percentage of the category 1, 1a and 2 footway network where structural maintenance should be considered	Low	31%						Annually @ end of March	27.50%	No data	
200a			Did the Local Planning Authority submit the Local Development Scheme (LDS) by 28 March 2006 and thereafter maintain a 3-year rolling programme?	n/a	Yes						Annually @ end of March	Yes	△	The year-end forecast is Yes
200b	E44		Has the Local Planning Authority met the milestones that the current Local Development Scheme (LDS) sets out?	n/a	Yes						Annually @ end of March	Yes	△	The year-end forecast is Yes
216a			The number of 'sites of potential concern' [within the Local Authority area], with respect to land contamination	n/a	2,866						Annually @ end of March	5,841	n/a	
216b			The number of sites for which sufficient detailed information is available to decide whether remediation of the land is necessary, as a percentage of all 'sites of potential concern'	Low	0.2						Annually @ end of March	2	No data	
217			Percentage of pollution control improvements to existing installations completed on time	High	96.80%						Annually @ end of March	96.80%	No data	

**ENVIRONMENT SCRUTINY COMMITTEE WORK
PROGRAMME****Report By: Head of Legal and Democratic Services****Wards Affected**

County-wide

Purpose

- 1 To consider the Committee work programme.

Financial Implications

- 2 None

Background

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

RECOMMENDATION

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

BACKGROUND PAPERS

- None identified.

ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME - AT 31 MARCH 2008

10.00am Monday 9th June 2008 (provisional date)	
Officer Reports	<ul style="list-style-type: none"> • Presentations by Cabinet Members (Environment & Strategic Housing and Highways & Transportation) • Services Delivery Review – update. • Good Environmental Management (GEM) – End of Year Report. • Capital Budget Monitoring • Revenue Budget Monitoring • Report on Performance Indicators • Committee Work Programme
Scrutiny Reviews	On-Street Parking Review

Note:

Environment Scrutiny Committee at its meeting on 3rd December 2007 noted that Member seminars were being arranged on the themes of: Waste collection and disposal and the Local Transport Plan.

Items for consideration as the programme is further developed:

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

