

Chief Executive's Office

Chief Executive: N.M. Pringle

Your Ref:

Our Ref: NMP/SAHC

Please ask for: Mr. N.M. Pringle

Direct Line/Extension: (01432) 260044

Fax: (01432) 340189

E-mail: npringle@herefordshire.gov.uk

To: All Members of Cabinet:
RJ Phillips (Leader)
LO Barnett
AJM Blackshaw
H Bramer
JP French
JA Hyde
JG Jarvis
DB Wilcox

6th September, 2007

Dear Councillor,

MEETING OF CABINET
THURSDAY, 6TH SEPTEMBER, 2007 AT 2.00 P.M.
THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD

AGENDA (07/10)

**HEREFORDSHIRE COUNCIL - NOTICE UNDER REGULATION 15 OF THE LOCAL
 AUTHORITIES (EXECUTIVE ARRANGEMENTS (ACCESS TO INFORMATION) REGULATIONS
 2000 (AS AMENDED)**

Notice is hereby given that the following reports contain key decisions. When the decisions have been made, Members of the relevant Scrutiny Committee will be sent a copy of the decision notices and given the opportunity to call-in the decisions.

Item No	Title	Portfolio Responsibility	Scrutiny Committee	Included in the Forward Plan Yes/No
3	Rotherwas Archaeology Options for preservation of the Ribbon and Completion of the Rotherwas Access Road	Environment	Environment	No
4	Building Schools for the Future: Rebuilding Minster College Leominster	Children and Young People's Services	Children's Services	No
5	Wyebridge Sports College Academy Project	Children and Young People's Services	Children's Services	No



Putting People First Providing for our Communities Preserving our Heritage Promoting the County Protecting our Future

County of Herefordshire District Council, PO Box 239, HEREFORD, HR1 1ZU

Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

6	The Financial Position arising from the July 2007 Floods	Resources	Strategic Monitoring	No
7	Policy Statement for the use of the Rivers Wye and Lugg	Highways and Transportation	Environment	Yes

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest by members in respect of items on this agenda.

3. ROTHERWAS ARCHAEOLOGY: OPTION FOR PRESERVATION OF THE RIBBON AND COMPLETION OF THE ROTHERWAS ACCESS ROAD

To approve the recommendation that the appropriate approach to completion of the Rotherwas Access Road in the context of the advice received from English Heritage as to the best method of preserving the archaeological remains that the Rotherwas access Road be completed and the Rotherwas Ribbon be preserved in accordance with Option F of this report. *(Pages 1 - 56)*

4. BUILDING SCHOOLS FOR THE FUTURE: REBUILDING THE MINSTER COLLEGE LEOMINSTER

To confirm, prior to tenders being sought, the strategic elements of the project namely the size of school, the wider community facilities to be included and the provision for third party use.

(Pages 57 - 66)

5. WYEBRIDGE SPORTS COLLEGE ACADEMY PROJECT

To confirm the size of the school as an academy, and to agree in principle to the Council's role in delivering the academy, namely the grant of 125-year lease to the sponsors, the formal closure of Wyebridge Sports College as a Community High School, and the procurement of the new academy capital project.

(Pages 67 - 72)

6. THE FINANCIAL POSITION ARISING FROM JULY 2007 FLOODS

To note the financial implications of the floods affecting Herefordshire in July 2007 and to endorse the proposal that further updates are brought to Cabinet in the coming months.

(Pages 73 - 78)



7. POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG

To note comments received in relation to the draft policy statement and adopt the revised statement as the basis for responding to proposals advanced in relation to the rivers Wye and Lugg, in particular by the Environment Agency in relation to their implementation of the Wye Waterway Plan.

(Pages 79 - 144)

8. RESPONSE TO THE REVIEW OF HOW TO RETAIN 18 - 35 YEAR OLDS IN HEREFORDSHIRE AND ATTRACT THEM TO IT

To respond to the "Review of how to retain 18-35 year olds in Herefordshire and attract them to it" (referred to as the 18-35 Review) outlining acceptance or otherwise of the *(Pages 145 - 164)*

9. RESPONSE TO THE REVIEW OF HEREFORD CITY PARTNERSHIP

To respond to the "Review of the Hereford City Partnership" outlining acceptance or otherwise of the recommendations made.

(Pages 165 - 198)

10. OMBUDSMAN LETTER AND COMPLAINTS AND COMPLIMENTS MONITORING 2006/07

To inform Cabinet of the Ombudsman Annual Letter 2006/07 and the figures for complaints recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March 2007

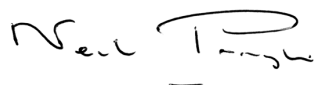
(Pages 199 - 212)

11. ACTION PLAN FOR THE CULTURAL SERVICE CPA REVIEW

To consider the Action Plan emerging from the CPA inspection of Cultural Services by the Audit Commission.

(Pages 213 - 222)

Yours sincerely,



N.M. PRINGLE



CHIEF EXECUTIVE

Copies to: Chairman of the Council
Chairman of Strategic Monitoring Committee
Vice-Chairman of Strategic Monitoring Committee
Chairmen of Scrutiny Committees
Group Leaders
Directors
Head of Legal and Democratic Services



The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, 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 or on tape. Please contact the officer named below 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 that 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 Mrs Sally Cole on 01432 260249 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.

ROTHERWAS ARCHAEOLOGY: OPTIONS FOR PRESERVATION OF THE RIBBON AND COMPLETION OF THE ROTHERWAS ACCESS ROAD

PORTFOLIO RESPONSIBILITY: ENVIRONMENT AND STRATEGIC HOUSING

CABINET

6TH SEPTEMBER 2007

Wards Affected

All wards

Purpose

To approve the recommendation that the appropriate approach to completion of the Rotherwas Access Road in the context of the advice received from English Heritage as to the best method of preserving the archaeological remains that the Rotherwas access Road be completed and the Rotherwas Ribbon be preserved in accordance with Option F of this report.

Key Decision

This is a key decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

Recommendation

THAT the Rotherwas Access Road be completed and the Rotherwas Ribbon be preserved in accordance with Option F of this report.

Reasons

Option F will ensure completion of the road to the original time scale at the lowest cost whilst preserving the Rotherwas Ribbon in a manner approved by English Heritage.

Considerations

1. In the Cabinet Report of 7th September 2006, Rotherwas Access Road, the decision was taken to implement the Rotherwas Access Road scheme.

Planning Policy Guidance PPG16 and English Heritage

2. Planning Guidance PPG16 sets out very clearly the Secretary of State's policy on archaeological remains on land, and how they should be preserved or recorded both in an urban setting and in the countryside.

Further information on the subject of this report is available from
Michael Hainge, Director of Environment: 01432 260041

3. The Council considers it has rigorously followed the guidance offered by PPG16 and also the Design Manual for Roads and Bridges adopted by the Highways Agency. Confirmation of compliance with PPG16 has been sought through an independent review being undertaken by officers of the Association of Local Government Archaeological Officers. A copy of the report arising from this review may be found at appendix (a).
4. The results and details of the archaeological investigations to date may be found at appendix (b) – Interim Statement on the Archaeological Discovery at Rotherwas.
5. English Heritage has been involved with the Rotherwas access road since being consulted during the planning process and since the initial discovery of the Ribbon (see Recent Chronology below).
6. Our consultants, Owen Williams, have worked closely with scientific advisors from English Heritage to design an engineering solution that will provide long-term protection for the Ribbon. English Heritage is content that the solution we have designed (through our consultants) will protect the Ribbon for future generations. English Heritage confirms this protection will be effective whether or not the construction of the road continues directly over the Ribbon. A copy of the letter from English Heritage to the Director of Environment dated 14th August 2007 may be found at appendix (c). Full details of the technical solution may be found at appendix (d) – Archaeology Method Statement and (d)(i) Protection Drawing 550370.
7. The implementation of the protection solution is underway. This does not prejudice any decision that may be made by Cabinet in respect of this report. (see 13. below).

Recent Chronology

8. In April of this year renewed and additional archaeological investigations were commenced along the route of the road. On 24th April the first indications of a Bronze Age feature became apparent.
9. On 8th May English Heritage visited the site with Dr Keith Ray MBE (the Council's archaeologist) and manager of Herefordshire's Archaeological Team.
10. On 16th May a meeting of the (construction) project team and Dr Ray was held and it was decided to consider preserving the site in situ. Archaeologists were asked to extend the excavation under the area alongside the road route.
 - a. An article was published in Herefordshire Matters (May to August edition) announcing the find.
 - b. On 13th June a meeting with project team was held confirming potential significance of the site and Dr Ray received an initial design to preserve the site in situ. Dr Ray asked for protection to commence in early July. The possibility of a press conference and open afternoon discussed.
 - c. On 4th July a national press conference was held and on 9th July English Heritage made a further visit.
 - d. On 6th July, following great public interest in the site, a decision was made to hold an open week between 16th and 21st July. Following exceptionally bad weather at the end of that week a decision was made to cancel the visits in order to protect the site. A decision was also made to implement the protective covering solution as soon as site conditions allowed.

- e. The Council, in the meeting of 27th July 2007, passed the following motion:
- (a) The Council resolves to ensure that no irreversible action be taken that would prejudice the preservation or the potential for access, if appropriate, to what as currently advised is a site of archaeological importance.
 - (b) That Council notes that work on the construction of the Rotherwas Relief Road in that area is currently suspended (NB some works are being undertaken to protect the site) and that Cabinet be asked to address the issue of the appropriate approach to completion of the Rotherwas Relief Road in the context of the advice to be received from English Heritage as to the best method of preserving the archaeological remains.
 - (c) Council requests Cabinet to address the issue of the financial consequences of the delay to date on the Rotherwas Relief Road, as part of the fuller considerations, and to quantify the financial impact of further delays and make recommendations to Council as to how those issues might be addressed within the Council's budget.
 - (d) That Council be invited to note that any decision made by Cabinet on this issue would be a key decision within the Constitution and will therefore be liable to call-in for scrutiny. If Scrutiny express any significant concerns about the action proposed by Cabinet, which action will only be taken on the advice of English Heritage, and Cabinet is minded to proceed without addressing those concerns then the Leader gives an undertaking to approach the Chairman to call a special meeting of Council.

Options

- 11. Consideration has been given to diverting the course of the road, suspending the construction of the road for 6 months and to stopping the construction all together. In addition to the financial considerations outlined below, consideration must also be given to planning implications. Options other than F and G would require further planning consents.
- 12. The Council's contractor Owen Williams, has been asked to give indicative costs to 7 options that each seek to preserve the archaeology by deploying the preservation solutions as well as a 6 options that would determine completion (or otherwise) of the road. Cost estimates and details for options A-E may be found at appendix (e) and (f) but are summarised as follows:

A. Diversion of the road to the South	£9M	appendix (e)
B. Diversion of the road to the North	£7M	appendix (e)
C. Creation of a bridge	£10M	appendix (e)
D. Creation of a tunnel	£110M	appendix (e)
E. Abandoning the road	£6M	appendix (f)
F Continuation of the road on its proposed course	£445k	
G. Suspending the construction of the road for 6 months	£430k	

(plus additional costs according to which option is subsequently chosen)

13. English Heritage has previously advised that, while acknowledging the wishes of the Council that more opportunities needed to be given to the public to view the monument, that part of the structure already revealed must be covered up soon. To that end the works to implement the preservation part of the solution have already begun. These works are entirely reversible (by design) and provide adequate protection for the foreseeable future.
14. Options A – E present the Council with very serious financial challenges that, should any of these options be approved, would require the entire capital programme and medium term financial management strategy to be revised. Cabinet would need to consider whether or not diversion of the road in these options represented good value for money when placed alongside other needs of the County.
15. Option G would, from indicative costs, add £430,000 to the overall cost of the road in addition to whatever final option were chosen. It is also likely that the overall cost would rise for inflation and, it should be noted, that any delay will be likely to damage, delay or inhibit the aims of the Rotherwas Futures project.
16. Accordingly, the recommendation of this report is that the Cabinet approve option F – continuation of the road along its proposed course over the design solution recommended by English Heritage.

Further Investigations, Tourism, Education and Heritage

17. The Cabinet are asked to note that an application for funding has been made to English Heritage to allow further investigation of the presumed course of the Ribbon both North and South of the original course of the access road. A meeting between the Director and the owner of land adjacent to the road took place on 14 August and the land owner has expressed willingness, subject to appropriate compensation, for these investigations to take place.
18. Should these investigations reveal more of the Ribbon, or other significant archaeology, then a further report will be brought to Cabinet setting out, in detail, the results of the investigation.
19. Depending on 18. above, Cabinet may wish to ask for further reports to be brought forward to consider in more detail any relevant options relating to tourism, education and heritage. An initial proposal for archaeological evaluation of the Ribbon at Rotherwas Industrial Estate may be found at appendix (g). This proposal is currently being considered by the Environment Directorate and Cabinet Member for Environment and Strategic Housing.
20. It is important to note that the investigations carried out to date include a highly detailed record of the Ribbon so far revealed including stereoscopic photography, drawings, measurements and scientific analysis. It is believed that this detailed record will help the archaeological world understand better what the Ribbon may have been and what it may have been used for. Plans will be developed to allow for virtual rendition of the Ribbon on line and for an exhibition in the Hereford Museum.

Financial Implications

If the Cabinet choose any of the options A-E then the impact on the medium term financial management strategy is considerable. Other, yet to be determined capital projects, would have to be stopped and a revised strategy taken back to full Council for approval.

The Council Motion specifically asks Cabinet to address the costs of delays to date. As this report is being written the contractor has now indicated that the costs of delays up to early October will amount to approximately £50,000. Depending on progress of the rest of the project, and any other delays, this figure may change.

There is a contingency sum built into the contract which, depending on the final cost, may be sufficient to pay for the delay, additional works necessary to date and implementation of option F.

Risk Management

In essence, this report is concerned with managing risks relating to archaeological preservation, completion of a major infrastructure project and the Council's financial position. Accordingly there is no separate consideration of risk management in this report.

Alternative Options

The alternative options are contained in the body of this report

Appendices

- (a) Independent Review of Herefordshire Council's Adherence to PPG16 (to follow)
- (b) Interim Statement on the Archaeological Discoveries
- (c) Letter from English Heritage to Director of Environment
- (d) Archaeology Method Statement
 - i. Protection Drawing 550370
- (e) Alternative Options to Avoid Archaeology
- (f) Termination Clause Report
- (g) Proposal for Archaeological Evaluation of the Ribbon at Rotherwas Industrial Estate

Background Papers

None

Rotherwas Access Road: Peer Review of Procedures Undertaken by Herefordshire County Council

1. Scope of questions asked

I have been asked to assess whether the procedures of Herefordshire County Council in respect of the Rotherwas Access Road have been undertaken in accordance with the principles of statutory planning guidance on archaeology and planning, Planning Policy Guidance Note 16: Archaeology and Planning, known generally as PPG 16.

2. The key principles of PPG 16

These can be summarised as the following:

- 2.1 The preservation of archaeological remains *in situ* (PARIS) is a material consideration in the planning process. This principle was codified in case law in the 1980s. The presence of archaeological remains that are worthy of preservation *in situ* can be a reason for amending or even refusing a planning application. Therefore, the archaeological implications of all development proposals need to be assessed before determination in order to determine whether PARIS is an issue.
- 2.2 PPG 16 emphasises the importance and benefit of early consideration of archaeological issues in the planning process. In particular, pre-determination archaeological assessment – including field evaluation - is encouraged to consider the impact of development proposals on the archaeological heritage and in particular to establish whether PARIS is likely to be an issue.
- 2.3 Mitigation of the impact of development on archaeology can be secured by planning conditions for investigation and subsequent post-excavation and publication.

3. Issues considered regarding the Rotherwas Access Road based on evidence supplied

- 3.1 The scope and scale of the pre-determination archaeological assessment.
 - 3.1.1 Once a preferred route is chosen, the purpose of a pre-determination (or pre-application) archaeological assessment should be to provide sufficient information for the LPA to determine a planning application. In particular, it should determine if there are archaeological remains present which will be affected by the proposal (including off-site impacts such as compounds, haul roads and diverted services), that are worthy of preservation *in situ* and which therefore could be a reason for amending or refusing the planning application.

3.1.2 It is acknowledged that it is generally not possible to identify the presence of all important archaeological remains potentially worthy of preservation *in situ* without sampling all of the areas that will be impacted by a planning proposal. The aim of the archaeological evaluation should therefore be to maximise the opportunity to reveal such remains and minimise as much as possible the risks that such remains will be present, but not identified by the evaluation.

3.1.3 It is also acknowledged that there will be many reasons, especially limitation of access to land, which influence whether a pre-determination archaeological evaluation may not identify all archaeological remains that might be thought worthy of preservation *in situ*. In this respect, road schemes – where the applicant usually does not own the land – are very different to most of the planning applications that local authority archaeological advisors have to deal with.

3.1.5 It is nonetheless important that the results of the evaluation and the advice by the local authority archaeologists to the LPA, combine to provide a critical assessment of the risks from the proposal in terms of PARIS, including the limitations of the evaluation process such as problems of access, ground conditions etc.

3.1.6 The pre-determination archaeological assessment for the preferred route of the Rotherwas Access Road was undertaken in the late 1980s and in 2002, and comprised fieldwalking, geophysical survey, augering and trial-trenching. The ten archaeological trial-trenches excavated in 2002 comprised c.0.5 -1% sample of the route (it was not possible to calculate the precise proportion).

3.1.7 Questions:

It seems clear from the documentation that there were difficulties with gaining access to land for archaeological investigation both pre- and post-determination. The following questions are asked to gain specific details on this issue:

1. What efforts were made to undertake a more extensive pre-determination evaluation by trial-trenching?
2. Were there any problems with achieving a more extensive evaluation such as refusal of access to the land?
3. The specification for the evaluation in 2002, mentions that 25 trenches were to be dug (page 9, point 2). Was this number reduced because of problems with gaining access to land and if so, which areas were affected?
4. Were there any particular problems with undertaking pre-determination evaluation of the area of the important early prehistoric discovery?
5. Were the potential risks of PARIS if access was not obtained for trial-trenching made clear to the LPA at any stage?

- 3.2 Making appropriate provision for the unexpected discovery of archaeological remains worthy of preservation *in situ*.
- 3.2.1 The brief for the post-determination archaeological investigation issued by Herefordshire County Council (21/5/2004) does not make specific reference to procedures/measures to be put in place in the event of unexpected discoveries which might warrant preservation *in situ*. It is however clear from the variations in the archaeological specifications produced by the Archaeology Service for Worcestershire County Council, that discussions did take place and that additional provision was made.
- 3.2.2 It is also clear that meetings and extensive discussions and negotiations did take place concerning the conservation of the important early prehistoric discovery. These seem to have resulted in a satisfactory outcome in terms of mitigation.
- 3.2.3 Questions:
1. What procedures for review and amendment of the programme of work were followed to take account of the new discoveries made that might be worthy of preservation *in situ*?
 2. Were there any additional written instructions issued by Herefordshire County Council regarding procedures for dealing with unexpected archaeological remains that might be worthy of preservation *in situ*?

4. Preliminary Conclusions

- 4.1 Based upon the documents received, it is clear that in almost all respects the guidance within PPG 16 was adhered to. Pre-determination assessment was carried out; appropriate provisions for archaeological mitigation were put in place by the LPA; archaeological remains worthy of preservation *in situ* and preservation by record have been identified and adequately dealt with according to relevant Government and Institute of Field Archaeologists (IFA) guidance and standards. In particular, the ability of Herefordshire County Council to achieve a scheme for the preservation *in situ* of the archaeological remains to the north of Camp Farm is to be commended and is an example of best practice.
- 4.2 There may however have been some scope for improvement in procedures for the areas mentioned below, depending on the answers to the above questions. It should be emphasised that these observations are made only on the basis of the evidence supplied and with the full benefit of hindsight. In addition, in my experience, these are issues which are present for most - if not all – local authority road scheme developments.
1. The risk of finding important archaeology at a late stage in the development process would, in all likelihood, have been reduced by a more extensive pre-determination archaeological evaluation. However,

the constraints on access to the land (see question 3.1.7 above) and the ability to interpret the important archaeology found to the north of Camp Farm, from evaluation evidence alone will both need to be taken into account in making any conclusions on this issue.

2. It would have been useful if a risk assessment of the likelihood of the presence of archaeology worthy of preservation *in situ* being present within the areas affected by the proposals had been produced as part of the pre-determination archaeological evaluation and advice to the LPA. Even if it were not possible to assess such risks with any certainty, the application of the precautionary principle may have been beneficial. It would also have enabled the potential for achieving engineering solutions to PARIS encountered on the route post-determination to be considered at an earlier stage in the development process.
3. It may also have been useful in terms of clarity and understanding for all parties concerned if procedures for dealing with the eventuality of finding archaeological remains worthy of preservation *in situ* had been included within the project brief or in supporting documentation (if this had not already been done – see questions 4.2.3. above). These could have included procedures for review and obtaining independent advice on the significance of any remains found from English Heritage and appropriate academic specialists. Whilst this would probably have not affected the outcome with respect to the archaeological remains found, it might have speeded up the decision making process and have avoided some of difficulties in terms of relations with English Heritage.

Dr Stewart Bryant B.Sc, MA, PhD, FSA, MIFA.
Head of Historic Environment
Hertfordshire County Council

Interim Statement on the Archaeological Discoveries at Rotherwas March to July 2007 by Ian Bapty¹, Keith Ray², Simon Sworn³ and Simon Woodiwiss⁴.

1.0 Herefordshire Council is constructing a new access road to link Rotherwas industrial estate, to the south-east of the city, to the A49 Trunk Road between Hereford and Ross-on-Wye to the south. Following a PPG16 archaeological assessment which began in 2002 in tandem with the road planning process, an archaeological field project in mitigation of the impacts of road construction on the historic environment has been underway since October 2006, undertaken by staff of Worcestershire Historic Environment and Archaeology Service. This latter project has unfolded through all the stages that would be expected for an infrastructure project, briefed and monitored by the Council's archaeological advisors among the staff of Herefordshire Archaeology, the county archaeological service.

The archaeological recording work being undertaken in advance of works immediately to the south of the industrial estate itself, and at the eastern end of the access road, has involved several stages of work. Significant discoveries were made late in 2006. Excavation of a former watercourse produced deep peat deposits with initial radiocarbon dates of Bronze Age to Medieval. To the east of this, excavation of a series of pits, tree-throws and associated features producing ceramic and lithic finds spanning the period at least c.3200-2000BC. Among such features were eight post-holes defining a circular timber-framed building. One feature comprised a sequence of intercutting pits cumulatively 3m in diameter. The first of these pits contained sherds of mid-late fourth millennium decorated bowl pottery, the second sherds of Grooved Ware vessels of Durrington Walls tradition, and the third sherds of decorated Beaker. Sherds thought to be of plain Beaker vessels were found in association with the circular building. This settlement was located on a relatively level area at mid-slope down a gently sloping hillside at the foot of steep sided hills overlooking the Wye floodplain from the south.

2.0 Discovery, excavation and description of the Rotherwas Ribbon

A ditch containing Romano-British pottery and other finds was located at the eastern limit of the open area excavation of 2006, and concern was then voiced that remains of a settlement of this period might lie within the road corridor to the east of this point. As a result, a further area was stripped at the very beginning of the construction programme for the road in April 2007 so that any such settlement could be investigated well in advance of the construction programme here. The strip revealed no trace of further Romano-British activity, but further pits and slight features were found to contain prehistoric material.

Excavation of sections across the Romano-British ditch deposits indicated that it had been cut through a sequence of colluvial deposits filling a hollow, and through an earlier stone surface, itself sealed beneath this sequence of silt deposits. It was then decided that the silt overlying the structure should be removed in order better to define the extent and nature of the surface before any further investigation through it took place.

¹ Herefordshire Archaeology, Herefordshire Council

² Herefordshire Archaeology, Herefordshire Council

³ Worcestershire Historic Environment and Archaeology Service

⁴ Worcestershire Historic Environment and Archaeology Service

At the same time as multi-faceted visual recording of the revealed surface took place, a further extension of excavation was requested to the north within an area to be covered by screening bunds beside the new road. While the impression had been gained from the initial uncovering of a 50m long area of the surface that it might form a crescent shape, the investigation of a further 15m long area transformed its apparent character. Instead of narrowing to form the other end of a crescent, the surface turned through ninety degrees not once but twice as it further descended the slope. It was also apparent that the feature extended north and south beyond the limit of the excavation.

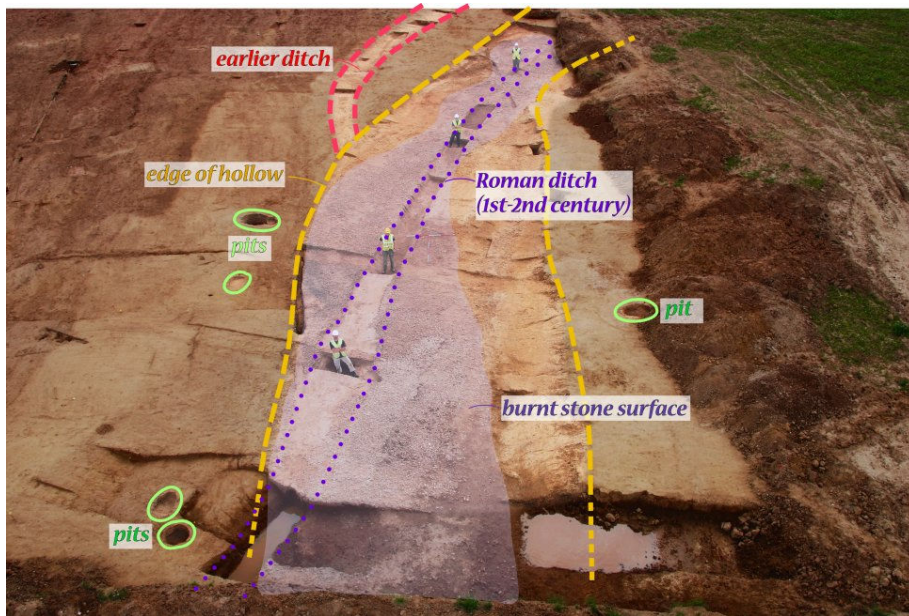
The stone surface comprises a layer of cracked cobbles including a significant element of evenly dispersed quartz. Topographically, the surface also shows marked undulations, and from a vantage-point down-slope the combination of curves and shifting surface profile mean the Rotherwas Ribbon (as it has become known) superficially takes on a decidedly serpentine aspect. Limited intrusive examination of the surface (via trenches cuts across it at an early stage of the excavation before a decision to preserve *in situ* had been taken) revealed some areas where the upper stone surface overlay a secondary lower stone surface, with a silt horizon between the two.

Features spatially associated with the structure include pits filled with burnt/fire-shattered stones and an isolated sub-circular area also made up of shattered stone fragments. Close to one of the pits, a shallow trough-shaped hollow filled with burnt stone and fragmentary charcoal debris extends into/across the stone surface. At the southern end of the excavated area the Ribbon also cuts an earlier undated ditch.

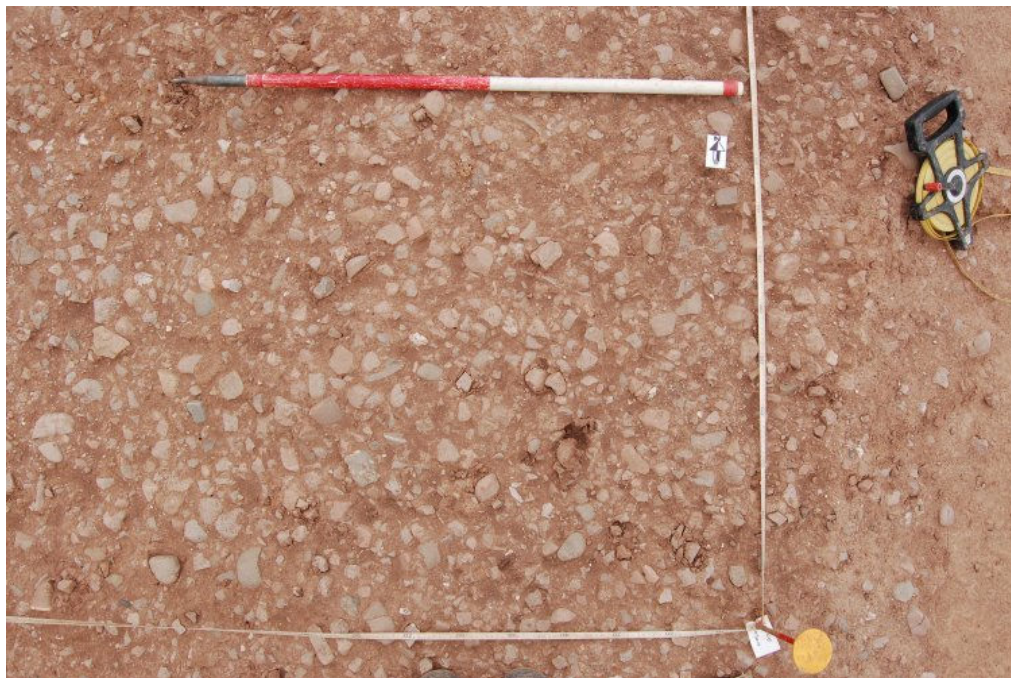
No cultural material was directly recovered from the limited investigation of the Ribbon matrix (limited by the decision to aim to preserve the feature *in situ*), although 9 sherds of pottery, 55 pieces of flint and 239 fragments of bone were recovered from the silts immediately above the stone surface.

Within the standard excavation and recording processes, a full sampling programme was undertaken including a column sample taken from above the stone surface at the northern edge of the excavation. In addition, samples of the cracked stone have been sent to Neil Linford (English Heritage AML) for magnetic susceptibility tests in order to assess whether or not the stone has been subject to artificial heating/burning.

The following photographs aim to present the feature and give some idea of its character.



Annotated overview of the Rotherwas Ribbon (Photo Copyright WHEAS)



Detail of the Ribbon surface (Photo Copyright WHEAS)



Partial section through the Ribbon surface (Photo Copyright WHEAS)



General view of the Ribbon looking south (Photo Copyright WHEAS)

3.0 Dating

The dating of the Ribbon has been broadly established through relative stratigraphy. The Romano-British ditch (dated by pottery from the lower fills) which follows a similar alignment to the Ribbon is cut through the stone surface and the overlying silts, and must be a considerably later feature than the Ribbon. The significant quantities of (probably mainly residual) cultural material from the silt layer immediately above the stone surface included a flintwork assemblage (55 pieces)

with diagnostic Bronze Age forms. The earlier ditch cut by the Ribbon did not produce dating material. The Ribbon can therefore be broadly (but securely) dated to the Neolithic or Early Bronze Age, though no more precise attribution within that broad date range is yet possible. The presence of significant proven Neolithic activity in the area immediately to the west, and the reasonable conjecture that the earlier ditch is also likely to be of Neolithic date, could be taken to further support the case that the Ribbon does have Neolithic origins, although this is a purely circumstantial supposition at this stage.

4.0 Nature of the Ribbon

The process of discovery of the Ribbon in an immediate spatial context of significant multi-period cultural activity combined with the results of the detailed eight week long archaeological investigation of the physical and structural characteristics of the monument, has, in the professional experience and opinion of Worcestershire Historic Environment and Archaeology Service (and the project monitors from the Herefordshire Council Archaeology Service) consistently informed the view that it is wholly, or in large degree, a product of intentional human action. At a basic level of observation, it was clear from the point of its first identification that the Ribbon was of completely different character to the natural watercourse which had been excavated and sampled c.500 metres to the west.

The nature of the Ribbon does appear to support the suggestion that it has been deliberately laid/deposited by human action. The observed character of the stone surface (distribution patterns of cracked pebbles/quartz across the surface and the uniform makeup of the deposit) is consistent throughout the 60 metre length of the Ribbon so far exposed. A significant observation here is that the jagged sides of the cracked pebbles appear to have been used to 'key in' the cobbles to the surface such that the smooth facets typically face upwards. The evidence for what is provisionally interpreted as one or more phases of partial reconstruction of the surface, associated with the localised observation of a lower stone layer of precisely similar character separated from the upper surface by silt horizons, is also consistent with routine archaeological interpretation of stratigraphic sequences of this kind.

The provisional view of the excavators is also that the plan and profile of the linear hollow in which the stone surface sits is similarly consistent with a feature of artificial origin. The directed form of the curves and controlled variation in width of the feature has been judged to indicate a culturally determined landform. The method of formation is unknown, but it may possibly be as a 'hollow way' associated with heavy foot traffic, or may have been deliberately cut as part of the coordinated process of constructing the Ribbon.

It is also important to note the apparently close relationship of the Ribbon to other cultural features. The earlier and later ditches spatially and stratigraphically associated with the Ribbon seem to imply (especially in the case of the later Roman ditch) longevity of cultural use of this particular alignment, and that the Ribbon, for all its unusual nature, represents one specific phase of that long term pattern. In any event it is interesting that the Ribbon is preceded and succeeded by 'standard' linear settlement features. The Ribbon therefore certainly came into being within the period of Neolithic/Bronze Age occupation of the immediate locality, and no re-formation of anything remotely like the Ribbon has occurred at this location since the Bronze Age.

More specifically significant are the five pits which lie on the margins of the Ribbon and which are spatially associated with it (four of the pits are immediately on the eastern edge of the Ribbon cut, with no similar features identified in the large excavated area beyond). Burnt stone, and evidence for burning from these pits

appears to neatly coincide with the apparent construction of much of the Ribbon from cracked stones which have been interpreted as the products of artificial heating and quenching processes. The linear charcoal rich stain/shallow 'trough' feature which extends onto the ribbon from near one of the pits is of particular relevance in seeming to demonstrate that the pits were in use contemporary with the Ribbon, and that, at least in a casual way, there is a direct relationship between the Ribbon and the features around it.

Given the interlocking patterns of specific and contextual evidence which, from the beginning of the investigation, implicitly and explicitly underpinned the cultural nature of the Ribbon, specialist geomorphological input did not form an initial part of the work (although it should be noted that the sampling programme including a columnar sample from above the stone surface). However, the unusual nature of the Ribbon, and the emergent fact that there appear to be no known Neolithic/Bronze Age parallels for such a feature, has pointed up the need to explicitly engage with the possibility that natural processes were involved in its formation (an issue raised by Matthew Canti of English Heritage and described in a report of a site visit on 25th July 2007).

A quaternary specialist geologist (Dr Andrew Richards*) was therefore requested by WHEAS to comment on the feature. Dr Richards comments as follows:

'The sedimentology of the feature comprises of coarse gravel (<150mm) within a sandy silt-clay matrix. The gravels show no distinct sedimentary features, imbrication or sorting. The gravel clasts are dominantly subrounded and many have been fractured in situ.

The in situ fracturing of the pebbles is extremely unlikely to have been caused by cold climate processes. Had ground-ice affected the deposit, the ice would have grown preferentially in the silty matrix, eventually causing the formation of silt lenses and also sorting in the clast content of the sediments. Ice would not have grown in the clasts themselves to form the style of fracturing evident in the sediment (where individual clasts appear to have 'exploded' locally, and the resultant debris surrounds the source clast). This fracturing could only have occurred when the clasts were exposed at- or close to- the surface of the deposit (therefore - the heating, rapid cooling process described to me by Simon Sworn [WHEAS Site Director] makes a lot of sense).

The gravel deposit occurs within the alluvium as a single lens, elongated down slope. There are no associated sedimentary features that suggest the action of a fluvial system- structures, sedimentology or external relations with other sediments- that suggest the build-up of the flow rates that would be required to transport gravels of the size. Neither is there a large enough catchment area that would explain flows of this size being generated by slope wash from the high ground above. In addition, were the gravel associated with slope processes, the feature would form a fan shape, or a terrace form following the contours of the valley. In addition, the gravels would be sorted with a change in grain size down-slope. The 'ribbon' shows none of these characteristics.

In summary, the best explanation form the formation of the deposit would be that it was 'dumped' by some agent and was subsequently fractured by a process other than crushing or shear- most likely, rapid heating and cooling.

Units mapped as the 2nd and 4th Terraces of the River Wye occur near to the site and these are likely to have been the original source of the gravel. Both units are dominated by Lower Palaeozoic sandstones, with local material from the St. Maughans and Raglan Groups of the Lower Old Red Sandstone. The clasts within these terraces are dominantly sub-rounded and contain small proportions of vein quartz.

The clast lithology of the 'ribbon' gravels is lithologically identical to the terrace deposits. Although vein quartz is more conspicuous in the coarse sand- grit fraction (perhaps the vein quartz was rapidly heated/cooled in preference to other rock types? or maybe quartz was less resistant to weathering following the heating/cooling process?).'

*Dr Andrew Richards (BSc Hons) Geography First Class; PhD 'The Pleistocene stratigraphy of Herefordshire' University of Cambridge, 1994. Published in International journals on Pleistocene stratigraphy, Quaternary sedimentology: Journal of Quaternary Science, Proceedings of the Geologists Association, Sedimentary Geology, Geological Magazine, Earth Surface Process and Landforms, etc. Edited 'Glaciations of Wales and adjacent areas' published 2005.

Following on from Dr Richard's observations, the photograph below shows the residues from the Ribbon and nearby 4th river terrace samples for comparison. The sample on the right is from 4th terrace, that at the left the upper surface/deposit, that in the middle the lower surface/deposit. Though the samples have the same lithological make up, the degree of shattering between the terrace gravel and that from the monument is markedly different.



(Photo Copyright WHEAS)

It should also be noted in the context of assessing the nature of the Ribbon deposit that the pottery and bone from the top of the stone surface/deposit is not unusually abraded. It may also be relevant to add that preliminary analysis of testing (magnetic susceptibility) for the potential efficacy of geophysical survey undertaken by Archaeological Investigations Limited (Andy Boucher pers. com.) show a distinct contrast between samples from natural soils and the stone surface/deposit.

In summary, the view of Worcestershire Historic Environment and Archaeology Service (formed in consideration of the full range of site observations and the specialist study/comment so far available) is that the Rotherwas Ribbon is most likely of entirely cultural origin, and at the very least is a natural feature which has seen significant cultural enhancement. This view is also supported by the Herefordshire Council Archaeology Service archaeologists monitoring the PPG16 project.

5.0 Specific interpretation of the Ribbon

Extensive searches within the literature and via communication with Neolithic/Bronze Age specialists have so far drawn a blank in terms of parallels for any contemporary feature resembling the Rotherwas Ribbon, and only conjectural and preliminary interpretations of what appears to be a unique structure can be offered at this stage.

It should be noted the monument does superficially have some characteristics of burnt mounds, a fairly common and well-known monument form, but these are offset by others which seem to prevent its identification in these terms. These arguments are summarised in the table below:

Characteristic conforming to a burnt mound	Characteristic not conforming to a burnt mound
Presence of fire-cracked stones, ash and charcoal (no ash identified)	Not a "mound" (fire-cracked stone is within a linear hollow)
Sited next to a river or lake (close to hillside springs)	Monument may be earlier than Bronze Age (samples have been taken for radiocarbon dating)
Within region where burnt mounds have been identified	Ground plan - monument is sinuous and in excess of 60m long (not oval, crescentic or kidney-shaped)
	Pits lie adjacent to the linear hollow but none may be described as a "trough"
	No "hearth" has been identified

The table has been prepared using characteristics indicated by the English Heritage monument class description for burnt mounds (Raymond, F, 1987, revised by Darvill, T, 1988, <http://www.eng-h.gov.uk/mpp/mcd/index.htm>, 18 July 2007.)

It should also be added in this connection that Mike Hodder has pointed out that fire-cracked stones (without charcoal) can spread from the focus of burnt mounds to form sites of similar extent (http://www.sal.org.uk/salon/index_html?id=636#section22).

Other ideas include the possibility that the Ribbon represents functional improvement/metalling of a hollow way feature, perhaps utilising the readily available stone produced by settlement/burnt mound activity in the immediate vicinity. However, the lack of evidence for significant wear/erosion caused by repeated traffic over it, and the undulating topography of the surface do not seem to immediately support this view.

Another obvious line of argument is the suggestion that the Ribbon has explicitly monumental associations. It is certainly large enough to have formed a significant feature in the landscape visible from the ridge to the south which includes Dinedor Hillfort (itself with indicators of earlier activity). In this sense, the apparently sculpted and serpentine form of the Ribbon may tentatively be connected to a range of possible representative/symbolic associations (snake/cord/river?).

6.0 Significance

Clearly, the matter of detailed interpretation will require much further analysis and debate and will not be easily resolved.

However, regardless of the specific interpretation of its purpose, it is possible to be clear that the Rotherwas Ribbon is of considerable potential significance, being an apparently unique (if enigmatic) feature with important relevance to the understanding of local, regional and national Neolithic/Bronze Age sequences.

7.0 Outstanding issues

Extent and nature. The extent and character of the feature beyond the proposed road corridor is not known. This is a key issue because it means that it is impossible to determine what proportion of the feature is represented by the section within the road corridor, whether the excavated section is properly representative of the structure as a whole, and whether the patterns and structural evidence so far observed (and on which the provisional understanding of the structure is based) are consistently reproduced in other parts of the monument (such as, for example, the nature and continuing presence of the 'cut' in which the Ribbon surface sits, the detailed nature of the surface and the underlying matrix, the undulation of the surface, and the serpentine plan of the feature). It is obviously possible that understanding of the structure could significantly alter when its extent is clarified, and when other sections are examined and described.

In addition, it should be added that accurately determining the full extent of the structure is fundamental to devising appropriate management and conservation processes for the Rotherwas Ribbon as a whole.

Date. The date of the feature has only been broadly determined within the investigation of the currently known section of the monument. There is an important need to identify additional dating evidence through the recovery of associated artefacts and other material suitable to support a radiocarbon (and/or other) programme. The identification of such evidence cannot, of course, be guaranteed by sampling additional areas. However, the character of the feature as so far observed, and its close association with other cultural features, supports the view that there is a reasonable chance elsewhere of retrieving diagnostic dating material of direct or close contextual relevance to the Ribbon.

Preservation and condition of the Ribbon. The preservation and condition of the Ribbon beyond the PPG16 excavated area is not known, although it is considered likely that it may be well preserved in the area downslope of the recent excavation. Determination of the depth, preservation and condition of the feature is, together with the identification of its extent, a key requirement in determining appropriate approaches to long term conservation and management.

Public interest in the Ribbon. The initial discovery of the Ribbon, and the considerable media and public interest this generated (such as attendance of around 1000 people at public open days) has also created an expectation of further investigation and opportunity for further public engagement with the monument. While this is not of itself the primary justification for further investigative fieldwork, it is important that provision of proper public access to the Ribbon (intellectual and, if and when further sections are exposed, physical) is incorporated as a key part of future analysis/project work.

8.0 Current status of the Ribbon investigation

All reasonable PPG16 excavation, recording, sampling and public engagement processes have now been undertaken (within the constraint that a decision was made by Herefordshire Council early in the excavation process to preserve the Ribbon *in situ*, thereby also restricting further intrusive/destructive investigation of it, and leading to the recent reburial of the monument for conservation reasons).

Although evolving post excavation analysis (including specialist analysis of artefacts, soil samples, radiocarbon samples so far obtained, and magnetic susceptibility analysis of stone samples) will further advance understanding of the feature, the

major issues identified above can only be substantially addressed by a further process of fieldwork beyond the road corridor.



ENGLISH HERITAGE

WEST MIDLANDS REGION

Mr M Hainge
Herefordshire Council
Director of Environment
Brockington
35 Haford Road
Hereford, HR1 1SH

14th August 2007

Dear Mr Hainge

ROTHERWAS ARCHAEOLOGICAL FINDS

I am writing to offer English Heritage Advice regarding the best method of preserving archaeological remains on the route of the Rotherwas Access Road, as requested within a Herefordshire Council Motion of 27th July, and discussed at a meeting between Herefordshire Council and English Heritage on 3rd August.

The design of the archaeological fieldwork by Herefordshire Council and its execution by Worcestershire Historic Environment and Archaeology Service has been carried out within a PPG16 context. English Heritage advice has been sought within that context, although it is the responsibility of Herefordshire Council to decide upon a course of action.

EH has discussed the site with Council staff and with the site archaeologists, and agrees that an appropriate level of recording has been undertaken within the road corridor. EH is considering financial support for work outside of the road corridor that will enable the sites extent and character to be more fully defined. English Heritage does not intend to make a recommendation regarding scheduling until this work is completed. Our view, however, is that the remains are fragile, and that in-situ preservation is appropriate in this case whether the remains are scheduled or not.

English Heritage Advice

English Heritage advice is that the archaeological remains should be preserved in situ. If Herefordshire Council decides to go ahead with the road English Heritage recommends that the design solution prepared by Herefordshire Council and Owen Williams of July 2007 offers appropriate long term management.

Yours sincerely

Tim Johnston
Regional Director

112 COLMORE ROW BIRMINGHAM B3 3AG
Telephone 0121 625 6820 Facsimile 0121 625 6821
www.english-heritage.org.uk

Rotherwas Access Road

Archaeology Method Statement

Issue 2

Date of Issue: July 2007

**Owen
Williams**
Part of Amey plc



Owen Williams
Thorpe House
25 King Street
Hereford
HR4 9BX

Herefordshire
'Brockington'
35 Hafod Road
Hereford
HR1 1SH

Contents

Page

1	Introduction	1
2	Design	1
3	Method Statement	2
3.1	General Guidance	2
3.2	Activities	2
4	Monitoring	3

1. Introduction

Following the discovery of the feature the necessity to avoid damage to the feature was established.

Giffords were commissioned by Herefordshire Council to complete a preliminary design of a protective layer.

Owen Williams reviewed this design and, using the depths of protection required, raised the alignment of the road and associated roadside features by approximately 1m. Owen Williams then developed the detailed design and issued to English Heritage for approval.

Following comment back from English Heritage and discussions with the Contractor, the design was developed further and a method for construction established.

2. Design

The voids within the feature such as the Roman Trench and the fire pits need to be filled to prevent voids being created below the first layer of Geotextile. This fill material should have similar strength and permeability qualities as the surrounding ground to avoid differential settlement.

The first geotextile layer should have the same permeability as the overlying sand. Teram 1000 is specified which has a permeability of 10^{-3}m.s^{-1} , similar to that of sand.

The sand shall be naturally-occurring clean sharp sand graded to BS 7533-3, Annex D, Category IV.

- Free from deleterious salts, contaminants and cement.
- Obtained from only one source and ensure that all sand supplied has consistent grading.
- Maintained at even moisture content which will give maximum compaction. Sand squeezed in the hand should show no free water and bind together when pressure is released.
- The thickness of sand layers is to be approximately 150mm with the total depth of the sand layer not falling below 250mm. Maximum thickness will vary to suit local ground undulations.

The overall thickness of the sand shall be not less than 250mm. The sand layer will accommodate a settlement monitoring device of a type to be confirmed.

The Geogrid shall be Tensar TX160 or SS30 depending upon material availability.

The granular fill shall be 150mm 6F2 imported capping material, this is different to the Type 1 material specified by Giffords. We believe the capping material will better distribute the loads.

A further layer of Geogrid above the 6F2 material shall again be either Tensar TX160 or SS30.

Additional 6F2 fill shall be added above the last Geogrid layer to the bottom of the first bound carriageway layer. The minimum depth shall be 150mm as per the roadbase thickness for the road.

A summary of the layers above the archaeological feature can be seen in Table 1 below.

Layer Description	Minimum Layer Thickness
Carriageway Surface Course (Bound material)	35mm
Carriageway Binder Course (Bound Material)	60mm
Base (Bound Material)	255mm
Type 1 Sub-base Material	150mm
Tensor TX160 or SS30 Geogrid	0mm
6F2 Imported Capping Material	150mm
Tensor TX160 or SS30 Geogrid	0mm
Clean Sharp Sand	250mm
Teram 1000 Geotextile	0mm
Total Minimum thickness	900mm

Table 1 – Protective Layers

A calculation of the maximum loading on the carriageway combined with the total overburden gives a pressure on the surface of the archaeological feature of 70kPa.

We do not believe that under these loading conditions there will be any deformation of the ground. However, strength tests will be undertaken adjacent to the feature prior to the protection works being undertaken to confirm the bearing capacity of the ground.

3. Method Statement

This method statement is for the protection of the archaeological feature found at chainage 2300. It is to be read in association with drawing number 550370-SK-204 revision C.

3.1 General Guidance

All work will be completed under the close supervision of the Archaeologists from Worcestershire Council Historic Environment and Archaeological Services.

No plant will be allowed to track on the surface of the archaeological feature until the first geotextile layer and first layer of sand is laid. At this point only the approved compaction equipment will be allowed to track over the feature.

Personnel will not be allowed to walk on the feature until the first geotextile layer has been laid. Prior to this stage access onto the feature will only be allowed via the routes agreed with the Archaeologist on site (along routes already removed due to the roman ditch and land drains).

3.2 Activities

1. Divert two land drains away from the feature. This must be done without the excavation or damage to the feature itself.
2. backfill the Roman ditch, fire pits and other severe excavations to create a relatively flat surface to avoid the geotextile bridging any holes to create voids. Backfill material to be sourced locally and place using an excavator arm long enough to reach without encroaching on the feature, if this is not possible the material will be brought in by wheel barrow. Take care to avoid

spilling fill on the exposed feature. Compact fill under strict guidance of the Archaeologist using hand held compaction equipment only.

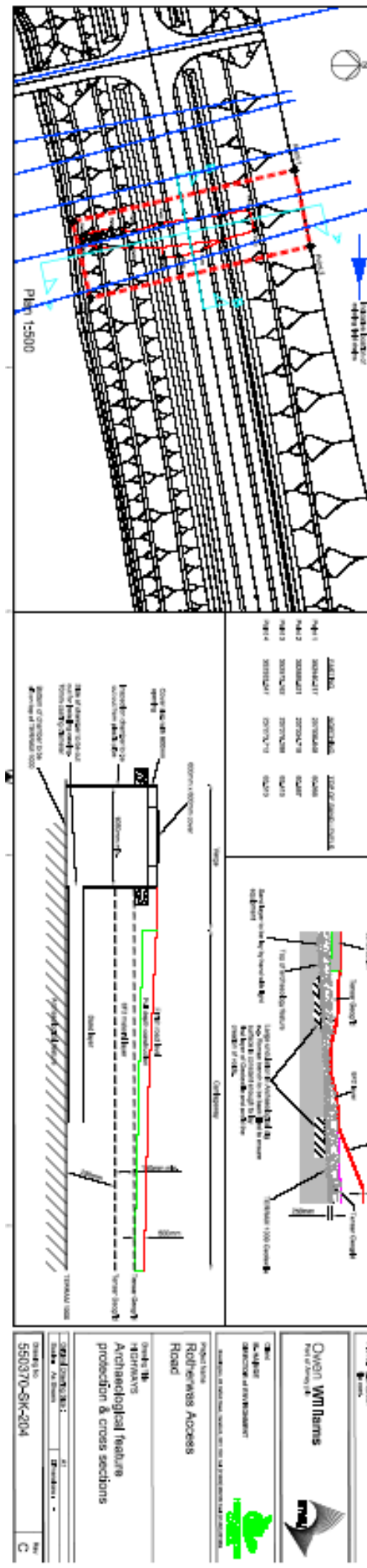
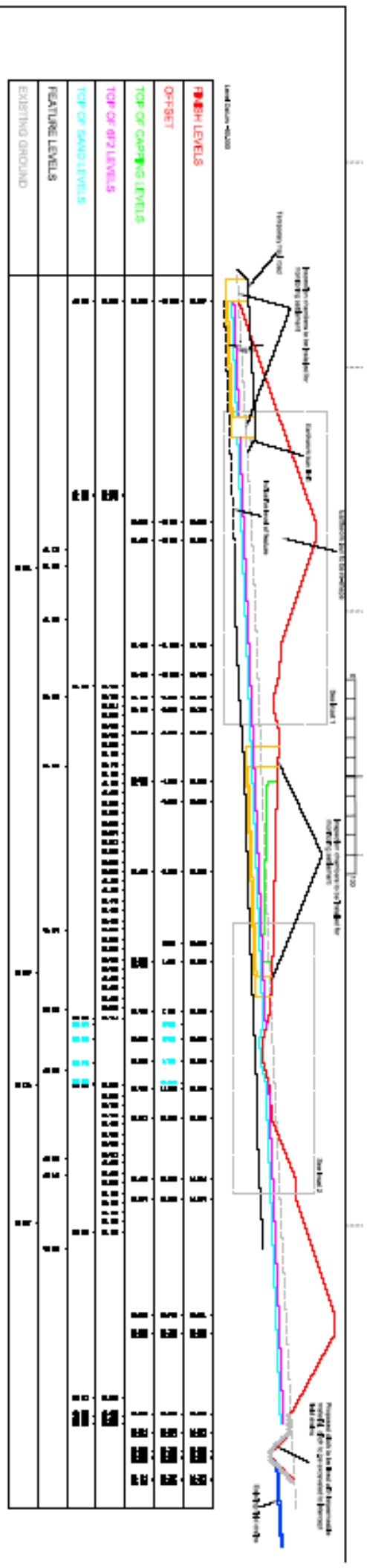
3. Undertake a level survey of the surface for use later to ensure required protection depths are constructed.
4. Lay the first layer of geotextile (Terram 1000) starting from north end and rolling uphill. Leave 3m at the northern end to be wrapped over sand layer. Ensure overlaps of at least 300mm between geotextile sheets. Roll as far south as the diverted field drains allow.
5. Construct chambers for monitoring stations.
6. Place 150mm of the sand adding greater depth to a maximum of 250mm to even out undulations. Compact with a deadweight Bomag 120 roller (2.3Tonnes). Check levels and add sand as necessary.
7. ITM Limited to lay casing from monitoring chambers.
8. Place a further 100mm of sand adding greater depth to a maximum depth of 250mm to further even out undulations. Compact with a deadweight 4 Tonne roller. Check levels and add sand as necessary.
9. Wrap over the 3m of geotextile onto the top of the sand layer. Lay Geogrid (Tensar TX160 or SS30) onto sand layer starting from the North and roll south to the limit of the current sand layer.
10. Place 150mm 6F2 material and compact with a vibrating Bomag 120 roller. 6F2 material to overlap the end of the sand layers by 2m. Check levels and add 6F2 as necessary.
11. Lay final layer of geogrid from the North and roll south to the limit of the Type 1 layer.
12. Overlay with at least 500mm of general fill and compact as necessary, then open north end of feature up as a haul road.
13. Excavate for ditch at the south end of the protection layer to pick up the land drains. Install impermeable layer to sides of the ditch. Utilise the existing trench through the feature, cut during the early archaeological investigation, to minimise damage to the feature. Remove the temporary land drains.
14. Repeat activities 3 to 11 above until the whole feature is covered and protected but with the addition of the settlement monitoring equipment into the sand layer (details to follow).

4. Monitoring

The method for the future monitoring of the feature for settlement following the opening of the road has been investigated. Soil Instruments Ltd specialise in precise settlement monitoring equipment and advise the best produce would be a Horizontal Digital Inclinator System. This could be installed at the top of the feature within the sand layer and would monitor settlement to an accuracy of 2mm.

Monitoring will take place during construction of the protection layers, haul road and permanent carriageway.

Monitoring will continue from the opening of the road to traffic for two years with readings taken on a 3 monthly basis.



Owen Williams
Professional Engineer
No. 12345

Project Name: **Rodrigues Access Road**

Drawn By: **14/00000000**

Archaeological feature protection & cross sections

REVISIONS	
1	Issue for construction
2	Issue for construction

Scale: As Shown
Date: 15/03/2014

Rotherwas Access Road

Alternative Options to Avoid Archaeology

Issue 1

Date of Issue: AUGUST 2007

**Owen
Williams**
Part of Amey plc



Owen Williams
Thorpe House
25 King Street
Hereford
HR4 9BX

Herefordshire
'Brockington'
35 Hafod Road
Hereford
HR1 1SH

Contents

Page

1	Introduction	1
2	Option A – Realignment to the South	1
3	Option B – Realignment to the North	2
4	Option C – Bridge over the Feature	3
5	Option D – Tunnel Under the Feature	5
6	Conclusion	6

Rotherwas Access Road Additional Options to Avoid Archaeology

1 Introduction

- 1.1 Herefordshire Council requested a preliminary assessment of options for the realignment of the Rotherwas Access Road to avoid the archaeological feature found near Watery Lane.
- 1.2 The options we have been requested to consider are:
 - Option A - Re-align the road further south at the feature
 - Option B - Re-align the road north at the feature
 - Option C - Bridge over the feature
 - Option D - Tunnel under the feature
- 1.3 The report gives only our initial perception of the feasibility of each option without having done any detailed analysis of the risks or constraints.
- 1.4 An approximate programme for the delivery of the options has been included with assumptions on the success of subsequent planning or statutory processes. No inclusion has been made for the programme implications of funding submissions.
- 1.5 Outline costs have been provided based on the Termination Clause Report and the Rotherwas Tender submissions. No consultation with the *Contractor* has been undertaken in deriving the figures given in this note. The final costs may therefore differ significantly from those given.

2 Option A – Realignment to the South

2.1 Option Description

- 2.1.1 An outline alignment design has been considered to the South of the existing route. However the topography as Dinedor Hill rises is such that the alignment is not possible without departures from standard and major cuttings.

2.2 Route Option Comments

- 2.2.1 The archaeological feature is likely to extend to the south although this cannot be confirmed until further investigation work has been completed in the adjacent field.
- 2.2.2 The route encroaches upon Woodlands Farm which would require demolition.
- 2.2.3 The route would require approximately 1.7km of realigned carriageway necessitating the purchase of new land and the re-establishment and sale of the land currently under construction.
- 2.2.4 A full planning and statutory orders process would be required with objections likely due to the opposition to the road regardless of the archaeological benefits.

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

2.3 Cost Estimate

2.3.1 Based on the current scheme cost estimates a cost per KM of £3.6M has been assumed. Therefore, the cost of delivering the revised option would be about £9M (including about £1M to demolish and return the road constructed so far to agriculture and £2M for the extensive earthworks necessary).

2.4 Programme

Activity	Start	Finish
Establish Brief and Feasibility Design	Sep 2007	Nov 2007
Demolish, return to agriculture and demobilise	Dec 2007	Feb 2008
Preliminary Design	Dec 2007	Feb 2008
Environmental Assessment	Feb 2008	May 2008
Planning / CPO Process	May 2008	Sep 2010
Detailed Design	Sep 2009	Sep 2010
Procurement	Sep 2010	Mar 2011
Construction	Mar 2011	Sep 2011

3 Option B – Realignment to the North

3.1 Option Description

3.1.1 An outline alignment design has been tested to the North of the existing alignment. The design moves the road a clear 50m north of the Archaeological Feature found so far. The alignment is designed to the Design Manual for Roads and Bridges single carriageway road with a 60mph speed limit as per the current road design.

3.1.2 The realigned carriageway ties into the current design just east of red brook and at the limits of the existing industrial estate. Due to a sharp turn required at the industrial estate we have assumed that a roundabout junction will be constructed at this point.

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

3.2 Route Option Comments

- 3.2.1 The archaeological feature is likely to extend to the north although this cannot be confirmed until further investigation work has been completed in the adjacent field. The ground profiles in the adjacent field also indicate that this may be the case.
- 3.2.2 The route encroaches upon farm buildings used by Tracy Goodwin. These buildings would need to be demolished and replaced.
- 3.2.3 The route would require approximately 1.7km of realigned carriageway necessitating the purchase of new land and the re-establishment and sale of the land currently under construction.
- 3.2.4 A full planning and statutory orders process would be required with objections likely due to the opposition to the road regardless of the archaeological benefits.
- 3.2.5 The road would encroach onto the area protected by the Defra licences for great crested newts and lesser horseshoe bats.
- 3.2.6 The road would encroach onto land set aside for development at the industrial estate.

3.3 Cost Estimate

- 3.3.1 Based on the current scheme cost estimates a cost per KM of £3.6M has been assumed. Therefore the cost of delivering the revised option would be about £7M (including about £1M to demolish and return to the road constructed so far to agriculture).

3.4 Programme

Activity	Start	Finish
Establish Brief and Feasibility Design	Sep 2007	Nov 2007
Demolish, return to agriculture and demobilise	Dec 2007	Feb 2008
Preliminary Design	Dec 2007	Feb 2008
Environmental Assessment	Feb 2008	May 2008
Planning / CPO Process	May 2008	Sep 2010
Detailed Design	Sep 2009	Sep 2010
Procurement	Sep 2010	Mar 2011
Construction	Mar 2011	Sep 2011

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

4 Option C – Bridge Over the Feature

4.1 Option Description

4.1.1 A bridge over the feature has been considered requiring the elevation of the road by a further 3m to allow public access to the feature.

4.1.2 The form or design of a structure has not been considered at this stage.

4.2 Route Option Comments

4.2.1 Our understanding of the feature is that it was probable constructed to have a visual presence within the landscape. We do not consider therefore that building a bridge over the feature will be in any way more beneficial to its preservation and appeal to visitors.

4.2.2 The feature would be left exposed to the elements and would deteriorate rapidly leaving little to view or protect in the future. To mitigate against deterioration, the feature would need to be covered with some sort of structure. The feasibility of which could not be considered until the full extents of the feature were discovered.

4.2.3 Although the new alignment would be constructed completely on the line of the existing road the earthworks required to gain the height over the bridge would require additional land. A full planning and statutory orders process would be required with objections likely due to the opposition to the road regardless of the archaeological benefits and the increased visual intrusion of the road.

4.2.4 The extended earthworks for the road would encroach onto the area protected by the Defra licences for great crested newts and lesser horseshoe bats.

4.2.5 The extended earthworks for the road would encroach onto land set aside for development at the industrial estate.

4.2.6 Extensive overhead high voltage electricity diversions may be necessary to facilitate this option.

4.3 Cost Estimate

4.3.1 Based on the current scheme cost estimates a cost of £1M is assumed for the structure. An additional £2M is assumed for the earthworks required. To make this part of the site safe and proceed with the design, planning/statutory processes, procurement, construction and protective structure an additional £7M is assumed. A total cost is therefore estimated to be £10M.

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

4.4 Programme

Activity	Start	Finish
Establish Brief and Feasibility Design	Sep 2007	Nov 2007
Demobilise and Make Site Safe	Dec 2007	Feb 2008
Preliminary Design	Dec 2007	Feb 2008
Environmental Assessment	Feb 2008	May 2008
Planning / CPO Process	May 2008	Sep 2010
Detailed Design	Sep 2009	Sep 2010
Procurement	Sep 2010	Mar 2011
Construction	Mar 2011	Sep 2011

5 Option D – Tunnel Beneath the Feature

5.1 Option Description

5.1.1 An outline alignment design has been tested to tunnel beneath the feature at a depth of about 12m. To achieve this the road would not tie into the industrial estate without departures from standard. If departures from standard were required to be introduced to enable the alignment to tie in then either long lengths of tunnel, retaining structure and/or significant earthworks would be required.

5.1.2 A second tunnel option is possible without departures from standards by realigning the carriageway further south and using the rising levels of Dinedor Hill to provide cover to the tunnel. However the length of road in tunnel would be longer, approximately 1km.

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

5.2 Route Option Comments

- 5.2.1 Tunneling so shallow beneath the feature is likely to result in surface settlement of a greater amount than the settlement expected by the existing road.
- 5.2.2 The choice of a tunnel option implies that the feature will be fully exposed and open for public view. The feature would require extensive protection works to preserve it from the elements. Also there may be consideration given to reconstructing the feature due to the extensive damage caused by the Roman ditch and farmers land drains.
- 5.2.3 Both options would be a significant departure from the existing road and would require access to additional land. Therefore, a full planning and statutory orders process would be required.

5.3 Cost Estimate

- 5.3.1 The shorter tunnel option to remain on the existing route of the road would require a combination of complicated structures including bored or jacked box tunnel, cut and cover tunnel, extensive retaining wall/reinforced earth structures and significant earthworks. With so many unknowns it is difficult to put any costs to this. However, it is likely to be less than the longer tunnel option.
- 5.3.2 The Stonehenge Tunnel is currently estimated at £470M for 2.1km of dual carriageway constructed as a twin tunnel, say £235M per drive. The longer of the two tunnel options would need about 1km of tunnel, so on this basis this could cost £110M.

5.4 Programme

Activity	Start	Finish
Establish Brief and Feasibility Design	Sep 2007	Nov 2007
Demolish, return to agriculture and demobilise	Dec 2007	Feb 2008
Preliminary Design	Dec 2007	Feb 2008
Environmental Assessment	Feb 2008	May 2008
Planning / CPO Process	May 2008	Sep 2010
Detailed Design	Feb 2008	Sep 2010
Procurement	Sep 2010	Mar 2011
Construction	Mar 2011	Sep 2011

6 Conclusions

**Rotherwas Access Road
Additional Options to Avoid Archaeology**

6.1 All options described will require considerable redesign work, a new planning and statutory orders process and procurement for a new construction contract. Therefore all options would be unlikely to be completed on site before September 2011.

6.2 The Cost estimates within the report can be summarised as follows:

Option A - Re-Align the road further south at the feature	£9M
Option B - Re-Align the road north at the feature	£7M
Option C - Bridge over the feature	£10M
Option D - Tunnel under the feature	£110M

Rotherwas Access Road

Termination Clause Report

Issue 1

Date of Issue: July 2007

**Owen
Williams**
Part of Amey plc



Owen Williams
Thorpe House
25 King Street
Hereford
HR4 9BX

Herefordshire
'Brockington'
35 Hafod Road
Hereford
HR1 1SH

	Contents	Page
1	Introduction	3
2	Contract Clauses	3
3	Procedures	3
4	Amount Due	3
5	Fees	4
6	Additional Activities Required	4
7	Conclusion	5
	Appendix A	7

1 Introduction

Herefordshire Council Requested details on the Termination Clause within the contract for the Rotherwas Access Road and an estimated cost associated with terminating the contract.

The costs quoted in this report are not based on any detailed analysis of the work required but a rough estimate for each activity.

No consultation with the *Contractor* has been undertaken in deriving the figures given in this note. The final costs may therefore differ significantly from those given.

2 Contract Clauses

There are no Z clauses which alter or add to the standard NEC termination clauses 94, 95, 96 and 97.

Clause 94.2 states “The *Employer* may terminate for any reason” and that “The procedures followed and amounts on due on termination are in accordance with the Termination Table”.

The termination table refers to a number of standard reasons for termination (R1 to R21) The reason for termination will not fall within these standard reasons.

Using the termination table, procedures P1 and P2 should be followed and the amount due should be calculated using A1, A2 and A4.

3 Procedures

P1 – “On termination, the *Employer* may complete the *works* himself or employ other people to do so and may use any Plant and Materials to which he has title.” This contract would not be terminated in order that it could be awarded to a different contractor so this procedure should not be required.

P2 – “The *Employer* may instruct the *Contractor* to leave the Site, remove any equipment, Plant and Materials from the Site and assign the benefit of any subcontract or other contract related to performance of this contract to the *Employer*.” Again this should not be relevant as we would not be intending to maintain any subcontractor or other contracts.

4 Amount Due

Code	Contract Clause	Assumptions	Cost
A1	An amount due assessed as for normal payments.	Completed Activities to end of July 07	£2.72M
	The Actual Cost for Plant and materials within the Working Areas to which the <i>Employer</i> has title and of which the <i>Contractor</i> has to accept delivery	Plant and Material on site and about to be delivered for structures.	£0.25M
	Other Actual Cost reasonably incurred in expectation of completing the whole of the <i>works</i> . (Partially completed Activities + all other reasonable costs).	Partially completed Activities as forecast for August + payment of 50% of CEs (0.2M).	£1.06M
	Any amounts retained by the Employer	Retention	£0.14M

	A deduction of any unrepaid balance of an advanced payment.	None	£0
A2	The forecast Actual Cost of removing the Equipment.	demobilisation cost – Assume 1 month preliminaries	£0.07M
A4	The <i>fee percentage</i> applied to any excess of the total of the Prices at the Contract Date over the Price for Work Done to Date.	(£4.96M - £4.24M) x 8%	£0.06
Total			£4.30M

5 Fees

The agreement of the amount due is not a simple exercise and is likely to require long and detailed negotiation. It would be likely that this would take more than a year and require significant fees to be allowed. For the purposes of this note a figure of **£200K** has been used.

6 Additional Activities Required

Stop work and return to pre-construction state*	Stop Work for Commencement at a later stage*
Zone 1 <ul style="list-style-type: none"> • Removal of temporary road construction, earthworks and fencing. Replace topsoil and return to agriculture. • Divert back BT apparatus to original line. • Re-construction of A49 bound layers. • Backfill earthworks cut, topsoil and return to agriculture. • Remove stock proof fencing. • Re-establish any damaged land drains. • Remove underground drainage. 	Zone 1 <ul style="list-style-type: none"> • Removal of temporary road construction, earthworks and fencing. Replace topsoil and return to agriculture. • Re-construction of A49 bound layers. • Complete stock proof fencing and accesses. • Backfill earthworks with layer to protect formation.
Zone 2 <ul style="list-style-type: none"> • Remove Norton Brook Culvert, backfill and re-establish original brook course. • Excavate bund with material taken to backfill the Hoarwithy bridge cutting. • Remove stock proof fencing. • Backfill ditches and re-establish field drains. • Remove underground drainage. • Backfill balancing ponds. 	Zone 2 <ul style="list-style-type: none"> • Complete Norton Brook Culvert wingwalls. • Planting along realigned brook course to prevent scour. • Completion of ditch and outfalls • Backfill earthworks with layer to protect formation.
Zone 3 & 4 - Hoarwithy Road Bridge	Zone 3 & 4 – Hoarwithy Road Bridge

<ul style="list-style-type: none"> • Demolition works to bridge constructed to date or bury. • Place and compact earthworks to fill cutting. • Divert Welsh water main back to original course. • Divert BT back to original course. • Remove fencing and re-establish stock proof fencing. 	<ul style="list-style-type: none"> • Complete bridge structure and road tie-ins. • Complete permanent Welsh Water and BT diversions • Finish stock proof fencing. • Remove temporary carriageway. • Backfill earthworks with layer to protect formation.
<p>Zone 5</p> <ul style="list-style-type: none"> • Backfill cutting and balancing pond. • Remove fencing and re-establish stock proof fencing. 	<p>Zone 5</p> <ul style="list-style-type: none"> • Finish stock proof fencing • Backfill earthworks with layer to protect formation.
<p>Zone 6</p> <ul style="list-style-type: none"> • Backfill cutting and re-excavate embankments. • Remove fencing and re-establish stock proof fencing. • Backfill above archaeological feature and return to agriculture. • Re-establish fencing and hedges. 	<p>Zone 6</p> <ul style="list-style-type: none"> • Construct temporary protection for archaeological feature. • Finish stock proof fence. • Backfill earthworks with layer to protect formation.
<p>Zone 7</p> <ul style="list-style-type: none"> • Backfill cutting and re-excavate embankments. • Remove fencing and re-establish stock proof fencing. • Return site to grazing pasture and remove temporary newt fencing. • Divert BT and electrical diversions back to original. • Remove all drainage works completed to date. 	<p>Zone 7</p> <ul style="list-style-type: none"> • Complete badger and newt fencing and multi species tunnel. • Complete newt ponds and other ecological requirements of the DEFRA licence. • Complete security fencing and accesses for industrial units. • Finish all part complete drainage.
<p>Zone 8 & 9</p> <ul style="list-style-type: none"> • Reconstruct removed carriageway. • Excavate new roundabout road construction. • Divert BT and electrical diversions back to original. • Remove fencing and temporary footpath. 	<p>Zone 8 & 9</p> <ul style="list-style-type: none"> • Complete partially complete roundabout construction. • Complete drainage works
<p>Estimated Total Cost = £2Million</p>	<p>Estimate Total Cost = £1.5Million</p>

* Assume works would be carried out by the *Contractor* Alfred McAlpine.

7 Conclusion

The total cost of terminating the contract in August is estimated to be the total of the amount due, fees and additional work (£6.0M to £6.5M) less the amount already paid to McAlpine for completed activities (£2.7M).

Cost to terminate = £3.3M to £3.8M)

Appendix A – Scheme Zone Plan

**A PROPOSAL FOR ARCHAEOLOGICAL EVALUATION OF THE
'ROTHERWAS RIBBON' ON HEREFORDSHIRE COUNCIL OWNED LAND
AT ROTHERWAS INDUSTRIAL ESTATE**

**(INCLUDING ADDITIONAL OUTLINE PROPOSALS FOR PREPARATION
OF A CONSERVATION PLAN, A VISITOR CENTRE FEASIBILITY STUDY
AND AN ARCHAEOLOGICAL STUDY OF THE WIDER ROTHERWAS
LANDSCAPE)**

1. *Summary*

This document is a proposal for archaeological evaluation of the Rotherwas Ribbon (a potentially highly important Neolithic/Early Bronze Age monument discovered in early Summer 2007 at Rotherwas, Herefordshire) on land owned by Herefordshire Council within Rotherwas Industrial Estate. The objective of the work will be to define the existence, extent and character of the Ribbon within the industrial estate.

Dependent on the results of the archaeological work, it is also proposed to prepare an interim Conservation Plan for the Rotherwas Ribbon (in the meantime only for any part of it located within the industrial estate), and to commission a feasibility study evaluating the potential for the creation of a permanent Rotherwas Ribbon visitor centre incorporating an exposed section of part of the monument on Council owned land within the industrial estate. In addition, the designing of a broader archaeological study of the landscape of the Rotherwas area is also proposed.

It is intended that the work should be funded by Herefordshire Council, and managed and undertaken by Herefordshire Archaeology (the archaeology service of Herefordshire Council) with specialist external involvement as required. The first stage of the project (the archaeological evaluation work) would provisionally take place in late Autumn 2007, and would be completed (to Assessment Report stage) by the end of February 2008. The interim Conservation Plan would be completed by the end of May 2008, the Visitor Centre feasibility study by the end of September 2008, and the archaeological landscape study project design by June 2008.

2. *Background and rationale*

The Rotherwas Ribbon was discovered in early Summer 2007 during archaeological mitigation work undertaken for Herefordshire Council by the Worcestershire Historic Environment and Archaeology Service in advance of the construction of the Rotherwas Access Road (a link road from the A49 to the Rotherwas Industrial Estate). The Ribbon is a unique serpentine shaped monument made of fire cracked stone and apparently dating from the Neolithic/Early Bronze Age. Though not precisely interpreted, its likely date and highly unusual character (apparently representing a hitherto unknown aspect of Neolithic/Bronze Age cultural activity) make it of high potential archaeological importance and interest.

75 metres of the Ribbon was exposed within the road corridor, and it is clear that the monument extends north (towards Dinedor Hill) and south (towards the Rotherwas Industrial Estate). A funding proposal for further archaeological work (geophysical survey and sample excavation) has recently been made to English Heritage with the objective of further evaluating the extent, nature and date of the Ribbon in the fields immediately beyond the road corridor. Subject to agreement by English Heritage, this work is planned to take place in early Autumn 2007. As part of an ongoing process of

determining the future of the road scheme and the conservation of the Ribbon, the opened area of the monument within the road corridor has recently been reburied as a protection measure.

Alongside the planned English Heritage funded work it is important to begin to further define the presence of the Rotherwas Ribbon in areas of direct potential management threat (notably the Rotherwas Industrial Estate), to start to set understanding of the Rotherwas Ribbon within a more integrated view of the wider Rotherwas historic landscape, and to evaluate the options for long term public presentation of the Rotherwas historic landscape story (including the Ribbon) within a Visitor Centre (with Herefordshire Council owned land within Rotherwas Industrial Estate an obvious 'in principle' location for such a facility).

The immediate objectives in progressing the Ribbon agenda are therefore (subject to the findings of the planned English Heritage funded work) to define the extent and survival of the Rotherwas Ribbon within the Rotherwas Industrial Estate, to develop an interim Conservation Plan for the monument in this 'high risk' development area, to evaluate the feasibility of creating a Rotherwas Ribbon Visitor Centre within the industrial estate, and to design a process of further investigation and management of the wider Rotherwas historic landscape.

3. Project Components

The proposed project has 4 components:

1. Archaeological field evaluation of the Rotherwas Ribbon within Rotherwas Industrial Estate.

2. Preparation of a interim Conservation Plan for the Rotherwas Ribbon in the Rotherwas Industrial Estate.

3. Execution of a feasibility study for the creation of a Rotherwas Ribbon Visitor Centre within Rotherwas Industrial Estate.

4. Devise a 'Landscape Study' to set the Rotherwas Ribbon in the wider historic landscape context of the Rotherwas area, and to enable definition of management objectives for the wider Rotherwas historic landscape.

It should be noted that Component 1 (objectives and method statement detailed below) is contingent on the results of the proposed English Heritage funded work (provisionally planned for Autumn 2007) supporting the possibility that the Ribbon extends into Rotherwas Industrial Estate. Components 2 and 3 are similarly contingent on Component 1 identifying remains of the Ribbon within the Rotherwas Industrial Estate (and therefore at this outline stage they are only defined below in terms of objectives).

4. Strategic Context

The specific project proposals set out within this document (and the detailed issue of the identification of and presentation of the remains of the Rotherwas Ribbon within the Rotherwas Industrial Estate) should be seen as Stage 1 within a broader strategic process for developing the understanding, management and public presentation of the multi-period historic landscape of the Rotherwas area. That strategic process will include the following stages:

- Stage 1- Implementation of the present proposals (to be completed by September 2008)
- Stage 2 – Implement the wider landscape survey (according to the design developed under Component 4 of the present project, 2008/9)
- Stage 3 – Implement the Visitor Centre Project (2009/10?)

5. *Project component breakdown*

5.1 Archaeological field evaluation of the Rotherwas Ribbon within Rotherwas Industrial Estate

Objectives:

- To test the premise that the Rotherwas Ribbon extends into the area of the Rotherwas Industrial Estate and that remains of it survive there;
- To establish the extent and location of the Rotherwas Ribbon in the Rotherwas Industrial Estate;
- To provide further archaeological evidence contributing to the overall understanding of the Rotherwas Ribbon;
- To provide opportunities for public engagement with the evaluation process.

Method:

Because past disruption and contamination of surface horizons in the industrial estate/former military camp has almost certainly made geophysical survey impractical, archaeological assessment will be proceed by opening trenches. Subject to confirmation of Herefordshire Council ownership, assessment of the likely line of the Ribbon, location of known services, and practical access and safety considerations, two trenches will be opened. The trenches will be 30 x 4 metres in size. The width of the trenches will allow a narrower trench to be extended (in depth) to achieve a safe working environment at depth. The length of the trenches (30m) is designed to extend a distance beyond the width of the 'paved' monument. Excavation will be undertaken in each trench to expose the top of the stone surface/deposit, prehistoric fills or natural (whichever is encountered first), also ensuring that all later archaeological features (such as features associated with the military use of the site) are properly examined and recorded. Dependent on the initial results, an area of the Ribbon stone surface/deposit may be additionally excavated to extract samples (environmental, geoarchaeological and radiocarbon) and test the sequence of deposits. Where appropriate, excavation of features outside of the stone surface/deposit (such as associated pits) will also be undertaken.

Depending on the exact locations chosen, appropriate consideration will be given to safely securing the site outside of working hours, with necessary practical measures (such as erection of site security fencing) taken to ensure this. On completion of the excavations, the excavated areas will be carefully backfilled, replacing the fills in the same sequence as they were extracted, and restoring the surface as found.

Following completion of the fieldwork, an Assessment Report will be prepared. This process will include collation of the site archive (including finds and environmental processing), preparation of a site archive summary report, and preparation of the

Assessment Report. The Assessment Report will be used to inform the conduct of further analysis of the excavation archive and the subsequent preparation of the Final Report.

The fieldwork and post excavation elements of the project will be accompanied by ongoing dissemination of public information about the project. Provisionally this is planned to include maintaining and posting a daily web based 'dig diary' during the course of the project, the production of 3 formal press releases (announcing the commencement of the work/proposed work programme, the completion/results of the fieldwork phase, and the completion/results of the Assessment Report stage), and programme of 3 public visit days (including one Saturday) to be undertaken following the completion of the excavations.

Staffing and timescale

Overall management would be undertaken by Dr Keith Ray (County Archaeologist), with project management/public liaison coordination undertaken by Ian Bapty (Senior Project Archaeologist). The Site Director would be Peter Dorling (Senior Project Archaeologist), assisted by David Williams (Project Archaeologist) and Chris Atkinson (Community Archaeologist). Post excavation work would be undertaken by Peter Dorling with assistance from other Herefordshire Archaeology staff as required, and potentially including specialist assistance from external experts.

The fieldwork is provisionally planned to be undertaken over a 4 week period in Late Autumn 2007. Post excavation work/Assessment Report preparation would be completed by the end of February 2008, with the final report completed by the end of August 2008.

5.2 Preparation of an interim Conservation Plan for the Rotherwas Ribbon in the Rotherwas Industrial Estate

Objectives (note that this component will only take place subject to the identification of the Ribbon within the industrial estate):

- To detail the remains, extent and condition of the Rotherwas Ribbon within the Rotherwas Industrial Estate;
- To set out constraints on development of areas where the Ribbon may exist;
- To define an overall management plan for the Rotherwas Ribbon within the Rotherwas Industrial Estate

Staffing and timescale

The interim Conservation Plan will be undertaken by Ian Bapty (Senior Project Archaeologist) under the management of Dr Keith Ray (County Archaeologist). The plan is provisionally planned to be completed by the end of May 2008.

5.3 Execution of a feasibility study for the creation of a permanent Rotherwas Ribbon Visitor Centre within Rotherwas Industrial Estate

Objectives (note that this component will only take place subject to the identification of the Ribbon within the industrial estate):

- Assess the practical feasibility of creating a visitor centre within the Rotherwas Industrial estate (finding a suitable location which will incorporate the Ribbon

remains, associated public access and safety considerations, and the process of combining such a facility with the other commercial activities on the site);

- Assess the conservation issues surrounding the permanent open display of a fragile structure such as the Ribbon within a visitor centre context;
- Assess the viability of such a proposal in terms of visitor demand, commercial sustainability, and input to the Hereford/Herefordshire economy;
- Assess the practical display/interpretation issues which the particular nature of the Ribbon (highly important, but unimpressive visually) raises;
- Give outline consideration to the nature of the building and facilities which would best deliver a broad based/sustainable attraction;
- Should the idea be considered feasible, provide outline costs for developing such a facility, identify potential sources of funding, and provide a 'roadmap' for achieving realisation of the project.

Staffing and timescale

The project would be undertaken by external consultants, and would be managed (including preparation of the brief) for Herefordshire Archaeology by Ian Bapty (Senior Project Archaeologist) under the overall management of Dr Keith Ray (County Archaeologist). The project would commence concurrently with the Conservation Plan preparation process. The brief would be prepared by the end of May 2008, and subject to appointment of consultants, the feasibility study would be completed by the end of September 2008.

5.4 Devise a 'Landscape Study' to set the Rotherwas Ribbon in the wider historic landscape context of the Rotherwas area, and to enable definition of management objectives for the wider Rotherwas historic landscape.

Objective

Design a study of the wider history of settlement in the Rotherwas area as a basis for presentation and management of the combined Rotherwas archaeological resource. The study will include:

- Survey of Rotherwas House and Chapel (including house, Scheduled Monument, chapel and English Heritage Guardianship area);
- Survey of the existing Dinedor Hill Scheduled Ancient Monument, and investigation and evaluation of the wider Dinedor ridge area, including possible field evaluation report;
- Integration and restatement of the Royal Ordnance Factory Assessment Report (Gifford 2000) and identification of the historic factory as a key part of the Rotherwas historic estate;
- Preparation of an integrated Conservation Management Plan for the Rotherwas landscape to include Dinedor camp (Conservation Management Plan for Dinedor camp already in progress), the whole of the Rotherwas Ribbon, the whole former Royal Ordnance Factory and the whole of Rotherwas House and chapel and ruined landscape.

Staffing and timescale

The study design would be undertaken by Ian Bapty (Senior Project Archaeologist) under the overall direction of Dr Keith Ray (County Archaeologist). The design process would be undertaken concurrently with Components 2 and 3, with the design to be prepared by the end of June 2008. The objective would be use the design to secure funding for the landscape study and commence its implementation by Autumn 2008.

6. Costs

Component 1, including Herefordshire Archaeology staff time (Peter Dorling, David Williams, Chris Atkinson and Ian Bapty) for fieldwork, post excavation, report production and public liaison, plus additional external expenses (such as hire of machine, erection of security fencing, specialist analysis, report printing etc.) is estimated at **£20,000**.

Component 2, including Herefordshire Archaeology staff time (Ian Bapty) and report preparation costs, is estimated at **£3000**.

Component 3 is broadly estimated (inclusive of Ian Bapty staff time for Herefordshire Archaeology and external consultant costs) at **£30,000**.

Component 4 including Herefordshire Archaeology staff time (Ian Bapty) and report preparation costs, is estimated at **£2,500**.

The overall Project Cost is therefore estimated at **£55,500**.

BUILDING SCHOOLS FOR THE FUTURE

REBUILDING THE MINSTER COLLEGE, LEOMINSTER

PORTFOLIO RESPONSIBILITY: CHILDREN & YOUNG PEOPLES SERVICES

CABINET

6TH SEPTEMBER 2007

Wards Affected

Hampton Court, Leominster North, Leominster South, and Upton.

Purpose

To confirm, prior to tenders being sought, the strategic elements of the project namely the size of school, the wider community facilities to be included and the provision for third party use.

Key Decision

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

Recommendation(s)

- (a) The Minster College be rebuilt as a 6 Form of Entry, 11-16 High School (Mainstream capacity 900) with a Sixth Form of 120 as a single school pathfinder under the Building Schools for the Future Initiative;**
- (b) On completion of the new facilities for the Minster College, the existing design/technology block be converted in part for use as a Youth Centre, subject to funding be approved as part of the Council's annual capital planning process;**
- (c) Facilities for use by the Marches Consortium and for industrial enterprise be provided, if the Consortium and Advantage West Midlands respectively provide the necessary funding, and if satisfactory lease arrangements can be agreed.**

Further information on the subject of this report is available from
George Salmon, Head of Commissioning & Improvement – Schools & Services (01432) 260802

Reasons

1. The Minster serves the town of Leominster and a large rural area as shown on Appendix 1. A school with an annual entry of 180 will provide sufficient spaces for those children under the age of 11 living in this area, and those likely to be living in the area in any new housing in the future.
2. Youth facilities in Leominster are poor, and in property leased to 2013. The refurbishment of part of an existing building opposite the Sports Centre and Swimming Pool provides a longer-term solution in an appropriate location.
3. All schools in the country are expected to offer extended services, and in the new build opportunities to maintain and extend, adult education, and work training including teacher training on the campus should be exploited.

Considerations

1. Cabinet approved the bid to DCSF that The Minster College be rebuilt under the Single School Pathfinder project. DCSF confirmed in June 2007 that £21,250,000 would be available for this project and the procurement through a design and build process met DCSF requirements. This funding was based on a 900 place 11-16 high school with additional 120 post-16 places. It also included £1,928,000 for special educational needs provision. The DCSF have confirmed that the sum for SEN provision will remain available pending a countrywide review of provision for children with special educational needs.
2. The number of students at the school in the past is set out in the table below:

THE MINSTER COLLEGE	
	TOTAL ON ROLL EXCLUDING SIXTH FORM
January 2002	617
January 2003	616
January 2004	633
January 2005	625
January 2006	645
January 2007	622

124 students have been allocated places to start at the school in September 2007.

3. The number of children under the age of 11 living in the catchment varies between 136 and 195 per year group.
4. There are 260 dwellings allocated in Leominster in the current UDP, and all indications suggest that market towns will be the focus of further housing allocation in the period 2011 to 2025. Therefore it is likely that the number of students living in Leominster town will grow.
5. The intake for September 2007 to The Minster is 124 from a cohort of those eligible and living in the catchment area of 199.
75 students have sought places at:
 Tenbury High School (9)
 Bishops of Hereford Bluecoat High School (8)
 Weobley High School (25)

Wigmore High School (7)
Other Schools including Private (26)
Total 75

6. The experience of Whitecross High School moving into new buildings showed that applications for admissions can increase significantly when new accommodation is provided (i.e. for Whitecross the number of first preferences rose from 184 in 2004 to 240 in 2007).
 7. It is impossible to predict with accuracy the impact of new buildings on parental preference but, with new accommodation, parents may prefer to apply for places at The Minster College rather than other schools. It is a central principle of the school organisation plans that schools should serve their area. Given this principle, and our best assessment of future demand, planning for 180 students per year is a sensible long-term strategy.
 8. The Headteacher has been a key member of the project group since the autumn of 2006, and all design and curriculum planning work has been based on a school of 900. The Headteacher has serious concerns if there were to be any change to this for the following reasons:
 - The school would not be able to serve its community.
 - School organisation and curriculum on offer would be far more effective and able to meet the personalised curriculum if the school operates with 6 Forms of Entry.
 - A change of direction now would cause delay. The curriculum and consequential accommodation requirements would have to be reconsidered.
 9. If a school of 750 rather than 900 was to be built, the DCSF grant would reduce to £17,800,000, with £2,260,000 returning to Central Government.
 10. DCSF expect all schools in the country to offer extended services to their students, families and community, based on the assumption that high Schools will be in a better position to offer more comprehensive services. The Minster College is well-placed to do this, having a joint-use Sports Hall, Children's Centre and Teacher Training facilities on site currently. The project group have identified the opportunities to:
 - design the school hall as a multipurpose performance space that could be available to the community outside school hours.
 - locate a Youth Centre in part of the design/technology space, which will be vacated by the school when new accommodation is built.
 - discontinue the occupation of temporary classrooms by the Marches Consortium, and consider permanent provision in the remaining areas of the current design/technology space for that activity.
 - relocate a training facility currently in temporary accommodation on an industrial estate to the school to form an integral part of the 14-19 provision.
- The campus could be 'badged' as a learning village if that was felt to be beneficial.
11. The Design/Technology Block has an area of 663 m². The Youth Service are seeking an area of 239m². To provide this in the new build a budget of £494,000 is required. To provide the area by converting an existing build a budget of £140,000 is sufficient.

The remaining space in the block would be considered for use by the Marches Consortium or an equivalent organisation. The Marches Consortium have been asked what their needs are and what capital contribution they could make. Discussions on a lease would follow, to ensure that, as a minimum, costs of their occupation are covered.

Financial Implications

1. The DCSF has provided funding for accommodation that, it calculates, is needed for a 900 place 11-16 High School with 120 post-16 places. This figure is based on the assumption that building works will start in the 4th quarter of 2008 (i.e. September to December). It includes design, building, ICT and furniture costs. This figure now stands at £20,059,098 (DCSF have recently allocated an additional amount to the original figure given to allow a start in the 4th quarter than that in the 3rd quarter of 2008).
2. This is a grant that is payable to the Council over a 4 year period as the project progresses. The Property Services Manager has confirmed that it is sufficient if:
 - i. the area of new buildings is kept within DCSF standards for new high schools,
 - ii. a contract is let before the end on 2008, and there is no unexpected inflation in the construction industry, and
 - iii. no exceptional “abnormals” are encountered, particularly in the ground works.
3. This funding will not cover youth provision or provision for third parties.
4. The level of funding is sufficient to allow a high specification to minimise energy consumption, to create a sustainable building of at least the same quality but probably higher than the Whitecross High School. The latter has achieved the Building Research Establishment’s high rating in terms of energy efficiency and management.
5. The estimated cost of youth provision is £495,000 for new build or £140,000 through refurbishment. This would have to be subject to a bid through the Capital Programme. A Section 106 contribution of £250,000 has been agreed from the Barons Cross development for community facilities, but there is a restriction on how it is to be used in that the landowner has to give consent to the spending proposals. In the absence of that permission, other funding would have to be found. Monies are sought in all instances from housing developers but there are constraints on what can be demanded. The Youth Centre is currently housed in leased accommodation until 2013 at annual rent of £10,000. The recommended solution would not be available until 2011/12, as conversion work would follow vacation by the school. Both the service user and landlord are encountering difficulties in this lease and an early surrender before the full term would suit both parties.

Risk Management

The two main risks in the project are:

1. keeping cost within DCSF allocation. This is best achieved by making progress with the tender procedure to take a contract in the summer of 2008
2. proceeding with a school, which is able to meet the needs of its community but does not, either in Leominster or elsewhere create surplus space which is expensive to run. This issue is best addressed through the school review, in light of whatever decision is made today.

Alternative Options

A school of a smaller size could be built, but if the school becomes the success that is our objective, this would not meet the needs of the community policy.

Use on the site could be restricted to the school, but this would be contrary to central and local party and be a missed opportunity

Consultees

Richard North, Principal of Minster College

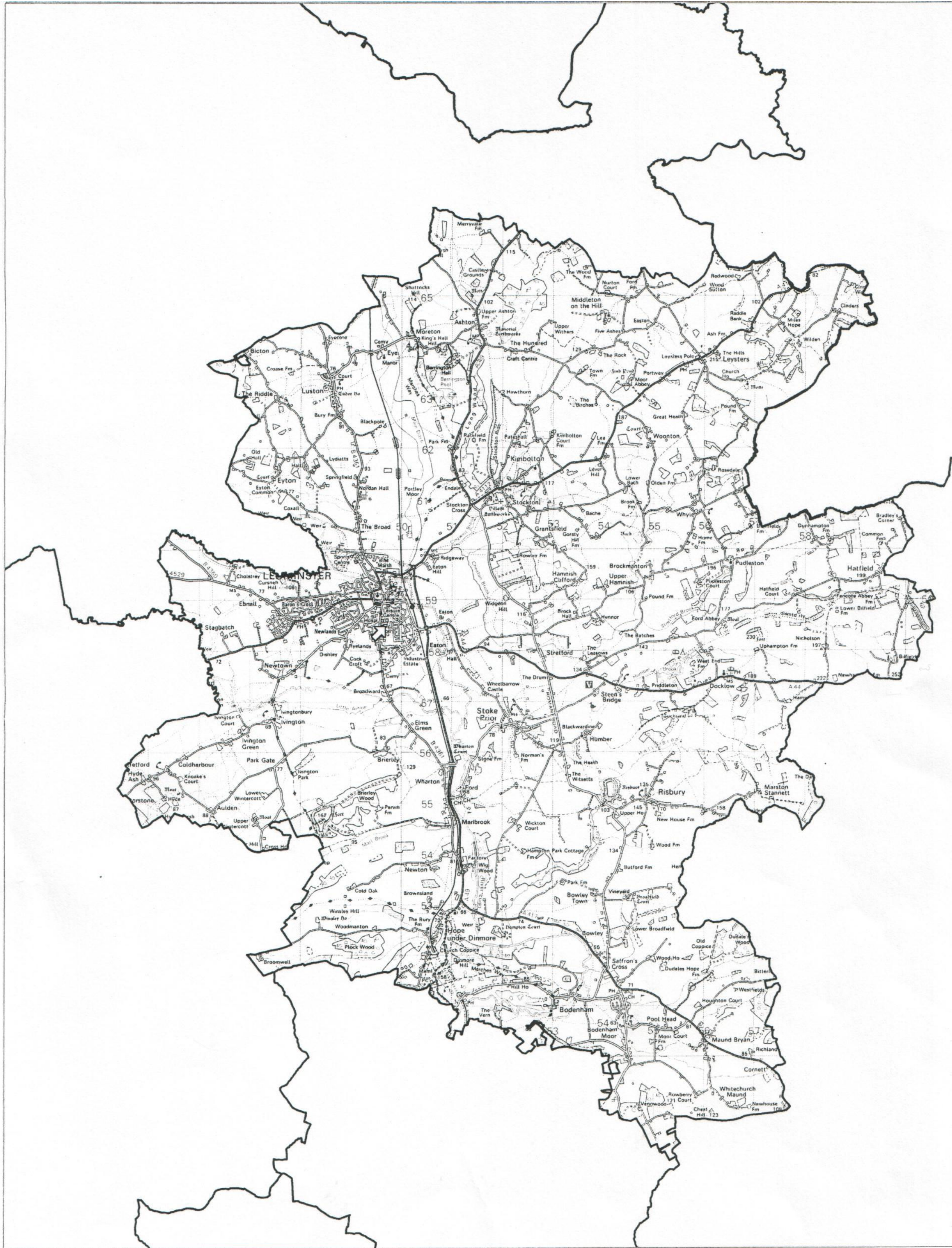
Appendices

Appendix 1 – Minster Map

Appendix 2 – Minster Sketch Plan of Proposed Site

Background Papers

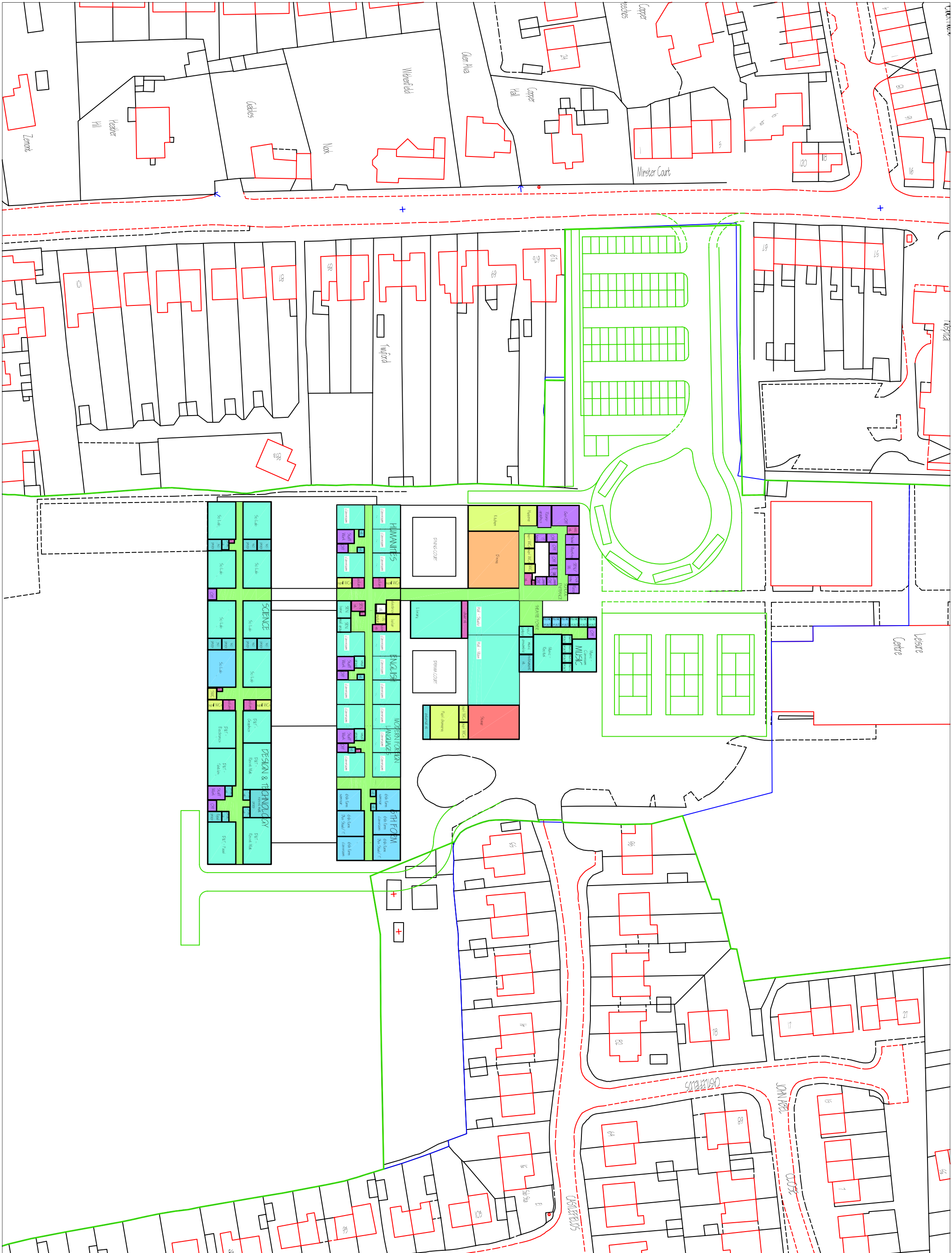
None identified




NORTH



LOCATION PLAN - The Minster College, Leominster



 <p>HEREFORDSHIRE COUNCIL</p>	
<p>THE MINSTER COLLEGE BSF PROJECT</p>	
<p>PROPOSED SKETCH SITE PLAN</p>	
<p>Property No.:</p>	<p>Drawing No.:</p>
<p>06 / 06 / 5K3</p>	<p>06 / 06 / 5K3</p>
<p>Date:</p>	<p>Date:</p>
<p>Oct 2006</p>	<p>Oct 2006</p>

WYEBRIDGE SPORTS COLLEGE: ACADEMY PROJECT

PORTFOLIO RESPONSIBILITY:

CHILDREN & YOUNG PEOPLES SERVICES

CABINET

6TH SEPTEMBER 2007

Wards Affected

Belmont, Hollington and St Martins and Hinton

Purpose

To confirm the size of the school as an academy, and to agree in principle to the Council's role in delivering the academy, namely the grant of 125-year lease to the sponsors, the formal closure of Wyebridge Sports College as a Community High School, and the procurement of the new academy capital project.

Key Decision

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

Recommendations

That Cabinet approve in principle:

- (a) **Wyebridge Sports College becoming an academy to serve 900 11-16 students with up to an additional 200 post -16 places.**
- (b) **Granting a 125 year lease to the sponsors on terms to be agreed, if the current feasibility stage concludes with an outcome satisfactory to DCSF, Sponsors and Local Authority, and**
- (c) **Issuing the necessary public notices to close Wyebridge Sports College and create an Academy at the appropriate time, if the feasibility study concludes with an outcome satisfactorily to DCSF, Sponsors and Local Authority.**

Reasons

1. At a time of falling rolls, significant investment is needed to ensure the long-term success of Wyebridge Sports College. In the absence of other funding sources the Academy initiative offers the means to achieve this. For the school to serve its community, a capacity of 900 is sought to provide sufficient space, allowing for the continued operation of parental preference. Post 16 provision is needed to achieve greater participation in education and training, and its provision, on which DCSF is

Further information on the subject of this report is available from
George Salmon – Head of Commissioning & Improvement – Schools & Services (01432) 260802

insisting, as part of the National Academy Programme.

2. DCSF require at this feasibility stage, an 'in-principle' commitment from the Local Authority, the Local Authority will play its part, and take the necessary steps to transfer land, issue notices and manage the procurement of new accommodation for the academy.

Considerations

1. As the table in paragraph 4 shows, the number of students on roll at Wyebridge Sports College has fallen, despite the fact that the numbers of children in the area is not falling. This is a result of more spaces being available in other schools, where there are falling numbers in their catchment areas. As numbers continue to reduce this does become a greater risk to Wyebridge Sports College. The major factor in any school's popularity is its academic success. Wyebridge Sports College has made tremendous progress in improving the results of its pupils, but this has been despite the buildings and not because of them. To sustain the success of the school, and to secure for the long-term a strong High School in the South Wye area, the current school buildings need to be replaced at a cost of £20,000,000 elsewhere it is unlikely that any alternative source of funding will be available.
2. In the absence of any other funding the Government's Academy programme is a way to achieve what is required. In January 2007 DCSF agreed to place Wyebridge Sports College into the feasibility stage of the Academy programme, with the Sponsors being the Diocese of Hereford. The authority already enjoys a close working partnership with the Diocese, there being 19 Church of England Aided Primary Schools, 17 Voluntary Controlled Primary Schools and one aided Church of England High School. The Sponsors are at the point of issuing their vision for the school as an academy. Views on this vision will be sought by the Sponsors during September.
3. One element of this vision is that the school should continue to serve the local area, which it has in the past, and admission policies will not change. The catchment area is shown on the attached plan. In this area the numbers of children under the age of 11, in each year cohort vary between 234 and 344. South Wye is one area in the County where no significant fall in the numbers of children is projected.
4. The number of students attending Wyebridge Sports College in previous years is set out in the table below:

WYEBRIDGE SPORTS COLLEGE	
	TOTAL ON ROLL EXCLUDING SIXTH FORM
January 2002	822
January 2003	892
January 2004	942
January 2005	912
January 2006	837
January 2007	745

148 students have been offered places for admission in September 2007.

There has always been an outflow of children from this area to other schools although this has reduced in the past two years. The figures for admissions to schools for those living in the South Wye area in September 2007 are as follows:

Wyebridge Sports College	148
Kingstone High School	56
Bishops of Hereford Bluecoat High School	14
St Mary's RC High School	30
Aylestone high School	23
Other Schools including independent	29
Total	<u>294</u>

Investment in the Academy is likely to provide what parents are seeking, and therefore there is likely to be fewer students seeking places at other schools.

5. The DCSF expect and plan for a staying-on rate of at least 80% in all academies. Given this, they require post-16 provision for 200 students. They argue this could be achieved without detriment to existing colleges as an overall staying on rate at 80% would involve 288 students.
6. There has been discussion with the Sponsor over the future of the "2XL" Youth Provision and the South Wye Learning Centre. The Sponsor supports the concept of community use. There will be further discussion over the means of achieving the continuation of this use, particularly around the capital and revenue consequences of retaining this broader provision.
7. The Governors and Headteacher support the academy proposal in principle. There are issues to be resolved during the feasibility stage, particularly on the vision and curriculum offer. The Headteacher is adamant that the school should be built for 900 pupils. There are constraints in the size of the site and in terms of organisation. The Headteacher would be concerned if a larger institution were proposed.
8. The timetable for the academy set by the DCSF requires the feasibility to be completed in November 2007 with a view that subsequent approvals will confirm the opening of the Academy in September 2009.

Financial Implications

The DCSF offer the total costs of fees, construction, furniture and equipment. An allocation of £20,100,000 has been offered by the DCSF. A separate bid has been made for £252,000 to support the Local Authority's cost in design work to the stage that a contract is awarded. Partnerships for Schools have indicated that the bid will be approved, less costs of ICT advice, which is being funded by the DCSF from elsewhere.

On completion, the asset of land and building would be transferred under a 125-year lease to the Sponsor, i.e. Trustees appointed by the Diocese of Hereford. The academy is directly funded by the DCSF in revenue terms and the transfer from Dedicated Schools Grant will be equal to the delegated budget for the school that the authority would have calculated through its local formula, had the school stayed in the maintained sector. The higher the number of students attending the Academy, the lower the numbers will be that attend other nearby schools and thereby reducing their total funding by a sum equivalent to the value of the loss of pupils. All other factors being equal this simply reflects the financial consequences of the changing popularity of schools.

Risk Management

The £20,100,000 for the major project and the additional £252,000 for the initial design work is sufficient to build a 900 place school with 200 post 16 places, on the information currently available. If the decision by the DCSF to proceed with an academy is delayed additional costs may be incurred.

The transfer of land under lease arrangement is the DCSF way of ensuring that if the Academy changes status or function the land will revert to the Local Authority.

Alternative Options

The Academy proposal could be abandoned but the need to invest in new buildings would remain.

The size of the Academy could change, but a smaller school is unlikely to be able to serve its community, and a larger one would be more difficult to manage.

Consultees

John Shepherd, Head Teacher Wyebridge Academy

Appendices

Appendix 1 – Wyebridge Map

Background Papers

None identified.



THE FINANCIAL POSITION ARISING FROM JULY 2007 FLOODS

PORTFOLIO RESPONSIBILITY: RESOURCES

CABINET

Wards Affected

County-wide.

Purpose

To note the financial implications of the floods affecting Herefordshire in July 2007 and to endorse the proposal that further updates are brought to Cabinet in the coming months.

Key Decision

This is a key decision because it is likely to result in the Council incurring expenditure above the agreed budgets for the service or function (shown as a line in the budget book) to which the decision relates but allowing for virements between budget heads and savings within budget heads of up to £500,000.

Recommendation(s)

- THAT (a) The financial implication of the floods is noted; and**
- (b) Further updates are brought to Cabinet in the coming months**

Reasons

In July 2007 the heavy rain that affected much of west and central England caused considerable disruption and damage in Herefordshire.

In some circumstances the extent and nature of such incidents can receive financial mitigation from central government and it has been confirmed that this regional incident is covered by the relevant regulations. However, some expenditure is not covered including a sum up to a threshold calculated by government.

Considerations

1. The Department of Communities and Local Government (DCLG) has confirmed that it will use existing legislation to set up a separate funding scheme (known as the 'Bellwin Scheme') to deal with the July floods. The proposed scheme has improved terms compared to the existing regulations because of the extent of flood damage. The improved terms are as follows;
 - An increase in the period for completion of eligible works from 2 to 6 months.

Further information on the subject of this report is available from
David Powell, Head of Financial Services on 01432 383173

- An increase in the proportion of costs local authorities can claim above threshold to 100% instead of the usual 85%.
2. To be eligible for reimbursement local authorities had to register with the DCLG and this was done on 25 July 2007. The DCLG has confirmed Herefordshire is now eligible to claim under the scheme. There is a threshold of £408,526 for Herefordshire based on a DCLG's calculation of 0.2% of Herefordshire's annual budget being spent on grant eligible work.
 3. The Bellwin Scheme states that in order to meet the basic statutory requirement 'expenditure must have been incurred';
 - by a local authority on, or in connection with, the taking of immediate action to safeguard life or property or to prevent suffering or severe inconvenience in their area or among its inhabitants;
 - as a result of the incident(s) specified in the scheme, which involved the destruction of or danger to life or property.
 4. The scheme does not reimburse all expenditure. The overriding rule is that expenditure which is clearly not incurred on or in connection with the immediate action to safeguard life or property or to prevent suffering or severe inconvenience as a result of a disaster or emergency will not be eligible for grant. Expenditure that is not additional to what the authority would normally expect to incur will not be eligible, for example, expenditure in an area for which there is already a government expenditure programme.
 5. Capital expenditure will only be allowed under the scheme in exceptional circumstances.
 6. The guidance outlines examples of expenditure that would be expected to qualify and those not expected to qualify. Information has already been gathered on the expenditure incurred on the incident. Annex A outlines expenditure estimates. In some circumstances expenditure will not be reimbursed where insurance does not exist. Expenditure is tested against whether the loss can normally be covered by insurance.
 7. As of mid August the damage and additional costs caused by the floods totalled at least £3.45m. This is an estimate based on best available information from across the Council. The majority of the estimate is in the area covered by the Environment Directorate. The estimated damage to the County's schools is £730,000.
 8. Under current rules the Council will not be able to recover the threshold sum of £408,526. In addition some of the damage affecting schools is viewed as 'insurable' and would not be eligible for re-imburement. The precise scale of the gap is not yet determined but is likely to be significant.
 9. Some funding allocations have already been announced. It is known that the Department for Children, Schools and Families (DCSF) allocated Herefordshire £50,000 for the June floods and £86,000 for the July floods. Advantage West Midlands (AWM) is making £50,000 available for reinstatement work where the Council does not necessarily have a duty to act. One such example is clearance of private drainage ditches where there is a clear benefit for the public.
 10. There is also a Flood Recovery Grant Scheme for assisting private homeowners. Herefordshire has received £100,000 on the basis of approximately 480 homes affected by the floods. There is no guidance on distributing the allocation and the

methodology is a matter for the Council to establish.

11. Other potential funding sources include the Department of Transport's Emergency Capital Highway Maintenance Funding, the European Union Solidarity Fund (EUSF) as well as the Council's self insurance scheme that may help meet some of the cost of damage to schools.

Financial Implications

The threshold of £408,526 is not being met by DCLG and is therefore a pressure in 2007/08. The extent of damage viewed as insurable will need to be assessed. If no cover is available it will be a funding pressure.

Risk Management

The Council will need to manage the financial risks over the remainder of 2007/08. Mitigation may be through use of general reserves, specific reserves being redesignated or capital programme reassessment.

The Council also faces a reputational risk if it does not quickly and fairly distribute the Flood Recovery Grant Scheme allocated of £100,000 to homeowners affected by the floods.

Alternative Options

The Council must ensure damages caused by the floods are made good where appropriate.

Consultees

None.

Appendices

Annex A - List of estimated damage.

Background Papers

Bellwin Scheme Guidance - DCLG

Department/Directorate	Details of expenditure/damage/location	Further details	Estimated Costs	Contact Details
Adult & Community Services	Ledbury Library		£20,000	Colin Birks
Adult & Community Services	Ledbury Heritage Centre		£30,000	Colin Birks
Adult & Community Services	Damage at Bramley Business Park and additional, as yet, unknown costs at Widemarsh and Rye-fields Centres			Laura Ferguson
Adult & Community Services	Path HB1A by Mordford Bridge	Affected by stank collapse	£25,000	Robert Hemblade
Adult & Community Services	Bridge parapet washed away path SH12	Rebuild parapet (brick)	£5,000	Robert Hemblade
Adult & Community Services	10m footpath damaged - path BKR13	New bridge	£8,000	Robert Hemblade
Adult & Community Services	Byway landslip - WC62	Geotechnical survey, design and construct new byway	£200,000	Robert Hemblade
Adult & Community Services	Bridge parapet washed away - path CD17	Rebuild parapet railings and surface	£4,000	Robert Hemblade
Adult & Community Services	Footpath landslip - WO17A	Resin-statement of path and build up surface	£4,000	Robert Hemblade
Adult & Community Services	Wye Valley Walk - possible damage to path due to riverbank erosion, not assessed in total due to many parts still under water	Replace furniture, re surface paths, restore eroded banks	£40,000	Robert Hemblade
Adult & Community Services	Overtime and overnight residential care stays		£400	Catherine Nolan
Adult & Community Services	Ledbury Town Hall	Path erosion and loss of surface	£12,000	Tony Featherstone
Adult & Community Services	Ledbury Riverside walk	Complete loss of path and surface	£28,000	Tony Featherstone
Adult & Community Services	Queenswood Country Park	Path erosion and loss of entire sections of engineered arterial network	£16,000	Tony Featherstone
Adult & Community Services	Aylestone Park	Path erosion	£5,000	Tony Featherstone
Adult & Community Services	Wilton Sports Centre (Ross on Wye)	Car park surface lifted due to several feet of flooding over prolonged period	£75,000	Tony Featherstone
Adult & Community Services	King George Playing Field (Hereford)	Damage to tennis courts and kiosk	£7,000	Tony Featherstone
Adult & Community Services	Hereford Leisure Pool	Flooding of fitness suite	£10,000	Tony Featherstone
Adult & Community Services	Brinkley picnic site	Loss of picnic tables	£2,000	Tony Featherstone
Adult & Community Services	Kerne Bridge picnic site	Loss of picnic tables and information furniture	£4,000	Tony Featherstone
Adult & Community Services	Riverside Walk, Ross on Wye	Loss of furniture, bins and damage to play equipment	£10,000	Tony Featherstone
Adult & Community Services	Ross Town Hall	Path erosion leading to loss of surface	£5,000	Tony Featherstone
Adult & Community Services	Colwal Library	Overnight accommodation and food	£110	Mick Ligema
Adult Social Care	Details and cost to be advised			Fiona Barton

Department/Directorate	Details of expenditure/damage/location	Further details	Estimated Costs	Contact Details
Children & Young People	Ivington Primary School	Office, reception, store room flooded	£80,000	Colin Birks
Children & Young People	Holmer Primary	80% of school flooded, extensive damage to all floor coverings including hall floor, furniture damage, equipment outside and in sheds	£350,000	Colin Birks
Children & Young People	Colwall Primary	6 classrooms and mobiles flooded	£30,000	Colin Birks
Children & Young People	Ledbury Primary	3 classrooms and the reception area flooded	£5,000	Colin Birks
Children & Young People	Bosbury Primary	Every room in the school flooded	£180,000	Colin Birks
Children & Young People	Almeley Primary		£20,000	Colin Birks
Children & Young People	St Mary's High School	Flooding of sports hall	£60,000	Colin Birks
Children & Young People	St Paul's Primary, Hereford		£5,000	Colin Birks
Children & Young People	General contents damage at Bodenham			
Children & Young People	Lake youth centre		£3,000	Jon Ralph
Corporate & Customer Services		Overtime payments and refreshments for staff	£1,451	Gina Lane
Corporate & Customer Services	Staff involvement in the EIL during normal office hours		£665	Adrienne Davies
Corporate & Customer Services	Overtime costs for employees		£300	Shaun Marling
Corporate & Customer Services	Overtime, ICT, Rest Centre Costs		£9,560	Ian Baker
Environment	Damage to road infrastructure, signs, sand bags, overtime etc.	Estimated costs from HJS is £150,000. North Area £595,600, Construction team re damaged bridges £120,500, Central Area £143,100, South Area £599,000, Clearing and checking of drainage systems due to silting up £350K, Contingency £100K	£2,058,200	Richard Ball/Clive Hall
Environment	Purchase of footwear, overtime, lost revenue		£2,000	Mick Morris
Property Services	Bramley Business Park, Leominster	Flooding	£15,000	Colin Birks
Property Services	Ledbury Rugby Club Pavilion	Flooding - mainly sports hall	£125,000	Colin Birks
Estimated Total			£3,455,686	

POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG

PORTFOLIO RESPONSIBILITY: HIGHWAYS AND TRANSPORTATION

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To note comments received in relation to the draft policy statement and adopt the revised statement as the basis for responding to proposals advanced in relation to the rivers Wye and Lugg, in particular by the Environment Agency in relation to their implementation of the Wye Waterway Plan.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was included in the Forward Plan.

Recommendation

THAT the revisions to the Policy Statement for the Use of the Rivers Wye and Lugg be approved and the document adopted as policy to promote partnership working with relevant organisations.

Reasons

The policy statement will enable Herefordshire Council to work more effectively with its partners and other organisations to promote uses for the Rivers Wye and Lugg that are sustainable and benefit local communities and the wider public.

Considerations

1. The Policy Statement on the Use of the Rivers Wye and Lugg was produced to indicate how the Council would work with partners, in particular the Environment Agency, on matters of mutual interest and concern. This followed the publication of the Environment Agency's Wye Waterway Plan (incorporating the Wye Navigation Plan) and the establishment of the Wye Navigation Committee upon which the Council is represented.
2. Cabinet Decision 2006.CAB 098, 14th December 2006 approved a draft Policy Statement as the basis for consultation with relevant organisations and the public.

Some 330 organisations/bodies together with a number of individuals who expressed an interest in commenting were directly advised upon the availability of the document. Its publication was also promoted through the press, at local info-centres and libraries, and upon the Council's web site. Comments were received from 35 bodies or individuals. A summary of these is presented in Appendix 1.

3. Although comments on any part of the document were invited the consultation asked, in particular, for views upon a number of issues. Generally all comments received could be linked to these issues, and their analysis is presented accordingly.
4. Does the Policy Statement provide sufficient information to enable those concerned to understand the issues covered?

Only limited comment was received upon this issue. Matters upon which more information was considered necessary included noise impact, pollution, the potential economic benefits of leisure and tourism uses of the river, legal requirements, byelaws and planning requirements, especially in relation to flooding.

Further explanation upon how policies were to be applied was also requested, as was the need for more specific policies and proposals in the future.

5. Did the 'Statement of Principle' provide a suitable balance between the various interests to be accommodated?

Again only limited comments were received on this issue. The principal concern was about how the balance between uses and/or users is to be determined and achieved.

6. Was the emphasis given to non-motorised boating and motorised craft correct?

The use of the rivers for non-motorised boating appeared not to be seen as a contentious issue, was generally accepted and some commented that they would like to see improved access in appropriate locations. Some views were expressed both for and against motorised craft using the rivers but most responses were cautious, recognising that there are environmental limitations.

Reference was made to utilising areas of flat water elsewhere for boating.

7. Was there further potential and capacity for more active use of the rivers and their surroundings for sporting use, informal recreation, leisure and tourism?

There appeared to be an overwhelming view that there was greater potential to use both the rivers and their surroundings for a wider range and extent of recreational use. However most respondents again referred to the need to ensure the environment is protected and for access to be within the capacity of the rivers and areas concerned.

A more proactive approach would generally be welcomed in terms of providing greater access for walkers through opening up riverbanks and promoting active recreational use and outdoor pursuits.

Some respondents referred to the rivers' tourism potential again highlighting accessibility as an issue. One respondent also raised the issue of increasing tourism potential through dredging.

8. How might relevant stakeholders be involved in managing the range of uses associated with the rivers?

A range of views was expressed upon ways to involve stakeholders in managing the rivers. They included maintaining a comprehensive database of all interested parties, calling annual or ad-hoc meetings to discuss events and general matters of interest, setting up a stakeholder consultative group, and consultation and news updates through newsletters and a website. The establishment of a specific department within the Environment Agency to control the use of the rivers is suggested by one organisation.

9. Are environmental concerns adequately protected and appropriate opportunities provided for their enhancement?

A number of respondents pointed to the obligations placed upon the Council, particularly in relation to protecting and enhancing biodiversity. As a consequence they would like to see a stronger statement to this effect within the policy document. A number suggested that protecting the environment should be the overriding principle when there is conflict and a more proactive approach be adopted, for example in relation to protecting river banks, trees, woodlands and geology.

Although comments concentrated on conserving biodiversity, some reference was made to landscape issues (polytunnels) and the historic heritage of the rivers.

Reference was also made to the need to address invasive species along the riverbanks.

10. How might the rivers' features be utilised to promote measures for rural regeneration, tourism and local awareness?

A range of suggestions was made about initiatives that should be taken to use the rivers to the benefit of local communities and the economy. They include facilities that might be provided (e.g. cycle ways, footpaths, trails, bridges); promotional activities (e.g. publicity leaflets, advertisements, festivals; interpretative material); activity holidays; bankside improvements; hydro-power schemes; better control of water levels (e.g. weirs for all year round use by visitors and local people); joint working; better river maintenance in terms of clearing rubbish etc. from the rivers.

Some reference is made to avoiding an approach that would lead to the loss of the unique and unspoilt character of the County and that there are limitations in terms of capacity that require careful (planning and access) controls.

11. Have all matters of importance been covered adequately?

Many comments reflected views expressed under other headings.

Environmental issues considered not to have been covered adequately included seeking extension to the Wye Valley Area of Outstanding Natural Beauty (AONB); the impact of climate change; water abstraction and related issues of irrigation and water use; the form of flood defences; quality of development associated with the rivers; silting up of the river, pollution and rubbish; the management of trees and woodlands alongside the rivers; and reference to geology and geomorphology of the rivers and their valleys.

Further coverage was felt necessary in relation to tourism and recreational use. Issues raised included the importance of and accessibility for fishing; other access rights; the need to limit access in certain areas because of inappropriate roads/parking and the impact this might have on local residents; funding for projects such as access; and

opportunities to use other sites, such as old mineral extraction sites, for water based recreation as suggested in the Rivers and Flat Water Study.

Inclusion of other rivers (River Arrow is specifically referred to) is requested. Explanation of how the Council proposes to respond where conflict arises between policies is also sought. It is also suggested that the document would benefit from the inclusion of graphics and contact details.

Analysis

12. The purpose of the document is to set out Herefordshire Council's general policies on the use of the Rivers Wye and Lugg in particular in order to respond to work of the Environment Agency in relation to the Wye Waterway Plan. It was never the intention to cover every issue associated with the rivers within the policy statement, but to concentrate on those relating to how people might use them and their riverbanks. A number of the issues identified as not being covered satisfactorily by those responding to the draft policy statement, such as water abstraction, some pollution matters, flood risk and climate change, will be subject to separate consultation arrangements, in particular by the Environment Agency, through such mechanisms as Catchment Abstraction Management Plans and River Basin Management Plans.
13. Similarly, Government is responsible for determining whether the boundaries of Areas of Outstanding Natural Beauty (AONBs) should be reviewed, on advice from Natural England. There is no indication that such a review of the Wye valley AONB boundary is imminent.
14. Some respondents have asked for more detailed policies and additional detail in supporting statements. Although this may be helpful in some limited circumstances, the document is largely one covering general statements of policy and giving strategic direction. Should there be a need to look at issues in more detail, this would occur when specific proposals are advanced.
15. Greatest interest appears to have been in upon the issue of accessibility to the rivers and their banks, with the majority suggesting this should be increased, particularly where this will not adversely affect the local environment. In this context the Environment Agency is seeking additional access points. Relevant comments have also been forwarded to the section within the Council who were consulting on the Public Rights of Way Improvement Plan.
16. Treatment of invasive species is not covered in the policy statement yet is an issue that is quite serious along the riverbanks.
17. A number of amendments to the draft strategy to take into account some of the views expressed are suggested. These are shown underlined in the revised draft Policy Statement document attached to this report (Appendix 2).
18. With regard to stakeholder involvement some of these measures suggested are already in place or planned. What is clear from this is that there is significant interest from many quarters. A comprehensive database of all with an interest in the management and future of the rivers could provide a useful basis for community and stakeholder involvement. It is suggested that the views expressed on this matter be forwarded to the Environment Agency for its consideration.

Financial Implications

There are no direct financial costs as a consequence of this decision, except the cost of printing the adopted document, which will be met from existing budgets.

Risk Management

Approval of the revised document should not present any notable risks. It should be reviewed from time to time in the light of its use and changes in circumstances.

Options

No specific or strategic options are provided, although it will be possible to determine which amendments to the report should or should not be adopted, or to request further consideration be given to the inclusion of matters where changes are not proposed.

Consultations

Paragraph 2 above describes the consultation arrangements undertaken upon the draft document. The list of bodies directly consulted is available from the Conservation Section of the Planning Office. The full text of responses received is similarly available from that section.

Appendices

Appendix 1 – Policy Statement for the Use of the Rivers Wye and Lugg: Summary of Responses and Comments.

Appendix 2 – Policy Statement for the Use of the Rivers Wye and Lugg: Revised version August 2007

Background Papers

Herefordshire Unitary Development Plan
Herefordshire Community Strategy
The Wye Navigation Order 2002
The Wye Waterway Plan
West Midlands Regional Spatial Strategy
Herefordshire Local Area Agreement
Wye Valley AONB Management Plan
Tourism Strategy for Herefordshire 2002 – 2007
Herefordshire Rivers and Flat Water Study



HEREFORDSHIRE
COUNCIL

HEREFORDSHIRE COUNCIL

POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG

Herefordshire Council
October 2007

APPENDIX 2

CONTENTS

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

APPENDIX 2

1. Introduction

- 1.1 The purpose of this document is to set out Herefordshire Council's general policies on the use of the Rivers Wye and Lugg and how we intend to utilise our operational activities in support of these policies.
- 1.2 We are aware that the Environment Agency has a key role in matters involving the use of these rivers, and has prepared the Wye Waterway Plan. Furthermore the Wye Navigation Order 2002 appointed the Environment Agency as Navigation Authority and requires it to prepare a Navigation Plan. The Wye Waterway Plan incorporates the Wye Navigation Plan for the navigable sections of both the Wye and Lugg setting out a range of policies and an Action Plan. Our policy document will, in particular guide the Council's response to this work by the Environment Agency. It is not, however, possible to cover all matters relating to the rivers in great detail, for example flood protection and water abstraction are major issues that require thorough assessments in response to changing circumstances. Separate consultation arrangements are in place for such matters. Nevertheless, we wish to work in partnership with the Environment Agency on all matters of mutual concern and interest in relation to the two rivers.
- 1.3 Herefordshire's rivers are some of its most valuable assets, representing an important environmental, economic and cultural resource. Our ability to take direct action in relation to the future of these rivers is limited, particularly in terms of promoting change. Nevertheless there are opportunities to influence the activities of others. This needs to be done within a thorough understanding of the complex interrelationships between all aspects of the system that forms the river environment.
- 1.4 The qualities that make the river environment within the County so attractive also place limitations and constraints upon the extent to which they should be exploited. Their landscapes, in particular, are of very high quality, especially that of the River Wye below Hereford, which is nationally important and designated an Area of Outstanding Natural Beauty (AONB). Woodlands are particularly important along the valley slopes. The qualities of all the rivers and their valleys have been evaluated within a consistent framework comprising the Herefordshire Landscape Character Assessment.
- 1.5 Their biodiversity and geodiversity value is also significant. The Rivers Wye and Lugg together with a number of associated geological/geomorphological features, are designated Sites of Special Scientific Interest (SSSIs). A range of sites associated with both rivers are designated as Regionally Important Geological/Geomorphological sites (RIGs), while the Rivers Arrow and Frome are Special Wildlife Sites (SWSs). The River Wye and part of the Lugg are of international importance, being Special Areas of Conservation. As such they fall within the Natura 2000 series that represent the best nature conservation

sites in Europe. This places obligations upon both the Council and the Environment Agency to ensure proposals have no significant adverse effect on a range of important species. The cultural qualities of the rivers are also noteworthy and a number of studies have and are continuing to unearth their extensive history. The river level can at times pose a danger to users.

- 1.6 Working within these constraints Herefordshire Council considers the rivers are assets that can be used to benefit the County, in particular in ways that show it is committed to sustainable development. There is a further recognition that this can only be achieved by working in partnership with the many organisations that have either or both direct or indirect interests in the rivers.
- 1.7 We have responsibilities as Local Planning Authority and as Local Highway Authority that can be utilised to promote our approach to the use of the rivers. In these matters Herefordshire Unitary Development Plan (UDP), the Local Transport Plan (LTP) and the Rights of Way Improvement Plan are particularly relevant. We can also utilise powers in relation to environmental health, and promote actions and activities as the owner of adjacent land and use the rivers as a resource for areas of service provision, such as youth service activities, tourism promotion and education.
- 1.8 Those public organisations that are understood to have responsibilities in relation to the rivers that flow through Herefordshire includes DEFRA, the Environment Agency, and Natural England. The actions of others such as English Heritage, the Rural Development Service, the Forestry Commission and the Heart of England Tourist Board can also indirectly influence issues associated with the rivers.
- 1.9 A range of individuals and voluntary and specialist bodies also represent particular interests associated with the rivers. Although less restricted in the way they operate there is no reason to believe their interests exclude pursuing matters within a sustainable development approach.
- 1.10 The County's rivers serve a range of functions. This policy statement concentrates on the Rivers Wye and Lugg because the opportunity for their use is widest, in particular in view of their designation as 'navigable rivers'. However, some of the policies expressed in this document may have wider application and, where relevant, should be taken into account when responding to proposals for other rivers such as the Arrow, Frome, Monnow and Dore.

2. Strategic Background

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

RST8 Waterway corridors and open water areas

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

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

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

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

2.2 Work has commenced on reviewing and replacing Herefordshire UDP within the context of the new Local Development Framework. A Core Strategy is in preparation and as part of this process studies are being undertaken into floodrisk, water resources and green infrastructure. It may be necessary to review this policy statement at a later date in the light of conclusions and any new strategies resulting from these studies. These studies will need to take into account issues such as climate change.

2.3 Herefordshire Partnership is the Local Strategic Partnership for the County and this is supported by a number of specific partnerships covering aspects such as economic development, the environment and cultural matters. The work of such partnerships is increasingly being directed through Herefordshire Community Strategy and a Local Area Agreement (LAA) negotiated with Government Office for the West Midlands. The Partnership will maintain and review an action plan to co-ordinate the work of the organisations concerned

with addressing targets set by the framework of the Community Strategy and LAA.

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

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

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

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

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

3. Statement of Principle

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

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

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

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

3.4 Sections 4 and 5 that follow set out:

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

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

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

4.2 General Boating Use of the Rivers

Context:

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

Policy Statement 1:

(1) Where opportunities arise and constraints permit we will promote the use of the Rivers Wye and Lugg by boats catering for informal recreation and leisure activities by all, especially where this enables a greater understanding to be gained of the rivers' character and importance.

(2) We will encourage and work with the Environment Agency (as the Navigation Authority), to expand upon their waterway policies defining the opportunities for and limitations upon the use of the rivers by motorised craft.

(3) We will encourage and work with the Environment Agency to determine the extent to which the rivers can be used for non-motorised leisure boating.

(4) We will seek to agree a Code of Practice for collaborative working with the Environment Agency in relation to enforcement activities related to vessels upon the rivers where Herefordshire Council also have enforcement powers/duties.

(5) We will support the Environment Agency's lead role in promoting mechanisms for managing the interrelationships between the various users of the Rivers Wye and Lugg. The mechanisms should include such other organisations that have specific and legitimate responsibilities for associated matters.

Background:

The Environment Agency proposes to promote the existing use of both non-motorised boats and motorised craft along navigable stretches of the Rivers Wye and Lugg provided this can be done through sustainable management practices, including meeting nature conservation objectives. They also propose to enhance further non-motorised boating.

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

The reduced ability for motorised craft to use the River Wye even in a very limited number of locations is evident with the withdrawal from use of such craft at Hereford and Ross as the consequence of silting up of the River. If an operator wishes to resurrect such navigation in these locations, there will be a need for detailed proposals and discussions with the Environment Agency, Herefordshire Council and Natural England.

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

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

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

4.3 Sporting Use of the Rivers

Context:

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

Policy Statement 2:

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

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

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

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

Background:

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

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

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

There is a range of governing bodies for water related sports that potentially have interests in the County. These cover rowing, yachting/sailing, canoeing/kayaking and fishing/angling. Whereas each has a reference to river access in their local plans, only the British Canoe Union specifically mentions the River Wye as part of a regional or national development strategy. This reference is confined to the Symonds Yat Rapids. It is likely that future development strategies by these bodies will centre on talent identification and preparation for the 2012 Olympics rather than the development of a hierarchy of regional and local facilities.

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

We have undertaken a 'Rivers and Flat water Study' that makes recommendations in relation to water related sports. A summary of its recommendations is provided in Appendix 1. There appears to be increasing potential for utilising other water bodies, such as quarries, as they reach the end of their operations in terms of mineral extraction. This should be borne in mind when developing and reviewing strategies for water-based recreation.

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

4.4 Informal Leisure and Recreational Activities adjacent to the Rivers

Context:

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

Policy Statement 3:

We will support sensitively designed leisure and recreational developments associated with the Rivers Wye and Lugg along their banks where the scale and nature of their impact respects their setting, biodiversity/geodiversity

qualities and other capacity constraints. Proposals that increase understanding and awareness of their natural and historic environments will be particularly welcome.

Background:

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

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

4.5 Landscape

Context:

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

Policy Statement 4:

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

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

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

(4) We will encourage the development and use of other management techniques to preserve and enhance the landscapes of the rivers and their valleys, in particular tackling invasive species of plants and bankside erosion, and maintaining appropriate woodland cover and protecting ancient woodlands.

Background:

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

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

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

There are specific landscape issues associated with the rivers that need to be tackled in order to ensure its quality is maintained. These include removing invasive plant species and counteracting bankside erosion. There are also issues associated with trees and woodlands. A co-ordinated approach by the agencies involved would be of benefit and should be promoted.

4.6 Biodiversity and Geodiversity

Context:

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

Policy Statement 5:

(1) We will preserve and protect the rivers' ecology, in particular, by fulfilling our statutory obligations in relation to nature conservation and geological/geomorphological conservation when determining whether any particular action or works affecting the Rivers Wye and Lugg should proceed.

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

(3) We will also investigate whether measures included in the forthcoming Geodiversity Action Plan can be supported through practical means in association with our mainstream work programmes.

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

Background:

There are statutory obligations upon public bodies requiring priority habitats and species to be protected and also the requirement to enhance the River SSSIs in association with any works where this will improve their condition. In addition to a nationally adopted Biodiversity Action Plan (BAP), a local BAP has been prepared and these specifically highlight tasks in relation to river habitats. A number of other habitat and species actions plans are also relevant. Not only are public authorities and bodies charged with protecting these habitats and some species, they have responsibilities in terms of seeking to enhance their conservation status. (See also Policy Statement 12).

A Geodiversity Action Plan is also being prepared and this is expected to highlight tasks to improve the conservation and awareness of important geological and geomorphological features.

4.7 The Historic Environment

Context:

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

Policy Statement 6:

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

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

Background:

Knowledge of the historic environment is growing, not the least as the result of a number of recent community based studies underway within the valleys of both the River Wye and the River Lugg utilising LEADER+ and public agency funding. Both rivers and their immediate surroundings contain important historical artefacts. These can be visible or hidden. A number of projects are presently or to be undertaken as part of programmes for community involvement and identification of features in order to promote their management. A more extensive and co-ordinated approach to providing interpretative material could add to the tourism product for the County to which the rivers and their valleys make a valuable contribution.

4.8 Transport

Context:

The Local Transport Plan (LTP) covering the period 2006/7 to 2007/8 is the strategic transport policy for the County. The renovation of Victoria Footbridge formed part of the LTP programme and the cycle strategy has identified an aspiration to improve cycle and pedestrian access across the Wye to Rotherwas. There is nevertheless a link between transport matters and policies and actions

referred to in many documents prepared by other public bodies, such as the Waterway Plan.

Policy Statement 7:

Opportunities for integration between the LTP and other plans and programmes should be promoted in the future through early consultations upon any reviews of the documents. Early consultation should take place when considering the development and implementation of any proposals, including in relation to river transport.

Background:

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

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

Opportunities to utilise the River Wye for public transport have not been the subject of any detailed investigation. The constraints upon such a facility are likely to reflect those that restrict motorised leisure and recreational boating (see para 4.2) and the potential for development will be greatest where motorised boating already exists or has been in the past, such as at Hereford or Ross. The approach will therefore be to promote river transport for the public in line with the principles set out in Policy Statement 1, because the most likely routes are anticipated those also used by motorised crafts serving leisure and recreational needs.

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

4.9 Public Rights of Way

Context:

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

Policy Statement 8:

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

Background:

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

4.10 Tourism

Context:

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

Policy Statement 9:

The potential of the Rivers Wye and Lugg, together with their valleys, should continue to play an important part within the Tourism Strategy for

the County. Their environmental qualities play a major role in attracting visitors to the area and where relevant the wider impact from tourism and other development should be fully assessed in terms of the effect they may have on this resource.

Background:

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

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

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

4.11 Renewable Energy

Context:

Fall of water provides one possible source of renewable energy. In 2006 there were around 200 'hydro' projects operating within the UK, providing around 2% of its electricity. Most but not all are quite large and located within mountainous or hilly areas. However, smaller schemes are increasingly being investigated, including micro-scale watermill hydro-power projects, generating electricity to supply small housing areas, with surplus energy sold to power companies. Presently resources for feasibility and developmental work are limited although there is interest in investigating 'hydro' schemes within and close to the County.

Policy Statement 10:

The Rivers Wye and Lugg, and their tributaries, may offer opportunities for developing small-scale renewable energy schemes. We will support feasibility studies and other investigations, into exemplary schemes,

including monitoring of impacts on the wider use of the rivers and their environments, in order to inform a longer-term policy that may be pursued with relevant partners.

Background:

UDP policy CF4 sets out criteria against which proposals for renewable energy will be judged. This covers all forms of such energy production, including that from fall of water.

Examples of small-scale hydro-projects are being trialled on various rivers. Two projects, one on a tributary of the River Wye and one on the River Lugg are at early stages of investigation. The Wye Valley AONB is using some of its resources to develop a small-scale hydro-plant scheme on the Anghiddy tributary to the River Wye just north of Tintern. Marches Energy Agency are working with a community group in Kingsland upon the feasibility of undertaking a 'run-of-river hydro' scheme along a stretch of the River Lugg.

The costs of developing hydro schemes are very site specific. Presently it is too early to judge whether such schemes are viable. Nevertheless, there are some grants available and the utility of such schemes warrants exploration, not just to consider viability but also to assess the impact they may have on the environment and how they can be integrated successfully with other uses of the rivers.

5. Operational Policies

5.1 Planning Applications for Development Within or Adjacent to Rivers

Context:

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

Policy Statement 11:

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

Background:

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

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

5.2 Other Decisions and Works Carried Out Directly by the Council

Context:

Where we carry out a regulatory role, including determining planning applications as referred to in 5.1 above, or it wishes to undertake works that might have a significant effect on the Rivers Wye and Lugg SAC, we may have to carry out 'Appropriate Assessments'. There are instances where decisions have to be referred to the ODPM. Both rivers are Sites of Special Scientific Interest' (SSSI) and Natural England must be consulted on proposals affecting them.

Policy Statement 12:

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

Background:

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

5.3 Works to Trees and Hedgerows Along of Adjacent to Rivers

Context:

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

Policy Statement 13:

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

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

Background:

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

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

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

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

Any codes of practice that might be developed for use of the rivers and their banks might benefit from setting out the appropriate approach to managing trees and woodlands.

5.4 Public Health Matters

Context:

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

Policy Statement 14:

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

Background:

Our responsibilities emanate from a range of legislation. In relation to the two rivers there are no records of any serious problems that have potentially been

prejudicial to health. The principal issue appears to be depositing of litter or similar in the rivers. Both the Environment Agency and we have responsibilities for tackling such problems. A 'fly tipping matrix' has been agreed nationally between the Environment Agency and the Local Government Association and discussions are underway at the regional level in relation to any local agreements that might be reached. This should cover who removes what rubbish from the rivers. No local agreement has yet been made.

5.5 Land Drainage and Defence

Context:

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

Policy Statement 15:

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

Background:

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

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

5.6 Ferries

Context:

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

Policy Statement 16:

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

Background:

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

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

5.7 Bridges and Bridge Works

Context:

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

Policy Statement 17:

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

Background:

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

5.8 Land Ownership and Management

Context:

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

Policy Statement 18:

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

Background:

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

Appendix 1: Related Documents

1. Regional Spatial Strategy

Relevant policies in the Regional Spatial Strategy

POLICY QE1:

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

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

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

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

POLICY QE7:

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

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

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

POLICY QE9:

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

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

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

2 Herefordshire UDP

(Herefordshire Unitary Development Plan – Revised Deposit Draft

RECREATION, SPORT AND TOURISM

Criteria for recreation, sport and tourism development

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

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

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

RST1 Criteria for recreation, sport and tourism development

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

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

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

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

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

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

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

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

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

Waterway corridors and open water areas

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

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

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

- 10.5.43 Provision is made for a canal basin to be accommodated within the proposed mixed use development of land at Widemarsh Street, Hereford, close to the original terminus location (see chapter 7 Town Centres and Retail).
- 10.5.44 The Leominster Canal corridor has no waterway restoration plans, although there is scope for recreational use of remaining towpath sections that have survived as public rights of way. Recreational development of such routes should be linked to conservation and interpretation of the historic remains of the navigations.

RST8 WATERWAY CORRIDORS AND OPEN WATER AREAS

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

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

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

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

NATURAL AND HISTORIC HERITAGE

Areas of Outstanding Natural Beauty

- 9.4.5 Herefordshire boasts two landscape areas of national significance, the Wye Valley and Malvern Hills Areas of Outstanding Natural Beauty (AONB). Both are situated in the eastern parts of the County and both are supported by management plans, which essentially seek to conserve landscape character through various forms of land management. The primary objective of designation is conservation of the natural beauty of the landscape. This Plan, through its policies, looks to complement the management plans; reconcile development needs and visitor pressure with the conservation of the AONB landscape and natural resources, and restore vulnerable and degraded landscapes when opportunities arise.
- 9.4.6 The Malvern Hills AONB is dominated by the narrow, elevated ridge of the Malvern Hills which separates Herefordshire and Worcestershire and extends southwards into Gloucestershire. The special character of the Wye Valley AONB is created by the River Wye which meanders through the broad meadows and scattered woods of the Herefordshire Plains. It contains some of the most dramatic limestone scenery in the

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

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

LA1 Areas of Outstanding Natural Beauty

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

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

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

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

Sites of international importance

- 9.5.9 There are three types of international site designation. Two of these, the Special Area of Conservation (SAC) and the Special Protection Area (SPA) arise from European Directives, the Habitat Directive 1992 and the Birds Directive 1979 respectively. The Conservation (Natural Habitats) Regulations 1994 implement the European Habitats Directive. Together, the two categories of European site make up a network of European protected sites known as 'Natura 2000'. These sites are part of a range of measures aimed at conserving important or threatened habitats and species. The third category of international site designation, 'Wetlands of International Importance especially as Waterfowl Habitat' known as Ramsar sites are designated under the 1971 Ramsar Convention. At the time of publication, Herefordshire has no SPA or Ramsar sites, but does have 4 candidate SACs. These are sites which have been proposed to the European Union but not yet formally designated. The Government's advice is that for all practical purposes these candidate SACs should be treated as though they have been designated.
- 9.5.10 Currently there are 4 candidate SACs in Herefordshire: The River Wye (River Wye SSSI and part River Lugg SSSI), Downton Gorge, The Wye Valley Woodlands and the River Clun (part of the River Teme SSSI).
- 9.5.11 Development that may affect internationally designated sites will be subject to rigorous examination. The Council will consult English Nature on all development proposal affecting internationally designated sites. Proposals will be assessed to determine likely significant impact and developers may be required to provide further information to enable an

appropriate assessment to be made. Any such proposal will be determined in accordance with Regulations 48-53 of the Habitats Regulations 1994. Applicants need to discuss the information that must be provided in support of their applications with the local planning authority.

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

NC2 Sites of international importance

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

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

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

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

Sites of national importance

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

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

NC3 Sites of national importance

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

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

DEVELOPMENT REQUIREMENTS

Flood risk

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

- from under-investment and blight. The acknowledged risks of flooding might be mitigated by confirmed suitable levels of protection, including protected access, prudent design of development and effective public warning systems.
- 4.5.7b PPG25 paragraph 30 requires authorities to give priority in allocating or permitting sites for development, in descending order to the flood zones set out in Table 1 of the PPG, including the sub-divisions in zone 3. Until the Environment Agency has published maps of the zone 3a, 3b and 3c high risk areas for the County, the Plan interprets those areas on the following basis for the purpose of processing planning applications;
- Zone 3a, developed areas – all land within settlement boundaries unless it forms a functional flood plain.
- Zone 3b, undeveloped and sparsely developed areas – all land outside settlement boundaries unless it forms a functional flood plain.
- Zone 3c, functional flood plain – land within or outside settlement boundaries.
- 4.5.7c Flood zones should be identified from the Environment Agency's flood data ignoring the presence of flood defences. Areas currently protected by the defences and the standards of protection provided by those defences will need to be identified. Development should not be permitted where existing defences, properly maintained, would not provide an acceptable standard of safety over the lifetime of the development as such land would be extremely vulnerable should a flood defence embankment be breached.
- 4.5.8 Functional flood plains and washlands have important natural roles, not only in regularly accommodating flood waters but also in providing important wildlife habitats and adding to landscape value. Built development in such areas should be wholly exceptional and will be limited to essential transport and other utilities infrastructure for which there is no alternative location. Such infrastructure should be designed and constructed to remain operational in times of flood, as well as meeting the other requirements set out above.
- 4.5.9 In considering planning applications for development within flood risk areas, flood risk assessments should be provided which are appropriate to the scale and nature of the development and which consider:
- Flood risk and surface water run off implications of the proposed development
 - Any increased risk arising elsewhere
 - Measures proposed to deal with these risks and effects, including use of sustainable drainage techniques.
 - Provision of a dry pedestrian access for residential development.
- 4.5.10 Where necessary, developers will be required to carry out and provide details of hydraulic and hydrogeological investigations to properly determine the implications of proposed development, having regard to the recommendations of the Environment Agency. Developers should normally fund the provision and maintenance of flood defences or alleviation works that are required because of their development; these will be secured by means of planning obligations.
- 4.5.11 Finally, consideration of flood issues is not confined to rivers and their flood plains. Surface water which cannot percolate into the ground or reach natural watercourses can increase occurrence. Changes in farming, field drainage, lack of maintenance to watercourses, culverts and gullies can effect the rate of flow and time taken for water to

travel within a catchment area. Where new development is allowed proposals should make suitable provision for continued access to watercourses where development occurs. Land adjacent to the top of both banks should be reserved for maintenance and improvement purposes and for recreational use where appropriate, and to secure the retention of river corridor habitat. Such strips of land should be kept free of all new buildings and other structures including means of enclosure, with no raising of ground levels.

DR7 Flood risk

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

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

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

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

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

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

3. Herefordshire Community Strategy

The vision for the Herefordshire Strategy is:

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

The Strategy contains five ‘guiding principles’:

- Realise the potential of Herefordshire, its people and communities

Policy on the Use of the Rivers Wye and Lugg – October 2007

- Integrate sustainability into all our actions
- Ensure an equal and inclusive society
- Protect and improve Herefordshire's distinctive environment
- Build upon the achievements of partnership working and ensure continual improvement

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

4. Herefordshire Local Area Agreement

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

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

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

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

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

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

6. Tourism Strategy for Herefordshire 2002 – 2007

The strategy has the following headings and objectives:

Fostering enterprise and tourism

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

Enriching the Herefordshire experience

Policy on the Use of the Rivers Wye and Lugg – October 2007

- To establish Herefordshire as a flagship destination for sustainable tourism.
- To enrich the visitor experience by developing new products, offering special opportunities to explore and enjoy distinctive aspects of Herefordshire.
- To enrich the visitor experience by investing in infrastructure and activity in key settlements, strengthening their identity and increasing their attraction to visitors.

Increasing competitiveness

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

Focusing on the customer

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

7. Herefordshire Rivers and Flat Water Study

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

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

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

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

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

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

The waterway policies generally seek to:

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

The navigation policies seek to manage navigation by:

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

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

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

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

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

-

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

APPENDIX 2

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

**POLICY STATEMENT FOR THE USE OF THE RIVERS WYE AND LUGG -
SUMMARY OF RESPONSES AND COMMENTS**

Question 1

Does the Policy Statement provide sufficient background information to enable you to understand the issues it seeks to cover?

If No, what aspects or matters would you like to see explained further?

1. Would like to see development of more specific policies and proposals in the future. (Hereford Civic Society)
2. Need more information about how policies will be applied. (Ross Rowing Club)
3. Generally happy with content of statement. (Herefordshire Sports Council)
4. Explain legal requirements, byelaws and planning requirements particularly in relation to flood risk. (Environment Agency)
5. Supports the aims and objectives set out in the draft. (Ross-on-Wye Chamber of Commerce)
6. Supports the background information and statement of principle. (Philip Williams)
7. Language is pompous. Says everything yet nothing. (Leominster Town Council)
8. There should be more supporting background data, especially upon noise impact, pollution, and potential economic benefits of leisure and tourism uses of the river. (Christopher Lovell)
9. Accept the draft proposals in the document and no further comments to make. (Dwr Cymru/Welsh Water)
10. Trust is neutral on issue relating to the rivers except where it might affect proposals to restore the canal – no comments to make. (Herefordshire and Gloucestershire Canal Trust)

Question 2

Does the 'Statement of Principle' provide a suitable balance between the various interests to be accommodated?

If No, how might the priorities be changed?

1. Needs more detail of how different interests will be accommodated. (Ross Rowing Club)
2. Important to afford access for all sorts of uses where damage to the environment will not be incurred. (Dr and Mrs M Bucknell)
3. Statement of principle – bullet point 3 should include wildlife, as for example wildfowl help the water condition while providing leisure for naturalists. Public can unintentionally destroy habitats they come to see. (Dr David Boddington)
4. Policy is incomplete and unbalanced (reference to what is omitted is given in Q8). (J A Nicholas Wallis)
5. The statement of principle does little more than list the possible uses. It does not establish a balance between them. This needs more background information. (Christopher Lovell)
6. Support statement of principle and emphasis given to various types of boating. (Diocese of Hereford)
7. Supports key statement of principle, PS2 and PS3. (Sport England)
8. Supports the statement of principle in relation to access and opening access up. Nevertheless, careful consideration needs to be given to balance wider interests, e.g. wildlife and habitats. (Herefordshire Local Access Group)

Question 3

Do you agree with the emphasis given in the to both non-motorised boating and motorised craft?

If not, how might this be changed?

1. Have managed their stretch of river for over 100 years and are applying for permission to dredge the river to permit racing. It is conscious that river levels have fallen over past decade. More details on limitations needed (e.g. speed). The river profile does not support heavy traffic. (Ross Rowing Club)
2. No attempt should be made to increase motorised craft use. (Herefordshire Local Access Group)
3. Motorised craft and other leisure uses should be restricted to zones and possibly times of year. Use of motorised craft is a contentious issue and would be happier to see a more detailed policy specific to this. (Aymestrey Parish Council – primarily in relation to River Lugg)
4. Motorised and non- motorised boating would benefit tourism in the City. (Dr and Mrs M Bucknell)
5. Would like to see a code of conduct for river use that takes into consideration trees and woodlands along river course. (West Midlands Conservatory, Forestry Commission)
6. Ban motor craft - noisy, pollute water and air, and destroys plants fish and riverbanks. Non – motorised craft should be main target. (Dr David Boddington)
7. Worried that motorised craft may cause environmental damage if not supervised and inspected regularly. (David Price)
8. Support limited motorised traffic - no speed boats – provided no conflict with peace of the river. (Fownhope Local History Group); (Fownhope Residents Association)
9. Yes to boating and motorised craft but only model powerboats on the Lugg. (Leominster Town Council)
10. Motorised craft should be severely limited by allowing limited licensed passenger carrying motorised craft; limiting the power of personal craft; not allowing towing by motorised craft except in emergencies. (Christopher Lovell)

11. Do not support motorised craft for recreational use. Non- motorised craft should be registered. Banksides should be made available for walking. Herefordshire is at last benefiting from some good areas of still water for boating etc. and should be used by both young and elderly alike. (Mr J R Preece)

12. Interested in more access points, including for disabled, and in further facilities being planned at Wellington. Would like more information about these, including about changing facilities, boat storage, etc. The use of weirs for energy generation is laudable but may affect the use of the rivers by kayaks and canoes. Chutes may be needed as a consequence. The weirs on the Lugg are well suited to advanced water skills laid down by the BCU. (Hereford Kayak Club)

13. Happy with the emphasis given to boating but would wish to see adequate protection against bank erosion and loss of habitat. (Philip Williams)

Question 4

Do you consider there is potential and capacity for more active use and promotion of the rivers and their surroundings for sporting use, informal recreation, leisure and tourism?

It would help if you could explain your viewpoint.

1. Sporting and similar uses should only be on suitable open water bodies, not all. Need to have specific uses in specific zones. Should be a general principle that any activity should not destroy, degrade habitat or disturb wildlife. (Herefordshire Nature Trust)
2. Consider there is more potential for active use and if promoted will attract further groups. (Ross Rowing Club)
3. Rivers have potential for greater use by schools/colleges for outdoor pursuits and adventure tourism. (Herefordshire Sports Council)
4. Leisure use of the river could be increased by a limited amount of dredging. Visitors to the town could be attracted if boats were available to hire. (A R Crathorn)
5. Only a small proportion of the riverbanks are available to the public, and flooding has caused the loss of sections of paths. The Council should be concerned to develop increased access along riverbanks. (The Ramblers Association)
6. Point to the attractiveness of the river within the City to visitors and residents, while its use seems limited only to a regatta and fishing competitions. (Hereford Regeneration Group)
7. Happy to see development of the riverside for leisure and recreation in certain areas (undefined). (Philip Williams)
8. There is potential for more capacity and promotion of the rivers but strict controls are needed to preserve the environment. Encouraging to see due regard will be given to ensure river access is integrated into the Rights of Way network. (Herefordshire Local Access Group)
9. Open access to the whole length of the Lugg would be detrimental. (Aymestrey Parish Council – primarily in relation to River Lugg)
10. The rivers are underused as an asset. (NB reference to HC selling the canoe centre?). (Dr and Mrs M Bucknell)

11. Promoting use for recreation etc must not conflict with the management of riverside woodlands or trees to open up the navigation route or riverbank for more capacity or moorings adjacent to these habitats, which could be of ancient origin. (West Midlands Conservatory, Forestry Commission)
12. Seasonal ban to restrict land and water travel in certain sensitive areas. Policy statement 3 is good but must be educationally complete as just letting ideas loose could be catastrophic to environmental importance. Influence should be two-way (page 10) – protection from passers by and encourage users. (Dr David Boddington)
13. Canoeing should be encouraged with more access points on the river, especially between Hereford and Hoarwithy. (Fownhope Local History Group); (Fownhope Residents Association)
14. There is potential for more recreational use etc, but only if you wish to destroy its present assets and quality. (Leominster Town Council)
15. There is more potential for non-motorised craft, as the river was historically busy with commercial craft. Today it is only fit to serve anglers. River based activity holidays should be promoted. (Christopher Lovell)
16. More active use of the river is a good thing but must be in the areas with capacity and the necessary infrastructure. Strongly object to proposed plans to develop the Rapids at Symonds Yat. This area is too congested with much noise and litter; poor access, potential impact on the flood plain, impact on wildlife. This area is in danger of being spoilt by too much development and overcrowding. Other parts of the Wye could be used without causing problems. (Mr and Mrs P Adams)
17. The rivers are already being used close to capacity. Encourage young people to learn about and take part in water-based activities. (Mr J R Preece)
18. Fully agree with the expansion of leisure activities but have strong reservations about all types of boating due to nature and construction of the river. Have witnessed many accidents over the years due to people's inexperience of the river. (Eaton Fishing Club)
19. There is only limited safe physical access to the rivers. Access points on both sides of the river are needed to reduce shortcomings and should be signposted. (Diocese of Hereford)
20. Agree that more use should be made of the rivers for informal recreation, but swimming should be discouraged. It is felt there are adequate access

points to rivers via existing highways and footpaths. (Sutton St Nicholas Parish Council)

Question 5

How might we ensure all relevant stakeholders are involved in managing the range of uses associated with the rivers?

1. There are already a range of groups and organisations formed to involve stakeholders in matters related to the rivers. Representatives should not simply be from users. Email communication should assist stakeholder consultation. (Herefordshire Nature Trust)
2. A controlling body should be created that is open and with a clear brief. (Ross Rowing Club)
3. Hold an annual meeting of all stakeholders to discuss events planned and general matters of interest, particularly to balance competing interests. (Herefordshire Sports Council)
4. Would like to see encouragement to consult prior to any planning applications including sport activity. (Sport England)
5. All stakeholders should be notified of proposals arising from the policy and reviews of implementation published. (Philip Williams)
6. There is the need to create a sense of ownership by the community and partnership working amongst relevant bodies and organisations. (Herefordshire Local Access Group)
7. Trust would wish to contribute to discussions. (Herefordshire and Worcestershire Earth Heritage Trust)
8. All organisations involved need to share views and ideas. (Dr and Mrs M Bucknell)
9. Database of all interested parties should be kept. Engage communities at parish hall level when information needs to be disseminated. Hold annual stakeholder meetings. (West Midlands Conservatory, Forestry Commission)
10. Identify central and peripheral individuals and bodies who would be stakeholders. (Dr David Boddington)
11. Frequent consultation and updates on events needed- may be a quarterly newsletter and website. Suggest a local body to advise and consult on issues. (David Price)

12. Should involve local farmers and horticultural interests; those in generating power and in water treatment. (J A Nicholas Wallis)
13. Let councillors be the managers. (Leominster Town Council)
14. Set up a consultative group of stakeholders, publicly inviting people to offer themselves as members. (Christopher Lovell)
15. Stakeholders should be governed by agreement of rules and guidelines for good behaviour, safety and regard to other users. Bailiffs should be appointed to monitor activities. (Mr J R Preece)
16. Meetings should be held with the clubs and bodies to discuss points of view and feelings. Whatever extra activities are promoted it will have to be with co-operation of existing users. (Eaton Fishing Club)
17. Consult as you are doing now. (Diocese of Hereford)

Question 6

Are environmental concerns, such as landscape, biodiversity and historic heritage adequately protected, with appropriate opportunities provided for their enhancement?

If No, what further provisions would you like to see?

1. Need more proactive statement to enhance biodiversity; further surveys needed to enforce and monitor policy area. Should be aware of protected species issues and need to survey these before works. Need a statement for no net loss in biodiversity and support BAP targets. (Herefordshire Nature Trust)

2. Environment Agency should make use of knowledge held by many user groups. (Ross Rowing Club)

3. Biodiversity – reference should be made to the river supporting UK and local BAP species; incorporate reference to wildlife/nature conservation in para 3.2; acknowledgement should be made that the Agency will promote navigation to ensure sustainable management of the river and conserve its ecology in para 4.2; conflicts occur between users and nature conservation as well as between different users; PS 3 gives wrong impression - that presumption is in favour of leisure developments in view of the many constraints that exist; PS 5 should present nature conservation in a more positive light; HC should make a stronger statement to ensure the protection and enhancement of wildlife. (Environment Agency)

4. Pleased to see support for addressing BAP targets in PS5 but would like to see this specifically support protection and enhancement of ancient woodlands and there are significant blocks of such in both river valleys. There should be an audit of ancient (veteran) trees, which are a valuable biodiversity resource, to help protect and manage them. (Woodland Trust)

5. Need to protect banks from erosion, for habitats and against invasive species. Does not think environmental matters are adequately protected, especially the banks, habitats and from invasive species. (Philip Williams)

6. Appropriate Assessments are required for any plans or projects affecting the rivers where they are special areas of Conservation and Gloucestershire County Council would wish to be consulted. (Gloucestershire County Council)

7. Heritage aspects of the river should be increased. (Herefordshire Local Access Group)

8. Although recreational and sporting use are commendable, the policy on biodiversity and the key statement of principle should be the overriding force of the document. Environmental improvements have led to flourishing tourism at a level the area can sustain. Despite detail being lacking about this, it is recognised that the document is a broad policy statement that adequately covers the issue. Protecting river habitat should be overriding principle. More weight should be given to conservation of the natural asset so it can be enjoyed by future generations. Policies on landscape, biodiversity and heritage lack substance but should be of paramount importance where conflicts may arise between policies. Efforts seem to be made to please all parties, which is impossible. (Aymestrey Parish Council – primarily in relation to River Lugg)
9. Geological, glacial and Geomorphological features are not adequately protected. (Herefordshire and Worcestershire Earth Heritage Trust)
10. Should be a plan to remove invasive species and promote natural vegetation. (Dr and Mrs M Bucknell)
11. The FC would prefer a statement that the policy of 'keepers in time' would be adopted as policy intent by HC (advise on 'keepers on time' provided). (West Midlands Conservatory, Forestry Commission)
12. Should open and close loop paths according to season to protect habitats from unintentional disturbance. Be aware of S40 of Natural Environment and Rural Communities Act. (Dr David Boddington)
13. Environmental issues should take priority over sporting issues. (David Price)
14. Control spread of polytunnels within the AONB. Suggest low key interpretation boards at historic sites such as Lea brink, Shipley Boat, Mansells Ferry and Capler Quarry. (Fownhope Local History Group and Fownhope Residents Association)
15. Statutory nature protection and historic heritage legislation are adequate. (Christopher Lovell)
16. Insufficient importance is given to the value of water quality, including for wildlife. (Mr J R Preece)
17. Environmental concerns are adequately provided for given the rivers are SSSIs. (Eaton Fishing Club)
18. Environmental policy seems to be aspirational rather than specific to protect the environment and historic heritage. (Diocese of Hereford)

19. There is concern about the continuing and increasing abstraction of water for agriculture, particularly strawberry growing, which is not currently controlled by the licensing system. Licensing control should apply to trickle irrigation. (Sutton St Nicholas Parish Council)

Question 7

How might these features be utilised to promote measures for rural regeneration, tourism and local awareness?

1. Natural environment is a good driver for rural regeneration. (Herefordshire Nature Trust)
2. Need greater communication within user groups. Greater control of water abstraction needed to regulate water level. (Ross Rowing Club)
3. Relevant authorities seem to pass buck on regulatory matters and clearing the river of rubbish such as supermarket trolleys. This detracts from the potentially attractive nature of the river and its potential as a tourism resource. (Tim Kidson)
4. The river is a major tourist attraction and working with parish councils and other groups should seek to promote this further. (Herefordshire Sports Council)
5. Walking is the most popular outdoor activity and walkers spend money in local pubs, cafes, shops, hotels, B&Bs, and events such as the Walking Festival should be used to develop the economy of the County, developing a network of paths around settlements, which will also improve health. (The Ramblers Association)
6. Suggest rebuilding weirs to a level to provide an all-year round facility and suggest the benefits this might bring. (Hereford Regeneration Group)
7. Distribute publicity more widely, about facilities and events. (Philip Williams)
8. Sustainable recreation such as cycling and walking should be given emphasis in project work. (Herefordshire Local Access Group)
9. Support policy on renewable energy although keeping intrusion to a minimum. HC and E Agency must balance all interests. Zoned approach again referred to. Present management of Lugg seems to be working well with noticeable improvements to banks and water quality. Pushing regeneration and recreation policies too much may lose the uniqueness and unspoilt character of the County. (Aymestrey Parish Council – primarily in relation to River Lugg)

10. Geotourism can contribute to regeneration of rural areas. There is great potential for active geotourism, with guided trails etc. (Herefordshire and Worcestershire Earth Heritage Trust)
11. Encourage cycle paths. Tourism policy acceptable but sometimes the attraction is more important to community life than the tourist. (Dr David Boddington)
12. Advertise to attract tourists to create more jobs and boost local economy. (David Price)
13. More use should be made of riverside footpaths, and associated facilities. Resist proposals for river crossing at Hampton Park (i.e. eastern City bypass.) Support footbridges for recreational access linked to PROWs. Protect riverside paths, e.g. at Lea Brink. Create new paths from Lucksall to Mill Farm, and Capler wood to Hoarwithy. A new footbridge is needed between Fownhope and Holme Lacy. Support AONB Picturesque project, including low key interpretation boards and leaflets. Support restoration of hydro-power schemes, using tributaries. Examples of sites include Mordiford Mill at Pentalo, Nupend, Totnor, etc. Seek new footbridges to make better use of footpath network, especially where there are long gaps between bridges. The Fownhope Millennium Bridge should be a priority. (Fownhope Local History Group and Fownhope Residents Association)
14. The balance is very delicate – best to conserve what we have and have strict access controls. (Leominster Town Council)
15. Use history of river to create tourist trails and local displays. These might include lost trades, historic management of water meadows, etc. as basis for eco-tourism. Activity holidays should be promoted together with associated riverside development, under careful planning controls. Do not allow noisy intrusive and potentially damaging activities. (Christopher Lovell)
16. The rivers have limited potential for rural regeneration, tourism and local awareness. Land based facilities are likely to be more effective and already exist. (Diocese of Hereford)

Question 8

Have all other matters of importance to the use of the rivers been covered adequately?

If not, what else do you feel needs to be covered?

1. Would like to see extension to Wye Valley AONB. Suggest the need for a statement on need for high quality development within environs of Rivers Wye and Lugg. (Hereford Civic Society)

2. Issues not covered include climate change, invasive species, conflict between policies, and provision of natural soft flood defences. Climate change will affect flows in the rivers (dry spells and flooding) and hence this is an issue that will have a greater impact on therefore needing more coverage in the document. (Herefordshire Nature Trust)

3. Environment Agency should create a Wye/Lugg control department. (Ross Rowing Club)

4. Should consider development of mineral extraction sites and how planning discussions can make greater use of this particular neglected/potential water recreation resource. Why was the Rivers and Flat Water Study shelved or ignored? (Herefordshire Sports Council)

5. Water Resources – No accurate indication can be given of how much water is available for further abstraction or details about restrictions until March 2008. (Environment Agency)

6. The River Arrow should be included. (The Ramblers Association)

7. There are problems of silting up and rubbish being thrown into the River Wye, such that it is almost impossible to use for boating. (Hereford Regeneration Group)

8. There is no statement about water abstraction. (Philip Williams)

9. A map showing the County areas should accompany the document, with contact details for the relevant Councils. Supports section 5 “Other Issues”, in particular the need to integrate transport plans. However concerned that promotion as a tourism and leisure destination may affect Gloucestershire when visitors arrive predominantly by car, which can cause problems for local residents in the Forest of Dean, where inappropriate roads and parking are issues. Greater emphasis should be given to the prime and ancient use of the

rivers for fishing, especially the importance of salmon fishing on the Wye. (Gloucestershire County Council)

10. Consideration should be given to extending the AONB. (Herefordshire Local Access Group)

11. No reference to the rock structure and Geomorphological processes to which the valleys have been subjected. Various detailed amendments to statements recommended relating to geological and geomorphological matters. (Herefordshire and Worcestershire Earth Heritage Trust)

12. Does not take into account changes of access rights for the public that are likely to occur due to litigation involving HC, Church Commissioners and HDAA. Opposes limiting the banks within the City for use by private fishing club. (Dr and Mrs M Bucknell)

13. Recommend including a policy statement on tree/woodland management. (West Midlands Conservatory, Forestry Commission)

14. Extend Wye Valley AONB to include all the Wye valley and the River Lugg Valley. This will assist the resolution of conflict and help attract funding for access projects. (Ben Nash)

15. Should make greater reference to floodrisk, renewable energy and training. (Dr David Boddington)

16. Put profit generated back into the rivers for future generations. (David Price)

17. Need to consider productive use of water for irrigation, power and potable use (people and livestock). (J A Nicholas Wallis)

18. Concerns include agricultural pollution and water abstraction. Action on these should be taken now. (example given). (Mr J R Preece)

19. Health and safety issues will have to be discussed in depth with all parties. (Eaton Fishing Club)

20. Any development of banks should not restrict public access. (Diocese of Hereford)

RESPONSE TO THE REVIEW OF HOW TO RETAIN 18-35 YEAR OLDS IN HEREFORDSHIRE AND ATTRACT THEM TO IT

PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To respond to the "Review of how to retain 18-35 year olds in Herefordshire and attract them to it" (referred to as the 18-35 Review) outlining acceptance or otherwise of the recommendations made.

Key Decision

This is not a key decision.

Recommendations

THAT the response to the Review and Action Plan set out in the report be endorsed.

Reasons

The Community Services Scrutiny Committee considered the 18-35 Review on the 26th March, 2007. The purpose of the review was to establish the reasons why 18-35 year olds leave the County and to focus on measures the Council could put in place to retain the age group and attract them to live in the County. The review focused on key themes concerned with employment; housing; leisure; education and skills; transport and image. A copy of the Review and covering Scrutiny report is attached for Members attention.

The review was able to utilise data on demographic changes, which demonstrated that even with predicted increases in the number 12 to 24 year olds, in the County, the County would still be under represented in the age range when compared to population figures for England and Wales as a whole. Based on current trends in 2011, the 15-24 age range will represent 11% of the County's population, compared with 12.9% of the population for England and Wales. Using NHS re-registration data the report also showed a net loss of the 15 to 24 age range of approximately 450. This is compared to a net gain in other, older, age ranges, including a "gain" of 200 people between the ages of 35 and 39 years each year from inward migration. The net loss of young people is not unusual for mainly rural areas, whereas more urban areas are seeing a net increase in young people population.

The report also showed that despite schools performing well at GCSE level, businesses reported a shortage of skills, with 31% of employers feeling that there was a significant gap between school leaver's qualifications and the qualifications that were required for work. Research also showed that housing affordability was a significant issue.

The research was supported by a small focus group of young people. The interviews supported the findings that the reasons why young people leave or do not locate to the county are many, varied and usually a combination of factors. However, primarily focus was on overall negative perception of the County by young people mainly regarding low wages, high cost of housing, limited career progression and lack of leisure and entertainment facilities. The report also found that some small scale change, both physically and in people's attitude could make a significant difference. This included new businesses relocating to the county and more choice in terms of leisure could create positive images about the County in terms of meeting the requires of young people.

Considerations

1. This report considers each recommendation in the review in turn as highlighted below:

- **(6a) Recommendation** - That young people are involved in the shaping of major regeneration schemes and developments, specifically looking at how these can incorporate their recreation, cultural, and employment needs. This should include detailed and targeted inward investment promotion and working with property agents and developers to influence private investors and brand name companies.

Response – That this recommendation is accepted and incorporated into the inward investment strategy for the County. Young people should be involved in major regeneration schemes such as Edgar Street Grid.

- **(6b) Recommendation** - Due to the over provision of University places generally within the Country, avenues exploring other methods of retaining and attracting college graduates and young people to Herefordshire are pursued.

Response – That this recommendation is accepted and will be addressed in connection with the development of the learning village.

- **(6c) Recommendation** - Given that the figures demonstrate that there is an outflow of young people aged between 18 and 24, yet a net influx of people aged 25 to 35, available resources are concentrated on improving the County's Social and Economic offer to this age group.

Response – That this recommendation is accepted in line with recommendation 6a.

- **(6d) Recommendation** - That the business start-up programme is promoted to young people to support entrepreneurship.

Response – That this recommendation is accepted in connection with the current business start up programme.

- **(6e) Recommendation** – That the Council continues a programme of affordable housing linked to major developments.

Response – That this recommendation is accepted in line with the County's Housing Strategy.

Risk Management

None identified

Alternative Options

Recommendations reviewed.

Consultees

None identified.

Background Papers

Scrutiny Review of "how to retain 18-35 year olds in Herefordshire and attract them to it" of 26th March, 2007.

Action Plan for 18-35 Review

Ref	Recommendation	Action	Timescale	Lead officer
I.	That young people are involved in the shaping of major regeneration schemes and developments, specifically looking at how these can incorporate into their recreation, cultural, and employment needs. This should include detailed and targeted inwards investment promotion and working with property agents and developers to influence private investors and brand name companies.	<ul style="list-style-type: none"> Inward Investment strategy examines potential to provide attractions, services and facilities to attract and retain young people starting or growing their business. Encourage developers and agents to attract/target brand name companies, which will prove to be attractive to young people. Establish consultation with young people via the college network and the youth council to address the relevance of regeneration scheme with the needs of young people. 	By Dec 07	Paul Bradley-Lloyd
II.	Due to the over provision of University places generally within the Country, avenues exploring other methods of retaining and attracting college graduates and young people to Herefordshire are pursued.	<ul style="list-style-type: none"> Investigate the viability of providing live/work units targeted at young people/starter businesses (one bedroom units). Explore the concept of providing workshop units within the ESG development targeted at young people/starter businesses. 	By March 08 By March 08	John Passmore Nick Webster
III.	Given that the figures demonstrate that there is an outflow of young people aged between 18 and 24, yet a net influx of people aged 25 to 35, available resources are concentrated on improving the Counties Social and Economic	<ul style="list-style-type: none"> Economic Development Partnership Group to investigate ways in which partners can allocate resources and priorities to the 25-35 age group. 	By Dec 07	Alan Ronald

IV.	offer to this age group. That the business start-up programme is promote to young people to support entrepreneurship	<ul style="list-style-type: none"> • When revisiting the criteria for the business start up grant consider revising to favour young people. • When revisiting the criteria for the business start up grant consider removing a proportion of the funding to use exclusively for young people's businesses. • Continue to work with and support the Princes Trust and Young Enterprise. • To be conducted by Planning (Development Control and Forward Planning). Economic Regeneration to input thoughts into new Local Development Framework process on this aspect. 	By Sept 07 By Sept 07	Alan Ronald / Rachel Jones Alan Ronald / Rachel Jones
V.	That the council continues a programme of affordable housing linked to major developments		By March 08	Nick Webster / Paul Bradley-Lloyd

How can Herefordshire retain 18-35 year olds in the County and attract them to it?

March 2007

**For presentation to the Community
Services Scrutiny Committee**

- ...**Putting** people first
- ...**Preserving** our heritage
- ...**Promoting** our county
- ...**Providing** for our communities
- ...**Protecting** our future

Quality life in a quality county

Contents

1. Introduction
2. Method of Gathering Information
3. The Statistical Position
4. The Factors Influencing the Figures
5. Conclusions
6. Recommendations

ANNEXES

- I Review Group Scoping Statement
- II Herefordshire's Population Trends (Herefordshire Council Research Team 12th July 2005)
- III Information gained from Higher Education Statistics Agency
- VI "Most Important aspects in deciding where to live for young people in Herefordshire" – Herefordshire Council Research Team.

1. Introduction

- 1.1 The purpose of the Review was to establish the reasons why 18 to 35 year olds leave the County. The common perception was that people from within this age range were moving outside the County or, if already living outside, did not consider Herefordshire a viable location to live.
- 1.2 In addition the Review would consider what measures the Council could put in place to retain 18 to 35 year olds within the County, or attract them to it. The Review also considered what role the Council's partner organisations, and the County as a whole could take to assist in the achievement of the above aim.
- 1.3 The Review's aim was to propose a range of options for Cabinet to consider that would retain or attract 18 to 35 year olds to the County.
- 1.4 A scoping statement for the Review, including Terms of Reference, was approved by the Community Services Scrutiny Committee at its meeting on 13th June 2005. It was agreed that all Members of the Committee would form the Review Group. A copy of the Review Groups scoping statement is attached at Annex 1.
- 1.5 The Review was undertaken between August 2005 and June 2006. This report summarises the key findings of the Review, details to the processes followed, and contains a number of recommendations.
- 1.6 The report would focus on a number of themes deemed most likely to affect the retention and attraction of people aged between 18 and 35. The main themes were – Employment; Housing; Leisure; Education and Skills; Transport; and Image. Initially it was decided to concentrate efforts on the first three of these themes.

2. Method of Gathering Information

i. Statistical Data

2.1 The Review Group commenced the Review with a brief overview of the statistical data pertinent to the age range and focus of the Review. This was enhanced at the following meeting with a more detailed explanation of the current statistical information and population trends, this document can be viewed at Annex 2. Much of the statistical information was provided by the Herefordshire Council Research Team, using a variety of sources, but primarily demonstrated through their reports on "Herefordshire's Population Trends" published in July 2005, and the West Midlands Regional Lifestyle Survey undertaken by the West Midlands Regional Observatory in 2005.

2.2 Additionally the Review Group were able to obtain statistical information from the Higher Education Statistics Agency which provided specific information with regard to the locations of Universities attended by Herefordshire students and where they chose to work after finishing their degree courses.

ii. Focus Groups

2.3 To obtain an indication of the reasons behind the apparent outward migration of young people from the County the Review Group felt it important to canvass the views and opinions of people from within the 18 to 35 year old age range. All Herefordshire Council employees within the age range were invited to join a series of focus group meetings aimed at obtaining direct evidence on their opinions on the Reviews themes. From this invitation a Focus Group comprising of 16 staff members was formed and fed their views into the process.

2.4 Additionally the Review Group called a meeting of several employers of varying sizes, education providers, and business support agencies to gain evidence relating to the Employment theme of the Review.

ii. Written evidence

2.4 Written comments and views on The Attraction and Retention of 18 to 35 Year Olds were invited from members of the public at the beginning of the Review via articles in the local press and interviews, and news items on BBC Hereford & Worcester radio.

3. The Statistical Position

i. General Population figures

3.1 Population figures were analysed from a variety of sources including the West Midlands Regional Observatory, and the Herefordshire Council Research Department. Census and survey data gave absolute figures that could be used to represent a particular point in time. Combining these figures with an analysis of population trends could produce forecasted predictions on future population trends and figures.

3.2 In 2004 the estimated population of Herefordshire was 177,800. Although between 1991 and 2001 Herefordshire's population had grown faster than the national average, this growth in population was due to inward migration rather than an increase in births in comparison to deaths.

3.3 Herefordshire is currently underrepresented in the 15 –24 age range and over represented in the 50+ age ranges. The population figures show that 15 – 24 year olds represented only 10% of the County's population compared with 13% of the population of England and Wales as a whole.

3.4 Taking into account current migration trends and applying them to future forecasts, the 15 to 24 age range was set to increase by 13% by 2011, 17,800 people in 2003, to 20,000 people in 2011. Even with this increase, the County would still be underrepresented in this age range when compared with the average for England and Wales. In 2011, 20,000 people would represent 11% of the County's population, compared with 12.9% of the population for England and Wales.

3.4 Using NHS re-registration data it was possible to demonstrate that in the 15 to 24 age range Herefordshire showed a net loss of people – approximately 450

people. This represents 3% of the population within that particular age range in the County.

3.5 Using the same data it was demonstrated that all the other age ranges showed a net gain of people into the County. The largest net inflows were in the 35–39 and 55–59 age ranges, where the County had a net gain of approximately 200 people in each age range. In addition these inward migration figures did not take into account people who had moved into the County from outside England and Wales.

3.6 In July 2005 the Herefordshire Council's research team produced a report detailing Herefordshire's population trends. The report concluded that:

- Herefordshire had an older age structure than England and Wales as a whole.
- Negative natural increase (i.e. there are less births than deaths) means that population growth is entirely fuelled by net in-migration, and that the largest proportion of these immigrants come from London and the South East.
- Despite popular opinion, not all immigrants were retired, the annual net increase of people over 65 being approximately 200.

ii. Comparison Authorities

3.7 The net loss of young people from the County was not a problem that was unique to Herefordshire. For example Rutland, Malvern Hills, West Dorset, and Kennet District council's all experienced a higher percentage of outward migration from within the 15 to 24 year old age range than Herefordshire.

3.8 In comparison, Local Authorities whose young person population increased included Westminster, Wandsworth, Hammersmith, Fulham and Islington, all inner London Boroughs, and Nottingham from outside London.

3.9 From the data available, it is obvious to conclude that rural Authorities are losing young people, whereas the larger cities experienced a net gain. Rather tellingly census data records people at University as resident in their location of study rather than at, for example, their parents address.

iii. Information from HESA (Higher Education Statistics Agency)

It was suggested to the Review Group that one reason why young people left the County was to study at a higher education institute.

3.10 HESA supplied information regarding the chosen University of those Herefordshire residents entering Higher Education. In addition further interrogation of the information demonstrates how many of these students returned to Herefordshire when in employment.

3.11 This information can be viewed in Annex 3 (tables 1 through to 3) demonstrating the most popular destinations for Herefordshire based students and how many of them returned to work in the County.

3.12 It is apparent that the vast majority of the most popular University destinations are within cities and towns that could be deemed to be located

close to Hereford, with Worcester, Cardiff and Gloucester being in the top 3 most popular locations in at least 2 of the 3 years.

- 3.13 Within the top ten results in all tables, only Exeter (in 2003/04) is outside of a 2-hour car journey from Hereford, and the majority of these most popular destinations, across all three years, are within an hour to an hour and a half journey time by car.
- 3.14 It is also evident that a higher percentage of people from the smaller cities return to work in the County. For example in 2004/05, Worcester (61%), Newport (67%) and Gloucester (43%) had high levels of people returning to work, while Cardiff (14%), Bristol (17%) and Birmingham (36%) saw relatively low levels of people returning to the County.
- 3.15 Over time the amount of people returning from University to work in the County has increased. In 2002/03 240 of 853 (or 28%) people returned, by 2003/04 this figure had increased to 260 of 900 (29%), and had further increased in 2004/05 to 296 of 926 (or 32%).

v. Economic Data

- 3.17 The 2001 Census showed that Herefordshire had a lower percentage than the national average of people with degree level qualifications and people in higher-level occupations. In addition there is a shortage of skilled and semi skilled workers.
- 3.18 A separate survey of employers showed that 31% of employers felt that there was a significant gap between school leaver's qualifications and the qualifications that were required for work.
- 3.19 A study by the Joseph Rowntree Foundation found that Herefordshire was one of the least affordable areas in the Country for first time buyers.
- 3.20 This study had shown that in the West Midlands on average 3.8 times the average income was required by a first time buyer to buy a home. In Herefordshire this figure was 4.8 times the average income, and again, in London the figure was 4.7, although here the average wage was much higher.

4 The Factors Influencing the Figures

- 4.1 It is apparent from the statistics that Herefordshire has a problem retaining its young people within the County. Large numbers of them move away to University and fail to return, with large cities proving to be the most popular destinations.
- 4.2 Although the statistics identify the scale of the problem they do not identify the reasons behind the problem. The Review Group undertook a number of focus groups to identify the issues behind the migration out of the County and to determine whether there was one single factor, or a collaboration of factors responsible.

4.3 In addition to the focus groups the Review Group used a Survey conducted by the West Midlands Regional Observatory, which was produced during the lifetime of the Review, as further evidence as to the reasons for the outward migration. This report, the Regional Lifestyle Survey 2005 (RLS 2005), was undertaken to explore the attitudes of adult residents (18 years old and over) towards lifestyle, environmental and wider quality of life issues.

4.4 The first question asked in the survey was ‘**When making a decision about where to live, which three things are most important to you?**’. An analysis of this report was conducted by the Herefordshire Council Research Team and included an analysis of the responses to this question from young people (18 to 34 year olds) in Herefordshire compared with the responses across the region and for all ages.

4.5 Please see Annex 4 for a copy of this report, the main findings appropriate to this Review are summarised below.

4.6 Respondents to the survey were asked to choose 3 factors (from a list of options), which were the most important to them when making a decision about where to live. Table 1 shows the ‘top 10’ options for Herefordshire among those aged 18 to 34.

Table 1 – Responses from the 18 – 34 year old age group in Herefordshire.

Most important things when deciding where to live	Percentage	Rank
A safe area with low crime	37.9%	1
Close to family or friends	31.9%	2
Close to where you work	29.0%	3
Affordable housing	27.8%	4
A quiet area	21.5%	5
Good local schools	20.2%	6
A nice, clean environment	19.9%	7
Accessible to the countryside	17.4%	8
Knowing the area	16.1%	9
The right type of housing	12.6%	10

4.7 The main points from this research can be summarised below:

- A safe area with low crime and proximity to family and friends is the most common factor in the county and the region for 18 to 34 year olds
- A significantly greater proportion of 18 to 34 year olds respondents from Herefordshire consider a quiet area and accessibility to the countryside to be amongst the most important aspects when deciding where to live compared to regionally for this age group.

- However proximity to place of work was the 3rd most common response for Herefordshire's 18 to 34 year olds (29%), higher than the proportion from this age group in the region (21%, 6th most common response).
- Affordable housing was important for this age group in Herefordshire and the region, with a higher proportion of 18 to 34 year olds choosing this in Herefordshire (28% compared to 22% in the region).
- Good public transport links was one of the most common 10 factors for those in the region as a whole (14% of respondents) but ranked 12th for those from this age group in Herefordshire (8%).

Responses from Focus Groups.

4.8 The Review considered a number of themes that might be important factors in a young persons decision whether to remain in, or relocate to Herefordshire. In particular it was the view of the people participating in the Focus Group that the themes concentrating on Employment, Education and Skills, Housing, and Leisure should be given most consideration.

4.9 The following paragraphs give an indication of the main points brought out from discussions held within the Focus Groups. The responses are grouped loosely into the different themes determined at the beginning of the Review.

4.10 Employment

4.11 Evidence gained from employers stated that they had employees who had left for better paid jobs elsewhere once they were more experienced. One public sector organisation stated that they had no trouble recruiting trainees, the problem was retaining them.

4.12 This evidence from employers was backed up with evidence from the Staff Focus Group. Comments from members ranged from stating that they intended to 'move out of the County due to low wages and lack of career progression'; through to that 'it was difficult to gain a similar salary to that which they could earn elsewhere'. The responses were wholly negative towards local salaries.

4.13 One public sector organisation felt that organisations and businesses needed to offer progression to young people to prevent them moving away to progress themselves once they had received training. Another organisation was of the opinion that graduate employment would need to be developed in order to retain those people who did actually study within the County.

4.14 From an employee's perspective, one member of the Staff Focus Group mentioned that they had never seen an advert for a Graduate Placement post for a local firm. Although perhaps a generalisation the other members of the Group recognised that graduate placements within Herefordshire were very rare positions.

4.15 The issue of training, both vocational and academic, was pertinent to both employers and young people. The employers recognised that a higher skilled workforce would help to encourage other employers into the County. It was commented that large local employers needed to work with local

training providers so that courses reflected the needs of the local employment market.

- 4.16 Herefordshire is lacking in 'knowledge industries' such as allpay.net. The current employment pool in Herefordshire is considered too small by major employers to consider locating to the County. Combined with poor road infrastructure and a shortage of people with NVQ's at higher levels, Herefordshire is an unattractive location option for firms looking to relocate.
- 4.17 Evidence from both employers and employees indicated that people were prepared to move out of the County in search of better-paid employment once qualifications had been gained, or training courses completed.
- 4.18 Although there is a need for an enhanced training provision, there is currently much good training work being done within the County by organisations such as Herefordshire Group Training Association, much of which is being directed towards addressing the current problems in the manufacturing sector.

4.19 Housing

- 4.20 The Review Group looked at the various elements of the housing sector that would impact on young people. This included both the affordability of buying houses and the availability and quality of the rental market.
- 4.21 It is generally accepted that individually young people find it virtually impossible to buy a house within the County, even those properties at the bottom level of the housing market. At the time of the Review the average house price in Herefordshire was £196,000, this was a higher average than Shropshire or Worcestershire. Against this figure, income levels in the County were 20% below the regional average.
- 4.22 House prices are relatively cheaper than some other areas of the Country, especially the South East, this may explain why the proportion of inward migration was so high from this region, 65% from London and the South East. Despite the relative cheapness of Herefordshire's housing compared to other areas, Herefordshire does lack affordable low cost housing.
- 4.23 Young people in Herefordshire are making a conscious decision to rent rather than buy houses due to affordability issues. Mortgage costs when compared to renting costs were considered prohibitively expensive.

4.24 Leisure

- 4.25 The general opinion of people between 18 and 35 who were interviewed as part of the Review was that the County's Leisure facilities were of mixed standards. They also linked leisure provision with how the County was promoted and it's image to those within the 18 to 35-age range.

i. Sports and Recreation

- 4.26 Sports facilities within the Country were not considered to be very good. Training facilities, depending on the type of sport, might not be available within the County.

4.27 Herefordshire has an outdoor image, and this has been promoted extensively through certain mediums, Herefordshire's Walking Festival for example, however it was young people's opinion that no outdoor culture actually existed.

ii. Music and the Night-time Economy

4.28 It was considered by the people interviewed that the County needed additional live music venues. It was noted that various pubs did often host "live" acts but this prevented people under 18 attending. Hereford Leisure Centre had hosted nationally renowned "live" bands in the past and there was a general agreement that the recommencement of this capability would be widely appreciated by young people.

4.29 It is considered that Hereford has a limited offer, in terms of nighttime entertainment, with much of the offer being traditional pubs and clubs. This contributed to a lack of variety in the type of places people could go out to with a comparatively low level of contemporary bars, restaurants, and clubs.

4.30 Most people in the 18 to 35 year old age range travelled to other Cities such as Birmingham and Cardiff for a night out, often just to experience a 'different' night out.

4.31 Whilst young people wanted more choice in terms of leisure and entertainment facilities, it was widely acknowledged that this would not necessarily constitute large-scale changes. Those interviewed realised that changes to the nature of the City Centre would be unacceptable to many, and indeed were not necessary. A small increase in types of venue would provide the choice and variety that could be found in some of the larger cities.

4.32 Good leisure facilities were not seen as enough of a pull factor, on their own, to encourage young people to stay in the County, or indeed attract them in, it was however felt that they would be a contributing factor.

4.33 Education

i. A Herefordshire University.

4.34 The Review Group considered the concept of a University in Herefordshire. It was widely thought that a University would attract young people to the area. In addition, a University can act as a regeneration catalyst, especially when an element of a wider regeneration strategy, Lincoln is one such example where a University has helped to revitalised the City.

4.35 Despite the perceived benefits a University would bring to Herefordshire, due to the current surplus of University places a new higher education facility is not considered a viable option.

4.36 Without a University for the foreseeable future, it was essential that the Hereford Learning Village should be supported to develop the range of degree and NVQ qualifications available within the County. The best method of gaining a 'University of Herefordshire' was to encourage all local higher education providers in the County to join together in forming a 'Virtual University'.

4.37 Even with a University, Herefordshire would experience difficulties in retaining students, as employment opportunities within the County are not likely to meet the aspirations of graduates.

4.38 Image

4.39 There is a general perception among young people that the County has an “old” feel to it with not many things for young people to do. This has contributed to the decision for some people to move on from the County once other opportunities presented themselves.

4.40 The lack of leisure opportunities was detrimental to the County in terms of retaining young people. With one theatre and a one screen cinema, the City does not compare favourably with the competing towns of Worcester and Shrewsbury, or other larger cities such as Birmingham and Cardiff.

4.41 Road entrances to the City were considered to portray a negative image. Combined with recurring traffic problems, the City is seen as stagnating and backward in it’s efforts to reduce congestion.

4.42 Hereford has a number of under utilised resources that could be used to enhance the image of the City. The river borders the south of the City Centre although almost no use of it is made, either for business or leisure activities. In addition Castle Green could be used for a variety of activities but is currently seen as little more than a park.

4.43 Connected to employment issues, the fact that Herefordshire has little or no ‘young’ industries, for example IT, electronics’, or media based, gives the impression that the County is not forward thinking in it’s approach to business and employment. This was felt to be a huge missed opportunity for the County to capitalise on it’s natural advantages.

5. Conclusions

5.1 At an early stage in the course of this Review it was apparent that the factors and influences impacting on exactly why young people decided to move away from, or indeed move into, the County were many and varied. Many of the points coming out of the Focus Groups and from the statistical information were related to central government policies or determined by national economic factors.

5.2 This can be ably demonstrated by examining the Housing situation. It was identified through both statistical data and Focus Groups that local house prices were preventing young people from getting on the housing ladder. However this is a national problem and one that would only be alleviated by increasing the supply locally of lower priced accommodation. To accommodate this would involve developer agreement, possibly the release of land not currently zoned for housing, and probably be driven by a public sector organisation with associated costs.

5.3 Despite identifying factors out of their control, the Review Group were keen for the Review to uncover as much statistical information as possible to determine any patterns or trends that could help rectify the problem of

outward migration. As a consequence this has resulted in bringing forward the information from HESA.

5.4 It also became apparent that to identify the reasons behind young people moving out of the County the Review would need to contact these people. This presented severe constraints around exactly how these young people could be identified and contacted. It was determined that to pursue the identification and surveying of young people would prove to be a task outside of the scope of this review given the cost and resource implications.

5.5 Despite the reduction in the scope of the information gathering exercise and the identification of factors outside the Councils sphere of influence, many important conclusions were able to be drawn from the Review.

i. Statistical Conclusions

5.6 Herefordshire “lost” 450 people aged between 15 and 24, each year to outward migration.

5.7 In contrast the County “gained” 200 people aged between 35 and 39 each year from inwards migration.

5.8 The loss of young people is not a problem unique to Herefordshire but prevalent across most rural areas.

5.9 Universities within cities and towns geographically close to Hereford are the most popular locations of choice for Herefordshire students.

5.10 The larger cities retain more of their Herefordshire originated students compared to smaller towns.

ii. Variations in the 18 to 35 year old age range

5.1 It is apparent that there are at least two distinct sub divisions of the age range the Review is considering. There is a net outward migration for those young people under 25, yet there is a net inward migration of young people aged between 25 and 35.

5.2 The suspected explanation is that the net outflow of people aged between 18 and 25 is caused by these young people going to University and being counted as resident in their location of study. It is thought that these people study away from Herefordshire, perhaps start a career outside the County and then move back into Herefordshire when looking to start a family, thus explaining the net inward migration from 25 to 35. This would indicate that lifestyle choices are important to those looking to come back to the County.

iii. No overall push factor

5.3 The evidence would suggest that there is no one factor behind the unpopularity of Herefordshire as a location for young people to live, rather, all the reasons studied by the Review Group form part of the overall negative perspective for young people; low wages, high cost of housing, no career progression, lack of leisure and entertainment facilities.

5.4 Together these issues form a reason for a young person to decide not to stay in the County, or not to relocate to Herefordshire, separately they are not significant enough to influence someone's decision to move.

iv. Little Changes

5.5 It is apparent that small scale changes, both physical and in people's attitudes could make significant differences to the lives, or opinions of young people. Herefordshire's image is not good with young people, many seeing the County as a backwater with little or no change. Simply by encouraging 'new' industries to relocate in the County would send out the signal that the County was attempting to be proactive and forward looking.

5.6 Similarly small scale changes to the leisure and recreational facilities would prove beneficial. More choice in terms of night time entertainment, not in terms of numbers of venues, but in terms of style and type, would provide young people with a range of opportunities.

5.7 The provision of a multi screen cinema is again an example of a small change that would make significant differences. Not having a multi screen cinema not only has a negative impact for film viewers but again, sends out a negative portrayal of Hereford's image.

6. Recommendations

(a) That young people are involved in the shaping of major regeneration schemes and developments, specifically looking at how these can incorporate their recreational, cultural, and employment needs. This should include detailed and targeted inward investment promotion and working with property agents and developers to influence private investors and brand name companies.

(b) Due to the over provision of University places generally within the Country, avenues exploring other methods of retaining and attracting college graduates and young people to Herefordshire are pursued.

(c) Given that the figures demonstrate that there is an outflow of young people aged between 18 and 24, yet a net influx of people aged 25 to 35, available resources are concentrated on improving the County's Social and Economic offer to this age group.

(d) That the Business Start-Up programme is promoted to young people to support entrepreneurship within the age group.

(e) That the Council continues a programme of affordable housing linked to major developments.

RESPONSE TO THE REVIEW OF HEREFORD CITY PARTNERSHIP

PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To respond to the "Review of the Hereford City Partnership" outlining acceptance or otherwise of the recommendations made.

Key Decision

This is not a key decision.

Recommendations

THAT the recommendations and Action Plan as set out in the report be endorsed.

Reasons

The Community Services Scrutiny presented a report on the "Review of the Hereford City Partnership" on the 26th March to consider the recommendations. The purpose of the Review was to undertake an examination of the Hereford City Partnership (subsequently referred to as HCP), which is supported by several partners, one of which is Herefordshire Council. HCP was set up as a company limited by guarantee in May 2000 and brings together public, private and voluntary sector partners who have an interest in the economic and environmental wellbeing of the City of Hereford. A copy of the Review is attached for Members attention.

The desired outcomes for the scrutiny review were:

- To gain an understanding of the role of the City Partnership
- To outline a shared, strategic vision for Hereford City
- To ensure the Council's support is used to best value and fulfilling the corporate objectives
- To work with partners on an agreed way forward in relation to new initiatives coming to fruition in the City and the activities of new emerging groups
- To look at a method for performance management, with specific targets, milestones and outcomes

Out of the desired outcomes of the review the method of performance management has not

been addressed and recommendation (vi) aims to address this point.

Interviews were undertaken with representatives of the HCP Board and Management Committee, Hereford City Manager, Officers and Council Members of Herefordshire Council, a retail sector representative, and the Chief Executive of ESG Herefordshire Limited.

In reference to the financial arrangements Herefordshire Council contributes a cash contribution of £3,000 plus in kind contribution through office accommodation, IT support, post costs and telephone. In terms of clarifying the financial position, at local government re-organisation Herefordshire Council funded the post of City Centre Manager as a joint post covering Hereford and Ross. Herefordshire Council led the establishment of the City Partnership as a way of ensuring that all key stakeholders were involved in the management of the City Centre. With the establishment of the City Council the funding from the precept which had previously been raised by Herefordshire Council passed to the City Council who are now the major public sector funder. The overall amount of public sector funding does however remain the same. When the post of Hereford City Manager was created it was expected that time was allocated to raising external funding/income to contribute to salaries and activities. Other funding currently comes from Boots, Chadds, Prudential Property Services Ltd. a total of £6,700, and potentially £2,200 via the Chamber of Commerce to be confirmed. Fairs & Street Trading Section, also currently provides support to the Hereford City Partnership through free assistance in helping to organise a number of different promotions and events throughout the year, the waiving of certain consent fees and the allocation of specific income generated by nominated festive street traders. This amounts to circa £10k p.a.

Also, for a point of clarity, Hereford City Partnership is an independent organisation to the Council, and as such the Hereford City Manager is line managed by the Chairperson of HCP Board. Market Town Support Officers are partially funded by Advantage West Midlands as part of the Markets Towns Initiative Programme. Hereford City is not eligible for this funding, but can apply for Rural Regeneration Zone funding if the project or programme is deemed appropriate.

Paragraphs 8.7 to 8.11 of the report rightly point out that street trading consents can only be issued by the local authority. Street trading consent fees are set through agreed formulae. This income contributes to the running of the administrative and enforcement functions of a street trading section for the whole of the county. HCP are already part of an established consultative process on assessing both existing and future street trading consent and highways amenities licence applications.

The council established the Hereford City Partnership understanding that Hereford as our key retail and business centre needed to be competitive with other areas outside the county. It is through collaboration and a positive approach by the City Partnership and its partners, including the council, that the City can succeed in creating a competitive edge, now and in the future with the development of the Edgar Street Grid.

Considerations

1. This report considers each recommendation as highlighted below:
 - (a) **Recommendation 17.1** That Herefordshire Council reinstates the Cabinet Member Portfolio with responsibility for Economic Development. This Cabinet Member should take the lead on a strategic vision for Hereford City with support from partner organisations such as HCP and ESG, and ensure links with the wider County.

Response – Cabinet lead is Councillor Blackshaw, with responsibility for Economic and Community services. That the adopted vision linked to the City of Living Crafts is the basis for development in the City and linked to specific objectives relating to Hereford in the Economic Development Strategy.

2. (b) **Recommendation 17.2** That Herefordshire Council representation on the HCP Board is revisited and a member representative with potentially more time to support the work of HCP is appointed. If the recommendation for the reinstatement of the Cabinet Member (Economic Development and Community Services) is accepted then that Portfolio Holder should assume this appointment.

Response – that Councillor A Blackshaw is the Council representative.

3. (c) **Recommendation 17.3** That reporting mechanisms are put in place to enable the Hereford City Partnership manager to report to the Cabinet Member (Economic Development) on a regular basis.

Response – reporting to cabinet member is through attendance at the City Partnership Board meetings.

4. (d) **Recommendation 17.4** Herefordshire Council relocates the Hereford City Manager to one of its City Centre Office spaces, rather than being based at Plough Lane.

Response – The City Manager has been relocated to Hereford Town Hall. However, relocation away from Plough Lane means the City Manager loses some of the beneficial contacts with Council Officers.

5. (f) **Recommendation 17.5** That the Hereford City Manager's job particulars have a person specification prepared to go with the job description.

Response – As the City Partnership is the employing body, this recommendation should be passed to them for consideration.

6. (g) **Recommendation 17.6** The Hereford City Manager be provided with administrative support.

Response – This recommendation should be passed to the City Partnership to confirm the level of administrative support that is required.

7. (h) **Recommendation 17.7** The Membership of Hereford City Partnership be reviewed to ensure that all areas of the City are represented including the addition of major retailers as Members.

Response – recommendation passed to the City Partnership.

8. (i) **Recommendation 17.8** That additional funding is put into HCP to support the Hereford City Manager and administrative support be provided in the short term prior to the emergence of a whole city vision and the development of ESG.

Response – the Council will consider proposals from the City Partnership for additional funds if a contribution from the Council is required. This will be considered as part of the budget process for 2008/09.

9. (j) **Recommendation 17.9** That the annual funding of £16,000 which is put into HCP by Hereford City Council is matched by Herefordshire Council over the next three years, plus HCP maintains its existing funding and infrastructure support commitments to continue and develop its activities and events.

Response – See response to recommendation (i) above.

10. (k) **Recommendation 17.10** That Hereford City Council investigates the possibility of increased support for HCP through the level of precept levied in the city.

Response – That the City Partnership negotiates this point with the Hereford City Council.

11. (l) **Recommendation 17.11** That Hereford City Partnership commences regular budgeting procedures and produce income and expenditure accounts.

Response – The principle of regular budget and performance monitoring is endorsed and should be referred to the City Partnership for consideration.

12. (m) **Recommendation 17.12** That Hereford City Partnership concentrate their main activities on the City Centre's economic and environmental wellbeing.

Response – Accepted in principle and should be referred to the City Partnership to evaluate the merits.

13. (n) **Recommendation 17.13** That Hereford City Partnership liaise with other key partners with an interest in the City, including Hereford City Council, Herefordshire Council, Edgar Street Grid, South Wye Development Trust, and Rotherwas Futures.

Response – that this recommendation is accepted.

14. (o) **Recommendation 17.14** That mechanisms are put in place by Herefordshire Council to enable the Hereford City Manager to report to Officers at Head of Service level.

Response – this recommendation is not necessary and current arrangements continue with reporting to the Social and Economic Regeneration Manager who is involved in the management of the other programmes in market towns and economic development schemes.

15. (p) **Recommendation 17.15** That the Street Trading Panel procedures are reviewed to enable direct reporting to the Cabinet Member (Economic Development).

Response – this recommendation is not accepted with decision on operational management of street trading made at an officer level. That policy framework is decided by the Cabinet Member for Environment & Strategic Housing holding the relevant portfolio.

16. (q) **Recommendation 17.16** That Hereford City Partnership fully instigates the proposed retail membership scheme with varying levels of membership to generate income.

Response – that this recommendation is passed to the City Partnership as one

way of providing the ongoing funding needed to pay for additional resource requirements identified.

Risk Management

Not identified

Alternative Options

Recommendations reviewed.

Consultees

Trading Standards Manager

Background Papers

Scrutiny Review of Hereford City Partnership of 26th March

Action Plan for the Review of Hereford City Partnership

Ref	Accepted recommendation	Action	Timescale	Lead officer
1	That Herefordshire Council reinstates the Cabinet Member Portfolio with responsibility for Economic Development. This Cabinet Member should take the lead on a strategic vision for Hereford City with support from partner organisations such as HCP and ESG, and ensure links with the wider County.	Councillor Blackshaw is the council representative on the Hereford City Partnership Board to receive regular reports via attendance at the meetings, with officer attendance by the Social and Economic Regeneration Manager (ref. recommendations: 17.1; 17.2 and 17.3)	From June 2007	Councillor Blackshaw and Penny Jones
2	That the Hereford City Manager's job particulars have a person specification prepared to go with the job description.	Recommendation endorsed and passed to the City Partnership for implementation as providing the line management and as a matter of best practice. (ref. recommendations: 17.5)	Date to be confirmed by the City Partnership	Line manager for City Centre Manager
3	The Membership of Hereford City Partnership be reviewed to ensure that all areas of the City are represented including the addition of major retailers as Members.	Recommendation to be considered by the City Partnership (ref. recommendations: 17.7)	Date to be confirmed by the City Partnership	City Partnership
4	That Hereford City Council investigates the possibility of increased support for HCP through the level of precept levied in the city.	Recommendation passed Hereford City Council to respond. (ref. recommendations: 17.10)	Date to be confirmed by Hereford City Council	Hereford City Council
5	That Hereford City Partnership commences regular budgeting procedures and produce income and expenditure accounts.	Recommendation endorsed and passed to the City Partnership for immediate implementation (ref. recommendations: 17.11)	Date to be confirmed by Hereford City Partnership	Cynthia Spaul to action
6	That Hereford City Partnership concentrate their main activities on the City Centre's economic and environmental wellbeing.	Recommendation for the City Partnership to evaluate the merits of reducing the boundaries of responsibility and for	Date to be confirmed by Hereford City Partnership	Cynthia Spaul to action

7	That Hereford City Partnership liaise with other key partners with an interest in the City, including Hereford City Council, Herefordshire Council, Edgar Street Grid, South Wye Development Trust, and Rotherwas Futures.	Council officers and members to be involved in that discussion (ref: recommendation 17.12).	Recommendation endorsed and passed to the City Partnership (ref: recommendation 17.13).	Date to be confirmed by Hereford City Partnership	Cynthia Spaul to action
8	That Hereford City Partnership fully instigates the proposed retail membership scheme with varying levels of membership to generate income.	Recommendation passed to the City Partnership for discussion and decision (ref: recommendation 17.16).	Recommendation passed to the City Partnership for discussion and decision (ref: recommendation 17.16).	Date to be confirmed by Hereford City Partnership	Cynthia Spaul to action
9	Linked to the desired outcomes of the review, a set of performance measures are formed for which milestone in achievement are monitored at each board meeting.	Recommendation forwarded to the City Partnership to implement in liaison with local authority officers (additional recommendation).	Recommendation forwarded to the City Partnership to implement in liaison with local authority officers (additional recommendation).	November 2007	Cynthia Spaul to action and agree with the Partnership Board
10	A work programme detailing events for the forthcoming six months is circulated to partners including the local authority to ensure co-operation and a joint approach to High Town Management.	Recommendation forwarded to the City Partnership to implement (additional recommendation).	Recommendation forwarded to the City Partnership to implement (additional recommendation).	November 2007	Cynthia Spaul to action



Review of Hereford City Partnership

Report by the Hereford City Partnership Review Group

March 2007

**As presented to the Community
Services Scrutiny Committee**

...Putting people first
...Promoting our county
...Providing for our communities
...Protecting our future

Quality life in a quality county

Contents

1 Introduction	p3
2 Methodology	p3
3 Interviews	p4
4 Background	p4
5 History of HCP	p4
6 The role of HCP	p6
7 Work of the Partnership and decision-making	p6
8 Funding arrangements	p7
9 Work programme for City Manager	p9
10 Herefordshire Council representation	p10
11 Partnership working and shared objectives	p11
12 Vision and Strategic Plan for Hereford City	p12
13 Gloucester, Worcester and Shrewsbury: partnership arrangements	p13
14 Strategic links	p14
15 Conclusions	p14
16 Next steps	p15
17 Recommendations	p16
Appendices	
1 Terms of Reference for Review of Hereford City Partnership	p18
2 Questions for review interviewees	p20
3 List of interviewees	p22
4 Hereford City Partnership – Board of Directors and Management Committee Membership	p23
5 Members of the Street Trading Panel	p24
6 New Unitary Benchmarking Group members	p25

1 Introduction

The purpose of the Review was to undertake an examination of the Hereford City Partnership (subsequently referred to as HCP), which is supported by several partners, one of which is Herefordshire Council. HCP was set up as a company limited by guarantee in May 2000 and brings together public, private and voluntary sector partners who have an interest in the economic and environmental wellbeing of the City of Hereford.

- 1.1 A scoping statement including terms of reference was approved by the Community Services Scrutiny Committee at its meeting on 6 June 2006, a copy of which can be found at Appendix 1.
- 1.2 It was agreed that the Review Group would consist of four Members from the Community Services Scrutiny Committee: Councillor H. Bramer, (Chairman) Councillor J.G.S. Guthrie, Councillor B. Hunt, and Councillor D.C. Taylor plus three Co-opted Members to be appointed by the Review Group including one Member of Hereford City Council, one representative from the retail sector, and one representative from the private sector.
- 1.3 Councillor Mrs. P.A. Andrews was appointed as the Hereford City Council representative. The retail sector representative was Mr. M. Jones of Philip Morris and Sons, and the private sector representative was Mr. W. Jackson of Bill Jackson International.
- 1.4 In order to ensure that the Review was truly independent it was required that all Herefordshire Council Review Group Members had had no previous involvement with HCP. This was achieved by appointing Committee Members from the wider County. However, for the Co-opted Members it was concluded that they were likely to have had some contact with HCP through their respective roles. Therefore it was agreed that a Co-opted Member would be permitted to join the Review Group so long as they were not a currently serving or previous HCP Board Member.
- 1.5 The Review was undertaken between June 2006 and December 2006, and this report summarises the key findings of the Review Group concluding with its recommendations to the Community Services Scrutiny Committee and Cabinet.
- 1.6 The Review Group would like to express its thanks to the many people who have presented evidence to the Group, and those who have provided further information as required. The Review Group would particularly like to thank the Members of HCP and Mrs Cynthia Spaul, the Hereford City Manager, for all their assistance in the Review.

2 Methodology

- 2.1 The Review Group agreed that a number of meetings needed to be held to collect the evidence to complete the review.
- 2.2 It was decided that interviews would take place with representatives of Hereford City Partnership, Herefordshire Council Members and Officers, a Hereford City Council Member and representatives of other key organisations and businesses based in Hereford, including Edgar Street Grid (ESG) Limited

2.3 Discussions took place about the necessity of visiting cities elsewhere to investigate how their City Partnerships were run. It was decided that as the Review needed to be a short, intensive piece of work, the cost of arranging visits outweighed the possible benefits, and a desktop exercise looking at comparative cities would suffice.

3 Interviews

3.1 A series of questions were proposed through discussions by the Review Group, based on the key questions in the scoping statement, linked to the key outcomes for the Review. These questions are given in Appendix 2. Some of the factual questions were answered through the Review Group's initial research. However, the majority of questions were answered through the interviews which were then conducted after the initial research.

3.2 Interviews were undertaken with representatives of the HCP Board and Management Committee, Hereford City Manager, Officers and Council Members of Herefordshire Council, a retail sector representative, and the Chief Executive of ESG Herefordshire Limited, the company responsible for the regeneration of the Edgar Street Grid area. The information gathered from researching the answers to the questions and the interviews is broken down by subject matter rather than being attributable to any particular individual. The list of interviewees is given in Appendix 3.

4 Background

4.1 Hereford is experiencing a period of considerable change and new development; this is creating challenges for everyone concerned with the City, and the County as a whole

4.2 A review of HCP was considered timely in relation to the new initiatives, to investigate the purpose, management, and work programme of HCP to ensure best value for the investment made by partners. The intention was to undertake a review which was short, intensive, and very focussed in its purpose and outcomes. HCP has been operating for a number of years, and the Review was also considered timely in relation to other initiatives which are emerging for the city, such as the Edgar Street Grid, city centre refurbishments, the £10m refurbishment of Marks and Spencers, Rotherwas Futures, and the South Wye Development Trust.

5 History of HCP

5.1 Prior to the setting up of HCP in 2000, Hereford was supported by a Herefordshire Council employed Town Centre Manager who also managed Ross on Wye. However, the view was expressed by Herefordshire Council and Hereford City Council that Hereford required a Manager of its own. This was also supported by businesses and other organisations.

5.2 Good practice elsewhere supported the formation of a City Partnership as there was a lack of suitable funding to provide a full time local authority funded manager. Successful examples of this practice at the time included the Worcester City Centre Forum set up in 1995 through a voluntary partnership of businesses, and Bath City Centre Management Partnership established in 1999 after local government reorganisation. Further details of other city partnerships are given in Section 13 below.

- 5.3 HCP was formed in May 2000. The formation was facilitated by Herefordshire Council, following requests from a number of City businesses. An invitation was sent to all businesses in the City and other interested parties, including City and County Council members, to attend a meeting to discuss City Centre management. At this meeting a number of organisations and businesses offered their services to assist with attracting funding and putting together a properly constituted partnership.
- 5.4 HCP was set up as a legally constituted body, with the status of a company limited by guarantee and not having share capital.
- 5.5 HCP's principal objective as set out in its Memorandum and Articles of Association is: "to promote and improve the economic, social and environmental wellbeing of the City of Hereford".
- 5.6 To this end, a City Manager was appointed by HCP in May 2001. The focus for the Manager was to undertake a major regeneration of the City Centre with a specific focus on skills. Proposals were prepared to develop a vision for Hereford as a "City of Living Crafts". The main aim of the project was to help to physically and economically regenerate Hereford City through infrastructure improvements and training in crafts skills. The project was to be funded through the Rural Regeneration Zone, a sub-regional funding programme to support regeneration in rural areas.
- 5.7 A feasibility study for this project was undertaken by BCP consultants, who were appointed by HCP. It involved substantial consultation (at a cost of £100,000), funded by Advantage West Midlands (AWM), and private sector partners. However the Department for Trade and Industry subsequently changed their funding criteria which prohibited AWM from funding the regeneration scheme. The project was subsequently cancelled, but elements of the feasibility study have since been used to inform developments in the City such as the regeneration of Hereford Cathedral Close.
- 5.8 The failure of the City of Living Crafts project had a serious impact on HCP, with a loss of impetus and enthusiasm on the part of the Directors and the wider City community.
- 5.9 The City Manager subsequently left in March 2003 and the post was vacant until the current postholder, Ms Cynthia Spaul, was appointed in May 2004. In the intervening period the core function of supporting the City of Living Crafts feasibility study was undertaken by Herefordshire Council Officers seconded to HCP.
- 5.10 HCP receives £16,000 per year from Hereford City Council, plus £3,000 and in kind support including desk space, ICT equipment and support from Herefordshire Council for the Hereford City Manager. There are plans to roll out a business membership scheme which will produce revenue funding for HCP; details of this are in the business plan. A copy of the draft business plan for HCP is available on request.
- 5.11 HCP's boundaries extend to the City limits to enable participation of the business community in Holmer Road, Whitecross Road and Belmont Road. However, Rotherwas Industrial Estate is not within the remit of the Partnership.

5.12 HCP has a Board of 15 Directors, from which a Management Committee of four is drawn. The Management Committee also includes representation from Herefordshire Council via the Social and Economic Regeneration Manager, and the Board has Herefordshire Council representation from the Leader of the Council who holds the Economic Development Portfolio. A full list of Board and Management Committee members is given in Appendix 4

6 The Role of HCP

6.1 The September 2006 Draft Business Plan identifies six key objectives; these are:

- Working in Partnership
- Communication
- Marketing and Promotion
- City Environment
- Funding Opportunities
- Management and Leadership

6.2 Within the business plan are aims and actions to meet the objectives of HCP. These have key personnel and dates attached. These key personnel include members of HCP and outside agencies.

6.3 HCP is independent of both Herefordshire Council and Hereford City Council, but has representatives from both authorities on the Board and Management Committee.

6.4 The City Manager produces a quarterly newsletter for over 400 businesses in Hereford to keep them informed about the work of HCP.

7 Work of the Partnership and decision-making

7.1 Currently the Board of HCP meet on a quarterly basis. The Review Group heard that the frequency of meetings is to be increased to a bi-monthly timetable to enable more regular performance review of its work. The aims and actions in the HCP business plan are reviewed at each meeting. The City Manager reports to every Board meeting. The Review Group welcomed the increased frequency of meetings to enable closer performance monitoring for HCP.

7.2 The Management Committee of HCP meets on a six weekly basis prior to Board meetings. Work targets for the City Manager are set and monitored by the Management Committee.

7.3 All funders, which currently comprise Boots, Chadds, Maylord Orchards Shopping Centre and the Chamber of Commerce, are invited to attend the AGM and receive the business plan and minutes of meetings of the HCP Board and Management Committee. These funders also include Herefordshire Council and Hereford City Council.

7.4 Regular retail group meetings are held to gauge the views of the business community in the city.

7.5 Discussions about initial ideas and costings take place between the Chairman of the Board and the City Manager prior to proposals being put to the HCP Board. Proposals for events and activities are considered at Board meetings up to six months in advance of them taking place.

7.6 The Review Group welcomed the election of Mrs Bobbie Heavens as Chair of HCP. Her experience and knowledge of the tourism sector is seen by the Review Group as invaluable in continuing to drive forward the work of the organisation.

8 Funding arrangements

8.1 As mentioned earlier the City Manager is funded by Hereford City Council and Herefordshire Council to the tune of £16,000 and £3,000, plus aforementioned in kind support, respectively. It is important to note that HCP receives no other direct revenue funding apart from these contributions towards the Hereford City Manager's salary.

8.2 Whilst £19,000 of funding is provided directly to HCP this does not even cover the salary of the Hereford City Manager. The Hereford City Manager is required to raise the remaining portion herself. The Review Group heard that the post-holder is hampered by having to raise money to pay the rest of her salary and has on occasions to choose between being paid or running a project. The Review Group strongly believe that the time the Hereford City Manager spends raising money to cover salary costs would be used much more effectively if it could be concentrated on achieving HCP's priorities rather than covering its basic costs.

8.3 The Review Group was concerned that Herefordshire Council contributes what appears to be a small amount of funding and support to HCP. The Review Group heard that this arrangement is historical from when Herefordshire Council only had funding to support a part time post rather than a full time Officer for the City.

8.4 It was felt by the Review Group that there were advantages to the Hereford City Manager being independent of both Herefordshire Council and Hereford City Council as this allowed her to focus on HCP's priorities and operate objectively between the two authorities. Whilst Herefordshire Council does not provide full time officer support to Hereford City examples were cited by Review Group Members of the Market Towns in the County where full time officers are employed by Herefordshire Council to support the respective Towns through funding provided by Advantage West Midlands via the Market Towns Initiative (MTI). The MTI currently provides funding for economic regeneration projects in Leominster and Ross on Wye, having previously supported over a three-year period community and economic regeneration projects in Kington, Bromyard and Ledbury.

8.5 The Review Group heard that the centre of Hereford was ineligible for grants through many of the major funding streams such as LEADER+, Rural Regeneration Zone and MTI. The eligibility criteria for funding are based upon many factors but the principal factor expelling Hereford City from LEADER+ and MTI is the size of its population which is too big. Even though Hereford has a larger population and is one of the major focal points for the County it is not eligible for grants to provide it with Officer support similar to that provided to the Market Towns via the MTI. However, support has been received through funding programmes for South Wye via the Single Regeneration Budget over a seven-year period, and for developments on the Rotherwas Industrial Estate. Specific projects in Hereford have received major funding through the National Lottery, including the Courtyard Centre for the Arts, and Hereford Cathedral.

- 8.6 The Review Group felt that HCP needed to be able to generate or obtain more income to develop as an organisation. Therefore the Review Group considered ways in which HCP could raise additional income itself.
- 8.7 One potential source of income for HCP identified was Street Trading Consents. It was suggested that HCP could begin to administer and issue Street Trading Consents for stalls in Hereford City Centre and retain the associated fees charged for their issue. Currently Street Trading consents are granted by Herefordshire Council through the Trading Standards Department, with an Officer Group running the scheme under the Council's scheme of delegation. The City Manager is invited to meetings and can comment but not vote on consents. Other organisations are represented at meetings when required, for example, West Mercia Police. A list of officers on the Panel is given in Appendix 5.
- 8.8 Member involvement for Street Trading consents is by consultation on a ward-by-ward basis for each pitch. In Hereford, Hereford City Council is informed of regular pitches, but not informed of the one-day pitches; one-day pitches are notified to the relevant ward Herefordshire Council Member but usually at short notice.
- 8.9 In addition to issuing Street Trading Consents it was suggested to the Review Group that HCP could increase the price of pitches as the current price was substantially lower than their real value. It was thought it would be considered reasonable to increase the current fees dramatically and still maintain the viability of the businesses which purchased them. An example was presented to the Review Group from Plymouth, where the income from Street Trading Consents is used to help finance the Plymouth City Partnership, but the Plymouth City Partnership is funded directly via the City Council.
- 8.10 Further investigation by the Review Group established that Street Trading Consents can only be issued by a local authority under the auspices of the Local Government Miscellaneous Provisions Act 1982, and not by any other body. Income levels are set through agreed formulae, and are bench-marked against other local authorities within the New Unitary Benchmarking (NUB) Group a list of the authorities in this Group is included at Appendix 6. Herefordshire Council's fees would now stand up to legal scrutiny and processes were scrutinised by the Local Government Ombudsman in 2001 and found to be appropriate.
- 8.11 Income raised from the issuing of Street Trading Consents is used to support the salaries of staff plus administration and enforcement of the scheme. However, the Review Group thought the fees were comparatively low compared to the value of the pitch location and the associated income that it would bring in. The Review Group felt that there was scope to review the fees currently paid for Street Trading Consents with the view to increasing them to their real value.
- 8.12 In kind support is offered to HCP by Herefordshire Council Trading Standards through income from specific consents, such as the carousel in High Town which generates income for the Christmas Lights Switch On and through the waiving of fees for events including the Motor Show. This means that HCP does not need to pay for such events, and the officer time supporting them. £6,000 of funding for HCP is also received from the pre-Christmas trading in the City Centre.
- 8.13 Another potential source of income which was highlighted to the Review Group was the precept set by Hereford City Council. It was noted that the City Council levied a relatively low precept compared to the other Market Towns in the

County, and could potentially raise more money for expenditure in the City with an increase in the precept. The Review Group agreed that this could potentially be a future source of income for HCP.

8.14 The Review Group noted from HCP's draft business plan that there are plans to introduce a Retail Membership Scheme from April 2007. The Review Group welcome this Membership Scheme and suggest that different levels of Membership are introduced so that all businesses, no matter how large or small, will be able to buy into the scheme at an appropriate level. Currently HCP are implementing a membership scheme called Retail Plus which costs £10 per month (£120 pa). The scheme involves support for retail businesses through the Hereford City Manager and the Chamber of Commerce, and will ensure the continued funding of £2,000 per year from the Chamber of Commerce towards the work of HCP.

8.15 There is no regular budgeting process for HCP but there are full income and expenditure accounts by HCP.

8.16 The Review Group were told by witnesses that HCP needed an injection of funding in the short term to help the immediate work of the Hereford City Manager and provide administrative support. The Review Group agreed that this approach would help to increase the profile of HCP and enable specific projects to be undertaken.

8.17 It was agreed by the Review Group that a short term programme of funding should be provided for three to five years to enable HCP to gain a firm footing with existing and planned projects, and then be able to liaise more appropriately with ESG and other programmes planned for the City. This funding should support the post of Hereford City Manager and administrative support prior to the emergence of a whole City vision and the fulfilment of ESG.

8.18 The Review Group felt that Herefordshire Council should match the revenue funding provided by the smaller Hereford City Council and provide £16,000 of funding towards HCP as well as maintain the existing additional in kind support. This extra income, along with the Hereford City Council money, would fund the whole of the Hereford City Manager's salary which would then allow her to concentrate on other tasks rather than have to raise money to pay her own salary, as well as allowing some extra money to fund administrative support and other activities. However the Review Group felt it was important that income generation is maintained by HCP to enable activities and events to continue and develop.

9 Work programme for City Manager

9.1 The Review Group were pleased to hear from many sources that it was widely felt the Hereford City Manager does an excellent job and has developed good relationships with City Centre businesses and retailers. However, the Review Group heard that the work of the City Manager is often diverted to immediate problems and issues in the City and the longer-term work programme is not being fulfilled. The lack of administrative support means that the City Manager has to undertake all administration functions which the Review Group heard is not the best use of her time. This situation should be reviewed.

9.2 The City Manager is seen as the first port of call for problems, but confusion can arise as to the role of the City Manager. The Review Group also heard that there

is confusion over whom the City Manager works for; the postholder is perceived as working for Herefordshire Council on some occasions, and for the City Council on others.

9.3 The work programme for the City Manager is led by the HCP business plan. Work targets are set and monitored by the Management Committee. The City Manager reports to the Management Board at each meeting and provides a written report on all their activities.

9.4 The City Manager is line managed by the Chairman of HCP Board. An annual staff review and development structure is in place with a review in March each year, and work programmes are developed in line with the business plan. The Review Group discovered that whilst the Hereford City Manager post has a Job Description no Person Specification for the position exists. The Review Group would like to suggest that one is developed.

9.5 The accommodation supplied for the Hereford City Manager is at the Herefordshire Council offices in Plough Lane. This means that the Hereford City Manager spends considerable time travelling between the City Centre and Plough Lane. There is also limited accessibility to the Hereford City Manager by HCP Members as a result of this. The Review Group heard that an office in the City Centre would aid the work of the Hereford City Manager in terms of time management and accessibility to businesses and organisations. The Review Group agreed that this would help in raising the profile of the City Manager and enable more time to be spent in the City rather than travelling to and from Plough Lane. Therefore the Review Group would like to recommend that the Herefordshire Council relocates the Hereford City Manager to one of its City Centre Office spaces.

10 Herefordshire Council Representation

10. 1 The Hereford City Manager regularly provides updates on the work of HCP to Hereford City Council, and the Leader of Herefordshire City Council sits on the HCP Management Committee. Currently updates are not formally provided to Herefordshire Council and no one has been identified to receive the updates. Concern was expressed by the Review Group that no direct feedback is given to Herefordshire Council Members about the work of HCP.

10.2 The Review Group heard that Herefordshire Council representation was through the Leader who sits on the Board of Directors. The Leader sits on the Board as he currently holds Cabinet Member Portfolio responsibility for Economic Development. However the Review Group felt that the Leader of the Council was not the most appropriate Executive Member to sit as a Director of HCP due to the many varied pressures and time commitments placed on the Leader of the Council through his role as set out in Herefordshire Council's Constitution.

10.3 The Review Group appreciated the circumstances which had led to the role of the Leader picking up the Economic Development Portfolio but were still concerned that as the role is so complex it is difficult to devote sufficient time to HCP. The Review Group felt that consideration should be given to Herefordshire Council's Executive representation on the Board. Considerable time has elapsed since the Economic Development Portfolio was held by a specific Cabinet Member. Current and forthcoming developments in Hereford City are of such significance in both financial and economic terms that the Review Group felt the reinstatement of the post of Cabinet Member for Economic Development would be timely. This would also

reduce the number of activities expected to be completed by the Leader of the Council.

10.4 Projects such as the Edgar Street Grid development are going to require many hours of dedicated and detailed consideration which are key to the development of Hereford as a sub-regional centre. To ensure that this project delivers economic prosperity to Hereford and Herefordshire is going to require careful management and consultation with a whole host of interested parties, stakeholders and the public. The ESG project is ambitious and will require a strong and equally ambitious Herefordshire Council focal point to carry the project through to delivery through current and future Local Government initiatives and reviews including the proposed development of the Public Service Trust.

10.5 The economic well being of Hereford will always cause a ripple effect on the wider County so reappointing a Cabinet Member for Economic Development will not have an adverse affect on the residents of the wider County, and indeed, will have a positive impact in ensuring the strategic vision for the County is enhanced through better direct involvement of the City of Hereford.

10.6 If as the Review Group recommends the potential extra funding for HCP from Herefordshire Council is made available over the next three years means that there will be an increased stake in the work of HCP. This needs to be closely supported and monitored. The Review Group felt that the reinstatement of a Cabinet Member post for Economic Development would be able to offer this support.

10.7 It was felt by the Review Group that a mechanism needed to be implemented to enable feedback to reach Herefordshire Council at both Member and Officer level so that support for the City Manager can be made available. At Member level the Review Group suggest that that contact should be the Executive Member appointed to HCP, with reappointed Cabinet Member for Economic Development the recommended post holder. At Officer level the Review Group suggest that the Hereford City Manager corresponds with Heads of Service who can then cascade information and decisions to other Officers. This would mean that the Hereford City Manager does not need to spend time diverting enquiries and problems to a wide range of Herefordshire Council officers.

11 Partnership working and shared objectives

11.1 The Review Group heard that representation on the HCP Board of Directors, and consequently its Management Committee, has changed considerably since HCP was established. This was due to issues around the failure of the City of Living Crafts project, and natural turnover of personnel.

11.2 However, the Board and Management Committee has become more stable recently and has worked to produce a business plan for HCP which will form the basis of work for the next two years.

11.3 The Review Group heard that there was no major national retail representation on the HCP Board or Management Committee at present. Representation comes from local businesses and organisations. The Review Group believe that the lack of major retail representation puts HCP at a disadvantage. HCP needs such representation to support its work. This would put HCP on a similar footing to other City Partnerships, and potentially attract further financial support.

11.4 HCP has a series of key objectives which have led to the development of an action plan and timetable in the Business Plan. However, the Review Group heard that the action plan is very wide ranging and felt that work needed to be done to focus on specific projects within the city.

11.5 The Review Group heard that there is considerable confusion from outside organisations and individuals about the employment status of the Hereford City Manager. The Review Group felt that relationships between HCP and Herefordshire Council could be improved, and a means of communicating the City Manager's reports to appropriate Herefordshire Council staff needed to be sought.

11.6 The Review Group felt the reappointment of the Cabinet Member for Economic Development would improve the relationship between Herefordshire Council and HCP.

11.7 Furthermore, the significant developments taking place and planned for the City over the next few years will require a strong lead from Herefordshire Council, and the presence of a Cabinet Member for Economic Development would raise the profile of both the City and the County, and act as a spokesperson for the millions of pounds worth of regeneration.

12 Vision and Strategic Plan for Hereford City

12.1 The Review Group repeatedly heard from witnesses that HCP does not appear to have a strategic vision for Hereford.

12.2 However, the Review Group also heard from other witnesses that the HCP should not be responsible for the strategic management of Hereford City Centre but rather it should retain its current day to day involvement with the City Centre. There are specific programmes in place for regeneration in South Wye, Rotherwas and the Edgar Street Grid (ESG), and these will require liaison rather than direct involvement.

12.3 Currently liaison between ESG and HCP is through the Leader of Herefordshire Council, who sits on both Boards. However, the Review Group heard that time pressure on the role of the Leader prevents full involvement in HCP.

12.4 The Review Group heard that HCP were unclear about their role in the vision for Hereford, but looked to Herefordshire Council for the lead for strategic planning and vision for the City.

12.5 The Review Group heard that the Hereford City Manager is sidetracked by day-to-day issues rather than being able to look at strategic developments in the City. The Review Group agreed that this was a serious issue, but questioned the need for a strategic approach by the Hereford City Manager, feeling that a better means of strategic planning was through Herefordshire Council, with the Hereford City Manager dealing with day-to-day issues. HCP would welcome strategic guidance from Herefordshire Council.

12.6 However, the Review Group also heard views that Herefordshire Council did not always give sufficient attention to the City. It was felt that the City and County could not be divorced, but needed to be seen as parts of a whole, as the economy of the City relies on the support it receives from the rural hinterland.

- 12.7 The potential impact of ESG development on the City was noted by the Review Group. Links between ESG and HCP are via Board level representation by the Leader. On hearing the evidence, the Review Group felt that the vision and strategic plan for Hereford City should be coming from Herefordshire Council, with support from organisations such as HCP.
- 12.8 The Review Group felt the appointment of a Cabinet Member with Portfolio responsibility for Economic Development would enable the strategic overview for the City to be integrated into the overall vision and strategic planning for the County.

13 Gloucester, Worcester and Shrewsbury: partnership arrangements

- 13.1 Gloucester City Centre Management Partnership was created in 1996, and has evolved into the Central Gloucester Initiative (CGI). CGI involves businesses, residents and other companies. CGI is supported directly by Gloucester City Council, and has a number of core funders including the City and County Councils, Gloucestershire Constabulary, the University of Gloucestershire, The Mall Eastgate, Boots the Chemist, Marks & Spencer, Kings Walk Shopping Centre, Sainsburys, Cheltenham and Gloucester plc, Lincoln Financial Group, SW RDA/Gloucester Docks, Quick Print, Highstar Developments and the Gloucester Chamber of Commerce and Trade. CGI has three staff members, including an administration officer. The main objective is “Improving Gloucester’s economy, environment and image for the benefit and enjoyment of residents, visitors, workers and businesses”.
- 13.2 Worcester City Centre Forum began in 1995. The vision for the Forum is that “the city centre will be at the heart of Worcester which is a cosmopolitan city where lifestyles blend in an exciting mix – every citizen feels like a tourist, and every tourist feels like a citizen”. The Forum is now a voluntary grouping of around 40 private, public and voluntary organisations. The Forum employs a City Centre Manager, who is funded by Boots the Chemists, Chamber of Commerce Herefordshire and Worcestershire, Crowngate, Lychgate Shopping Centre, Marks & Spencer, and Worcester City Council. In addition, the City Council provides office space and accounting services for the City Centre Forum. The Forum was succeeded in October 2006 by VisitWorcester, a new independent company, which is a single point of focus for all activities in the City centre and promotes the City, covering the same area as Worcester City Council.
- 13.3 As from the 1st April 2005 Destination Shrewsbury, as a business unit within Shropshire County Council, took over many of the roles and responsibilities previously undertaken by Shrewsbury Town Centre Management Partnership (STCMP). This change emerged as a result of the Council's wish to achieve a more co-ordinated approach to town centre activities. The result of the emergence of Destination Shrewsbury is that STCMP is no longer in existence in its original form. As well as Destination Shrewsbury, a brand new collective has been formed to draw the 700 retailers in the town centre group together. The aims of the group are to contribute to marketing the town as a prime retail destination, develop seasonal campaigns and events, work with local councils to make serious improvements to the street environment and to provide a network with business neighbours. The Management Board come from a broad cross section of retailers and meet bi-monthly to discuss seasonal campaigns, compare notes with other businesses, liaise with Destination Shrewsbury on promotional activities and review transport and access issues with the County Council (the Highways Authority for the town centre).

14 Strategic links

- 14.1 The Review links with the Herefordshire Community Strategy under the priority for Economic Development and Enterprise which aims to: 'improve business, learning and employment opportunities in Herefordshire enabling sustainable prosperity for all'.
- 14.2 The Review also links with the Herefordshire Economic Development Strategy 2005-2025, produced by Herefordshire Council. A major theme within this is Business and Enterprise, with objectives to develop Hereford City, both in terms of environment and facilities available, to increase its attractiveness to entrepreneurs and provide a boost for local businesses, and to develop Hereford City into a major regional centre in terms of environment, services, retail and leisure facilities.

15 Conclusions

15.1 The Hereford City Manager does an excellent job, but the role is dominated by 'fire fighting' and day-to-day issues.

15.2 The Hereford City Manager needs additional officer support.

15.3 It is good that the Hereford City Manager is not an Officer of Herefordshire Council although there is some confusion over the post. However, the Hereford City Manager sometimes finds it difficult to communicate with some Council Officers.

15.4 In addition to this the Hereford City Manager has to spend time raising money to pay her own salary and has to find additional funding for events and activities.

15.5 The Hereford City Manager should have an office in the City Centre rather than be located in the Herefordshire Council Offices at Plough Lane.

15.6 The Hereford City Manager is well known to the majority of all retailers in the City and is their first port of call in many situations, particularly when there is a problem.

15.7 The HCP Board and Management Committee are run by volunteers, some of whom are very enthusiastic.

15.8 However, the HCP Board appears to lack leadership and expertise and fails to provide a strategic vision to the City and the Hereford City Manager.

15.9 The Review Group believe that the HCP is not in a position to provide a strategic vision, and needs to be consulted rather than take the lead. The Strategic Vision for Hereford should be provided by Herefordshire Council with HCP as one the principal partners in its development and implementation.

15.10 HCP lacks major retail Board and Management Committee members which is detrimental to its overall effectiveness.

15.11 There was an issue of whether or not HCP should be able to administer street trading licences and retain any income.

15.12 It was asserted that income from Street Trading could rise considerably which could then go towards funding additional HCP employees and other activities.

15.13 The Review Group found that it would not be legally possible for HCP to administer Street Trading Consents but the Review Group felt that there was scope for the fees to increase.

15.14 The Review Group believe that it is essential to refocus the remit of HCP to concentrate on the City Centre retail core.

15.15 Herefordshire Council does not give enough attention to the City or HCP. A means needed to be sought to strengthen the link between Herefordshire Council and HCP, and also develop a stronger link between HCP and ESG. It is believed that due to time constraints on the role of the Leader, the leader was not the best Herefordshire Council representative to have on HCP Board and that a Member who can devote more time to HCP be appointed.

15.16 The Review Group would also like to see the Cabinet Member Portfolio for Economic Development reinstated. In view of the importance of Hereford City to the wider County and as a sub-regional centre it is believed that the Cabinet Member for Economic Development will enable the profile of the regeneration work happening in the County to be raised. This Portfolio would have an important long-term role to play in developing the economic and environmental wellbeing of the City Centre as well as play a key role in the Edgar Street Grid proposals, with the capability of retaining an overall understanding of the strategic vision for the regeneration of Hereford City and wider County.

15.17 In order to develop and improve the work of HCP a medium-term funding package for its development over the next 3-5 years needs to be produced so that HCP can play a full and important role whilst long term plans for the City's redevelopment are drawn up.

15.18 Herefordshire Council should increase the level of its funding for HCP to £16,000 per annum in line with the contribution made from Hereford City Council to develop this medium term plan. Hereford City Council should also consider increasing its Parish Precept to provide further funds to HCP. In addition to this HCP should continue to maintain, develop and explore ways to provide its own independent revenue stream.

16 Next Steps

16.1 The Review Group anticipate that, if approved by the Community Services Scrutiny Committee, this report will be presented to Cabinet for consideration. The Review Group hope that the findings contained in this report will form the basis of any future agreement with HCP.

16.2 The Review Group recognises the achievements HCP has made to date, and feels that there are opportunities for future development of the organisation.

16.3 The Review Group anticipates that if the report is approved, HCP and Cabinet acts upon the recommendations and suggestions made in the report, summarised in section 17 below.

16.4 The Review Group also expects Cabinet to report back to the Community Services Scrutiny in six months time with a detailed action plan reporting on activity taken in view of the Review Groups recommendations.

17 Recommendations

17.1 That Herefordshire Council reinstates the Cabinet Member Portfolio with responsibility for Economic Development This Cabinet Member should take the lead on a strategic vision for Hereford City with support from partner organisations such as HCP and ESG, and ensure links with the wider County. (10.30)

17.2 That Herefordshire Council representation on the HCP Board is revisited and a member representative with potentially more time to support the work of HCP is appointed. If the recommendation for the reinstatement of the Cabinet Member for Economic Development is accepted then that Portfolio Holder should assume this appointment. (10.2)

17.3 That reporting mechanisms are put in place to enable the Hereford City Partnership manager to report to the Cabinet Member (Economic Development) on a regular basis. (10.1)

17.4 Herefordshire Council relocates the Hereford City Manager to one of its City Centre Office spaces, rather than being based at Plough Lane. (9.5)

17.5 That the Hereford City Manager's job particulars have a person specification prepared to go with the job description. (9.4).

17.6 The Hereford City Manager be provided with administrative support. (9.1)

17.7 The Membership of Hereford City Partnership be reviewed to ensure that all areas of the City are represented including the addition of major retailers as Members. (11.3)

17.8 That additional funding is put into HCP to support the Hereford City Manager and administrative support be provided in the short term prior to the emergence of a whole city vision and the development of ESG. (10.6)

17.9 That the annual funding of £16,000 which is put into HCP by Hereford City Council is matched by Herefordshire Council over the next three years, plus HCP maintains its existing funding and infrastructure support commitments to continue and develop its activities and events. (10.6).

17.10 That Hereford City Council investigate the possibility of increased support for HCP through the level of precept levied in the city. (8.13).

17.11 That Hereford City Partnership commence regular budgeting procedures and produce income and expenditure accounts. (8.15).

17.12 That Hereford City Partnership concentrate their main activities on the City Centre's economic and environmental wellbeing. (5.11).

17.13 That Hereford City Partnership liaise with other key partners with an interest in the City, including Hereford City Council, Herefordshire Council, Edgar Street Grid, South Wye Development Trust, and Rotherwas Futures. (10.4).

17.14 That mechanisms are put in place by Herefordshire Council enable the Hereford City Manager to report to Officers at Head of Service level. (10.7).

17.15 That the Street Trading Panel procedures are reviewed to enable direct reporting to the Cabinet Member (Economic Development). (8.11).

17.16 That Hereford City Partnership fully instigates the proposed retail membership scheme with varying levels of membership to generate income. (8.14).

Appendix 1 Terms of Reference for Review of Hereford City Partnership

REVIEW:	Review of the City Partnership	
Committee:	Community Services Scrutiny Committee	Chair: Councillor Bramer
Lead support officer:	Clare Wichbold MBE, Regeneration Co-ordinator	

SCOPING

Terms of Reference
<p>Specifically this review will cover:</p> <ul style="list-style-type: none"> ▪ An understanding of the purpose and objectives of the City Partnership and the work of the City Partnership Officer ▪ To assess the management arrangements and decision making process ▪ To review the work programme and strategic plan
Desired outcomes
<ul style="list-style-type: none"> • To gain an understanding of the role of the City Partnership • To outline a shared, strategic vision for Hereford City • To ensure the Council's support is used to best value and fulfilling the corporate objectives • To work with partners on an agreed way forward in relation to new initiatives coming to fruition in the City and the activities of new emerging groups • To look a method for performance management, with specific targets, milestones and outcomes
Key questions
<ul style="list-style-type: none"> • What is the role of the City Partnership? • How does the partnership work and make decisions? • What are the funding arrangements for the partnership and is there opportunity for additional external funding? • What is the work programme for the year in relation to the activities of the City Centre Manager? • How does the mutual support and understanding of partners operate – are there a shared or conflicting objectives? • What is the strategic plan for the next five years? • What should be the key points in creating a vision for Hereford City?

Corporate Plan Priorities

Economic Development, community well being and enterprise

Timetable (NB this was revised with the agreement of the Review Group)	
<i>Activity</i>	<i>Timescale</i>
Agree approach, programme of consultation/research/provisional witnesses/dates	June 06
Collect current available data	June and July 06
Collect outstanding data	September 06
Analysis of data	September 06
Final confirmation of interviews of witnesses	June 06
Carry out programme of interviews	July 06
Agree programme of site visits	June 06
Update to Economic and Community Scrutiny Committee	October 06
Final analysis of data and witness evidence	August 06
Prepare options/recommendations	September 06
Present Final report to Economic and Community Scrutiny Committee	October 06
Present options/recommendations to Cabinet	November 06
Cabinet response	December 06
Implementation of agreed recommendations	January 07 onwards
Members	Support Officers
Cllr Mrs PA Andrews - Hereford City Council Representative Mr W Jackson - Private Sector Representative Mr M Jones - Retail Representative Cllr H Bramer Cllr J G S Guthrie Cllr B Hunt	Clare Wichbold MBE – Regeneration Coordinator Craig Goodall – Democratic Services Officer
Cllr D C Taylor	

Appendix 2 Questions for Review Interviewees

1. When was HCP formed?
2. Who was it formed by?
3. What status does HCP hold? Is it a legally constituted body?
 - a. Can we have a copy of constitution/any legal docs on HCP outlining its role?
4. Who are the Members of HCP?
 - a. How do they benefit from being a part of HCP?
 - b. How do Members join the Board?
 - c. Is there a Membership fee?
5. How is HCP funded?
 - a. How much?
 - b. From whom?
 - c. For how long?
 - d. Future fund raising plans? Any external funding opportunities?
 - e. What financial commitments does HCP have? eg wages
 - f. Can we see a copy of accounts?
6. What are the main aims and objectives of HCP?
7. What geographical area does HCP cover?
8. What is the work programme of the Board?
9. What is the work programme of the Hereford City Manager?
10. Are there any future events planned?
11. What is the strategic plan for the next five years?
12. What are the achievements of HCP to date?
13. How would you judge the success or otherwise of HCP to date?
14. What should be the key points in creating a vision for Hereford City?
15. Can you describe the decision making process of HCP and how an idea forms from inception through to delivery?
 - a. Can we have an example of this?
16. How is HCP monitored and evaluated?
 - a. How could this process be improved/strengthened?
17. How does HCP report back to its funders?
 - a. Are there any feedback mechanisms?
18. How does the mutual support and understanding of partners operate?
 - a. Are there any shared or conflicting objectives?

19. Is there a staff review and development structure in place for HCP employee?
20. Do other cities have similar Partnership arrangements?
 - a. Which cities?
 - b. What do they do?
 - c. Similarities/differences compared to HCP?

Appendix 3 List of interviewees

Name	Representing
Cllr David Fleet	Hereford City Council
Bobbie Heavens (Chair)	Association for the Promotion of Herefordshire
Penny Jones	Herefordshire Council
Gary Woodman (Vice-Chair)	Hereford Chamber of Commerce
Kirsty Chadd	Chadds
Luke Conod	Denim Nation Group Ltd (DNG)
Cllr Alan Williams	Hereford City Council
Paul Hodgson	Cross & James
Alan Ronald	Herefordshire Council
Cynthia Spaul	HCP
Juliet Coard	HCP
Jane Lewis	Herefordshire Council
Jonathan Bretherton	ESG Herefordshire Ltd
Nick Romans	Marks & Spencer plc, Hereford Store
Cllr Roger Phillips	Herefordshire Council

Appendix 4 Hereford City Partnership – Board of Directors and Management Committee Membership

Board of Directors

Name	Representing
Adrian Blackshaw	Visit Herefordshire
Donna Burgess	Gabbs Solicitors
Kirsty Chadd	Chadds
Luke Conod	Denim Nation Group Ltd (DNG)
The Dean – The Very Reverend Michael Tavinor (ex-officio)	Hereford Cathedral
Frankie Devereux	The Hereford Haven
Cllr David Fleet	Hereford City Council
Bobbie Heavens	Association for the Promotion of Herefordshire
Paul Hodgson	Cross & James
Ernie McVay	Eign Enterprises
Cllr Roger Phillips	Herefordshire Council
Simon Pullen	Maylords
Lewis Rogers	Young & Co
Cllr Alan Williams	Hereford City Council
Gary Woodman	Hereford Chamber of Commerce

Management Committee

Name	Representing
Cllr David Fleet	Hereford City Council
Bobbie Heavens (Chair)	Association for the Promotion of Herefordshire
Penny Jones	Herefordshire Council
Lewis Rogers	Young & Co
Gary Woodman (Vice-Chair)	Hereford Chamber of Commerce

Appendix 5

Members of the Street Trading Panel

Name	Post
Mike Pigrem (Chairperson)	Trading Standards Manager
Jeff Owen	Markets & Fairs and Street Trading Manager
Kevin Price	Licensing Officer, Street Trading
Dave Osborne	Senior Technical Engineer, Highways
Fred Spriggs/Jane Acaster	Licensing Officer, Street Trading
Geoff Hardy	Principal Lawyer
Penny Jones	Community and Economic Regeneration Manager
Alan Ronald	Economic Regeneration Officer
Paul Nicholas	Environmental Health Manager – Commercial
Cynthia Spaul	Hereford City Manager (Non-Voting)

Appendix 6 New Unitary Benchmarking Group members

Bath and North East Somerset Council
Darlington Borough Council
East Riding of Yorkshire Council
County of Herefordshire District Council
County of Isle of Wight Council
North Lincolnshire Council
North Somerset Council
South Gloucestershire Council
Telford and Wrekin Council
West Berkshire Council

OMBUDSMAN LETTER AND COMPLAINTS AND COMPLIMENTS MONITORING 2006/07

PORTFOLIO RESPONSIBILITY: CORPORATE AND CUSTOMER SERVICES AND HUMAN RESOURCES

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To inform Cabinet of the Ombudsman Annual Letter 2006/07 and the figures for complaints recorded including complaints determined by the Local Government Ombudsman and the Complaints Panel for the year ended 31st March 2007

Key Decision

This is not a Key Decision

Recommendation

THAT the report be noted.

Considerations

1. The Local Government Ombudsman issues an Annual Letter for all councils reflecting on the complaints they receive against individual authorities and any recommended action. The Herefordshire Council Annual Letter for 2006/07 is appended to this report as Appendix A
2. The Ombudsman comments favourably on several aspects of our complaints handling arrangements.
 - During this period 52 complaints were determined. Of these 9 complaints were referred back to the Council because they were premature, 3 were outside the Ombudsman's jurisdiction, 27 showed no or insufficient evidence of maladministration and the Ombudsman decided not to investigate a further 10 under his general discretion, mainly because complainants had not suffered significant injustice from the fault claims.
 - No reports of maladministration were issued against the Council
 - 9 out of 52 complaints were received back by the Council because they were premature. This represents almost 20% of the complaints that were received against the Council.
 - Favourable comments that the Council's complaints procedure is well publicised

Further information on the subject of this report is available from
Alan McLaughlin, Head of Legal and Democratic Services on (01432 260200)

- in comparison with other councils.
 - Commended that the Council's website includes helpful information for complainants on how to complain to him if they are unhappy with how we have dealt with their complaints
 - The Council has taken steps to improve its performance with regard to reducing the time taken to respond to enquiries from his office from 31.8 days to 29.3 a further improvement on 2005/06 and the Council is now well placed to be in the top quartile of response of 28 days in the next year
3. The Ombudsman commented that during the period 52 complaints were received against the Council which is a decrease of 10% compared with the previous year. Planning complaints have fallen in this period from 35 in 2005/06 to 21 in 2006/07.

Performance 2006/07

4. The table below shows the total number of complaints received by the Ombudsman for Herefordshire in 2006/07 and the two previous years.

	2004/05	2005/06	2006/07
Total number of complaints determined by the Ombudsman	35	72	49
Total number of complaints to the Ombudsman settled locally.	1	3	3

5. The table below sets out the number of complaints received by the Ombudsman by subject area, as classified by the Ombudsman, for 2006/07.

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & Building control	Public Finance	Social Services – other	Transport and Highways	Total
2006/07	2	6	1	1	2	6	21	2	0	8	49
2005/06	2	3	0	12	2	9	35	0	1	8	72
2004/05	1	2	0	3	0	3	15	3	1	7	35

Response Times

6. The table below shows the average time the council takes to respond to the Ombudsman's first enquiries on a complaint. It is measured in calendar days from the date they send their letter/fax/email to the date that they receive a substantive response from the Council.

	First Enquiries	
	No. of First Enquiries	Avg no. of days to respond
2006/07	29	29.3
2005/06	32	31.8

2004/05	15	47.9
---------	----	------

7. The Council has improved its response times from 47.9 days down to 29.3 days. It is to be noted, and the point has been raised with the Ombudsman, that there appears to be a significant delay in receipt of the Ombudsman's post in their office which appears to have impacted on our response time by up to 2 days and on some occasions by as many as 4 days. It has been agreed that in order to improve response times and in order to achieve the 28 day response time, that responses be e-mailed to the Ombudsman and the Ombudsman will also e-mail his notification to the Council of complaints. This should reduce delays by up to 4 to 5 days.

Herefordshire's Comments and Complaints Procedure

8. Recording of the Level I, II and III comments, complaints and compliments received within each Directorate/Department, are currently maintained by the relevant Complaints Administrator using a combination of the Customer Relationship Management (CRM) and ComTrac, the Council's computerised recording system. Reports can be produced for each respective Directorate Management Team from COMTRAC.
9. Leaflets are available at receptions, libraries and Info Shops or Points to enable the public to register their comments, complaints and compliments. This leaflet now incorporates a cut of section to enable the Council to monitor the ethnicity of complainants and report accordingly.
10. The public can also register their feedback on line by accessing the Herefordshire Council website to complete the electronic complaints form.
11. BVPI 174 and 175 states that all complaints concerning Diversity should be recorded, investigated and reported on thoroughly. As COMTRAC is unable to capture this information, development work within Northgate CRM was undertaken during 2005/06 to record all Level 1 complaints, comments and compliments and this work also incorporated Diversity. This went live on 4th October 2005. Complaints are investigated by the Diversity Team and fed back to the relevant directorate with recommendations for action, which are subsequently monitored by the Diversity Team.
12. A breakdown of the informal and formal complaints received by Directorate/Department, is shown in Appendix B.
13. A project is already underway to consolidate the Corporate Complaints process into a single client database. A programme of staff training will precede its planned introduction this year.

Herefordshire's Compliments Procedure

14. All compliments are now recorded on Northgate CRM as of 4th October 2006. Appendix C shows the number of compliments received during 2004/05, 2005/06 and 2006/07.

Ethnicity Monitoring

15. Diversity monitoring is included in all totals for 2006/07

Complaints Panel

16. The Complaints Panel (Level III meet to hear unresolved complaints from members of the public following review at Level I (by the local manager) and Level II (by Director). The Panel comprises the Chief Executive and two Group Leaders advised by the Head of Legal and Democratic Services. During 2006/07 it heard a total of 9 complaints. 1 was partially upheld.

Directorate/ Department	No. of Complaints / Section	Outcome
Environment	5 - Planning 1 – Highways and Transportation 1 – Environment Health & Trading Standards	5 Not upheld 1 Not upheld 1 Not upheld
Adult & Community Services	1 – PROW	1 Upheld
Children's Services	1 – Schools and Services	Not upheld

Risk Management

Not applicable

Alternative Options

There are no Alternative Options

Consultees

None

Appendices

Appendix A - The Local Government Ombudsman's Annual Letter for the year ended 31 March 2007

Appendix B - Complaints Informal and Formal 2006/07

Appendix C - Compliments received 2006/07

Background Papers

None identified



The Commission for
Local Administration in England

**The Local Government Ombudsman's
Annual Letter
Herefordshire Council
for the year ended
31 March 2007**

The Local Government Ombudsman (LGO) investigates complaints by members of the public who consider that they have been caused injustice through administrative fault by local authorities and certain other bodies. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2006/07 - Introduction

The aim of the annual letter is to provide a summary of information on the complaints about your authority that we have received and try to draw any lessons learned about the authority's performance and complaint-handling arrangements. These might then be fed back into service improvement.

I hope that the letter will be a useful addition to other information your authority holds on how people experience or perceive your services.

There are two attachments which form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

Volume

We received 49 complaints during the year, a reduction of almost a third from the previous year. We expect the number of complaints to vary from year to year, and I note that last year's figures were inflated by ten complaints about the same education matter.

Character

Almost half the complaints received were about planning and building control, as in previous years, but the overall number of such complaints was down. Complaints about benefits increased, but we received only one complaint about education compared with twelve the year before. Complaints about housing, adult care services and transport and highways were static. Six complaints were received about other matters relating to drainage, land and miscellaneous issues. The numbers involved in other categories were small and no discernible trends were evident.

Decisions on complaints

Reports and local settlements

We use the term 'local settlement' to describe the outcome of a complaint where, during the course of our investigation, the Council takes, or agrees to take, some action which we consider is a satisfactory response to the complaint and the investigation does not need to be completed. These form a significant proportion of the complaints we determine. When we complete an investigation we must issue a report.

Three complaints were settled locally.

In one complaint about adult care services, the complainant said the Council had not properly planned or handled the departure of her son from his residential school. He had Asperger's syndrome and was left with her while supported lodgings were found. She also complained that the Council would not put her complaint through Stage 2 of the statutory complaints process. The Council agreed to take the complaint through the Stage 2 process. I welcomed the Council's agreement to this course of action but it took an unacceptably lengthy period of three months to respond to the proposal from my office, with follow-up enquiries by my staff meanwhile.

One complaint concerned antisocial behaviour. I found maladministration by the Council because it failed to give information about its Anti-Social Behaviour Team and it did not inform the Team of incidents of noisy behaviour by the complainant's neighbours. The Council treated the issue as a noise nuisance and failed to consider the wider issues raised by the complainant about unacceptable behaviour. The complainant was unaware that the Council had other powers to deal with the harassment she considered she was experiencing. The Council agreed to apologise, review its

procedures for sharing information between departments and provide the complainant with details of its anti-nuisance behaviour policy and a named officer to contact if needed. On this occasion, the Council was very willing to take action to address the concerns raised in the complaint.

In a complaint about Housing Benefit, I found that the Council had delayed in assessing the complainant's Housing Benefit application submitted on behalf of her tenant and it failed to pay her Housing Benefit direct as a landlord. The Council agreed to pay the shortfall in unpaid Housing Benefit to the complainant plus interest, amounting to £764.

During the year, I had no need to issue any reports against your authority.

Other findings

Fifty two complaints were decided during the year. I found no evidence of maladministration in twenty seven complaints, 19 of which related to planning and building control. I decided that three complaints were outside my jurisdiction and I exercised my discretion not to pursue ten complaints for various reasons. Nine complaints were premature, a reduction from the previous year.

Your Council's complaints procedure and handling of complaints

The number of premature complaints was a relatively small proportion of the total complaints decided. This suggests that the Council's complaints process is accessible for service users and working effectively.

Training in complaint handling

As part of our role to provide advice in good administrative practice, we offer training courses for all levels of local authority staff in complaints handling and investigation. The feedback from courses that have been delivered over the past two and a half years is very positive.

The range of courses is expanding in response to demand. In addition to the generic Good Complaint Handling (identifying and processing complaints) and Effective Complaint Handling (investigation and resolution) we now offer these courses specifically for social services staff. We have also successfully piloted a course on reviewing complaints for social services review panel members. We can run open courses for groups of staff from smaller authorities and also customise courses to meet your Council's specific requirements.

All courses are presented by an experienced investigator so participants benefit from their knowledge and expertise of complaint handling.

I have enclosed some information on the full range of courses available together with contact details for enquiries and any further bookings.

We have not delivered any formal training courses to your Council this year. If we can provide any training for you, please let Vereena Jones, Assistant Ombudsman, know.

Liaison with the Local Government Ombudsman

We made enquiries on 29 complaints this year. The average time for responding was 29.3 days, a welcome continued decrease on the previous year, and just outside the 28 days we ask for. The Council's performance in this area has steadily improved, and I am very grateful for all your efforts here.

I draw the Council's attention again to the seminars that we hold for link officers. Our records indicate that your Link Officer has not attended one of these seminars most recently. If you would like to send someone from your authority to this year's seminar, please contact Vereena Jones.

If you would like Vereena Jones to visit the Council to present this letter or to give a presentation about how we investigate complaints, I would be happy to arrange this.

LGO developments

I thought it would be helpful to update you on a project we are implementing to improve the first contact that people have with us as part of our customer focus initiative. We are developing a new Access and Advice Service that will provide a gateway to our services for all complainants and enquirers. It will be mainly telephone-based but will also deal with email, text and letter correspondence. As the project progresses we will keep you informed about developments and expected timescales.

Changes brought about by the Local Government Bill are also expected to impact on the way that we work and again we will keep you informed as relevant.

We have just issued a special report that draws on our experience of dealing with complaints about planning applications for phone masts considered under the prior approval system, which can be highly controversial. We recommend simple measures that councils can adopt to minimise the problems that can occur.

A further special report will be published in July focusing on the difficulties that can be encountered when complaints are received by local authorities about services delivered through a partnership. *Local partnerships and citizen redress* sets out our advice and guidance on how these problems can be overcome by adopting good governance arrangements that include an effective complaints protocol.

Conclusions and general observations

I welcome this opportunity to give you my reflections about the complaints my office has dealt with over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

J R White
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry CV4 8JB

June 2007

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

Complaints received by subject area	Adult care services	Benefits	Children and family services	Education	Housing	Other	Planning & building control	Public finance	Social Services - other	Transport and highways	Total
01/04/2006 - 31/03/2007	2	6	1	1	2	6	21	2	0	8	49
2005 / 2006	2	3	0	12	2	9	35	0	1	8	72
2004 / 2005	1	2	0	3	0	3	15	3	1	7	35

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority for consideration.

Decisions	MI reps	LS	M reps	NM reps	No mal	Omb disc	Outside jurisdiction	Premature complaints	Total excl premature	Total
01/04/2006 - 31/03/2007	0	3	0	0	27	10	3	9	43	52
2005 / 2006	0	3	0	0	21	19	4	13	47	60
2004 / 2005	0	1	0	0	7	5	9	11	22	33

See attached notes for an explanation of the headings in this table.

Average local authority response times 01/04/2006 to 31/03/2007

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2006 - 31/03/2007	29	29.3
2005 / 2006	32	31.8
2004 / 2005	15	47.9

Types of authority	≤ 28 days %	29 - 35 days %	> = 36 days %
District Councils	48.9	23.4	27.7
Unitary Authorities	30.4	37.0	32.6
Metropolitan Authorities	38.9	41.7	19.4
County Councils	47.1	32.3	20.6
London Boroughs	39.4	33.3	27.3
National Park Authorities	66.7	33.3	0.0

Complaints Informal and Formal 2006/07

	April 2003 to March 2004	April 2004 to March 2005	April 2005 to September 2005	October to March 2006	April 06 To March 07		
Chief Executive including HR	0	0	0	1	4		
County Secretary & Solicitor	5	5	12	-	-		
County Treasurer	43	15	9	-	-		
Resources	-	-	-	9	23		
Property Services	1	0	-	-	-		
Education	30	11	6	-	-		
Children's Services	-	-	-	83	-		
Environmental Health and Trading Standards	16	12	6	18	29		
Highways and Transportation	30	21	5	3	10		
Planning	15	22	25	5	33		
Social Care – Adults	104	88	39	-	-		
Social Care – Children	23	27	17	-	-		
Strategic Housing	18	11	9	-	-		
Adult & Community Services And children's Services	-	-	-	9	132		
Policy & Community	8	39	15	-	-		
Corporate & Customer Services	-	-	-	14	14		
Diversity	-	-	-	21	-		
TOTAL	293	251	138	176	314		

Compliments received 2006/07

	April 2003 to March 2004	April 2004 to March 2005	April 2005 to September 2005	October 2005 to March 2006	April 06 To March 07
Chief Executive including HR	9	0	-	7	42
County Secretary & Solicitor	80	79	26	-	-
County Treasurer	27	31	17	-	-
Resources	-	-	-	5	19
Property Services	8	0	0	0	-
Education	2	2	0	-	-
Children's Services	-	-	-	119	-
Environmental Health and Trading Standards	58	104	60	44	80
Highways and Transportation	83	99	25	30	24
Planning	22	17	13	15	15
Social Care & Strategic Housing Adult & Community Services and Children's Services	98	147	80	-	-
	-	-	-	9	97
Policy & Community	40	62	10	-	-
Corporate & Customer Services	-	-	-	27	131
Diversity	-	-	-	-	-
TOTAL	427	541	231	256	

ACTION PLAN FOR THE CULTURAL SERVICE CPA REVIEW

PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

CABINET

6TH SEPTEMBER, 2007

Wards Affected

County-wide

Purpose

To consider the Action Plan emerging from the CPA inspection of Cultural Services by the Audit Commission.

Key Decision

This is not a key decision.

Recommendation

THAT the action plan be endorsed.

Reasons

The Audit Commission inspectors were on site between 5th and 9th February, 2007 meeting a range of Members, officers and partners to make a judgement on the quality of cultural services provided by the local authority. As well as interviews this judgement was based on a review of over 100 documents sent to the inspectors. The judgement is divided into two parts – how good is the service and this can be out of poor, fair, good, or excellent the second part is concerned with what are the prospects for improvement and that can be out of poor, uncertain, promising or excellent. The result for Herefordshire is *“fair service that has promising prospects for improvement”*.

The last cultural services inspection was in 2002 based on an evaluation of the library services which received a rating of a “fair service with uncertain prospects”. The inspection for 2007 was based on “a harder test” and the full range of cultural services provided and funded by the local authority covering arts development, public art, arts centres and theatres, sports development, leisure centres, parks and open spaces, heritage and conservation, museums, historic buildings, archaeology, countryside access, public rights of way, libraries, archives and records, and tourism.

A set of “key lines of enquiry” was supplied by the Audit Commission which formed the basis of the inspection. This specifically focused on outcomes for people, value for money, links to corporate and countywide plans, performance management, partnership and procurement. For this inspection there was a particular focus on the contribution cultural services makes to economic vitality and services for older people.

A full copy of the inspectors report is available in the Members Room.

Considerations

1. There were some very positive outcomes of the report. There was acknowledgement that there had been considerable improvement in the last four years with the building of the swimming pool in Leominster; establishment of the Bromyard and Kington centres which have improved library facilities; enhanced services at the Record Office and developments of neighbourhood parks. It was noted that the service was extremely successful in raising external funding, and a range of schemes took place that improve quality of life for residents, particularly children and young people. It was also concluded, that there was good leadership and management, with strong commitment from staff and partners. The inspection also identified a number of areas where improvements could be made and these form the focus of this report, with proposals for an action plan to address the issues raised.
2. The key areas which are reflected in the recommendations focus on:
 - Not meeting all the public library standards, concerned with book stock and opening hours;
 - Not all areas have service standards displayed and therefore there is a lack of awareness by customers of what is expected from a specific service;
 - Ledbury Library is not compliant with the Disability Discrimination Act and Hereford Library is inadequate for customer requirements;
 - Performance indicators show usage and satisfaction at about average compared to other local authorities, and this would be higher in a “good” service (though it was acknowledged that most services receive below average levels of funding);
 - A need to demonstrate value for money for cultural services as there is a lack of benchmarking for costs of services;
 - Demonstrate the value of cultural service to quality of life, health, social inclusion and economic vitality by introducing performance outcomes to be measured year on year;
 - Review contractual and procurement arrangements with partner organisations, namely Halo Leisure Trust and the Courtyard;
 - Assess the Value of tourism, specifically the cost of running tourist information centres.
3. An action plan is attached (Appendix 1) which sets out the steps the Council will take to address the Inspectors recommendations and findings. A number of the actions have a cross directorate responsibility and as such relevant officers have been involved in developing the action plan. The action plan will be monitored by the Head of Economic and Community Services on a bi-monthly basis, with regular progress reports to the Cabinet Member.

Risk Management

There are several risks associated with implementation of the action plan:

- Some areas need resource to implement and a judgement needs to be made in terms of level of resource balanced with value of the return, e.g. investment in crèche

facilities at leisure centres

- Reliance on factors outside the control of the council, e.g. decision by the Big Lottery Fund on supporting a new library for Ledbury, or government guidance on performance indicators.

Alternative Options

Recommendations submitted by the audit commission are not addressed and the consequences accepted by the local authority.

Consultees

Lead officers as highlighted on the action plan.

Appendices

Action Plan for CPA Cultural Services Inspection

Background Papers

Cultural Services inspection report for Herefordshire, 2007

Action Plan for CPA Cultural Services Inspection

Ref	Improvement	Action	Timescale	Resources required / lead
R1a	Develop local performance measures and targets for cultural services to measure quality of life, social inclusion, health and economic growth	Research Team and Cultural Services. Explore the establishment of indicators using existing research. The establishment of outcome indicators to mirror new indicators being developed by DCMS to measure the impact of cultural services.	September 2007 January 2008	Existing staffing resource Maxine Bassett and Jane Lewis
R1b	Performance measures concerned with value for money, e.g. cost per head and cost per resident.	Finance Team. Establish a methodology that measures cost per user and cost per resident.	September 2007	Existing staffing resource Shirley Coultas
R1c	Measure the effectiveness of tourism	Cultural Services. Apply methodology for measuring tourism spend year on year to enable benchmarking with other authorities (STEAM system).	June 2007 (research started)	From within current budgets Jane Lewis
R1d	Include new PIs in partner agreements (ref: R1a and b)	Cultural Service. Include new PIs for quality of life and value for money in revised agreements for the Courtyard and Halo in line with other SLA for sport and arts.	February 2008	Existing staffing resource Jane Lewis and Tony Featherstone
R2a	Produce clearer improvement plan for Cultural Services	Head of Service. Include improvement plan in the Medium Term Financial Strategy for the Division.	November 2007	Existing staffing resource Natalia Silver

R2b	New Cultural Strategy	Cultural Services. Revise the cultural strategy working with the cultural consortium to use current research and align to the community strategy themes.	January 2008	Existing staffing resource
R3	Improve approach to procurement with cultural services with particular reference to the Halo and Courtyard Trusts: <ul style="list-style-type: none"> ▪ Sets out clear investment levels ▪ Medium to long term ▪ Transfers risk ▪ Includes non-financial targets ▪ Includes value for money measures 	Cultural Services. Agree approach to agreements through cabinet briefing. Set new agreements for 2008/9 financial year.	September 2007 February 2008	Existing staffing resource Jane Lewis and Tony Featherstone
36	Cultural services do not feature prominently in the corporate plan or community strategy nor is their contribution to current priorities made clear.	Policy and Performance Team and Herefordshire Partnership. Inclusion of cultural PIs in the revised LAA.	March 2008	Existing staffing resource
42	The websites are not fully developed for people with visual impairment or for people who may speak different languages.	Corporate and Customer Services - ICT. Explore the best way to provide access through different languages published through the council's websites. Listen to tool currently available through the Herefordshire portal. Find ways to use the support for those with visual impairments or different language requirements provided by the Herefordshire portal myherefordshire.com to improve external council websites such as Visit Herefordshire.	March 2008	Existing staffing resource. Ellen Pawley
43	Marketing for cultural services is fragmented and not always fully evaluated.	Cultural Services. Bring together promotion within the Cultural Services section to benefit from a	November 2007	Existing staffing resource

		joint marketing plan/mix, recognising that marketing is aimed at specific target audiences. Raise issues of evaluating marketing with Halo and the Courtyard at vision groups.		Jane Lewis
44a	The library in Ledbury does not comply with the requirements of DDA.	Cultural Services. Pursue funding for a new library and establish contingency options with Resources linked with corporate property asset review.	September 2007	Lottery funding Mick Ligema
44b	Childcare provision within leisure centres is inconsistent.	Cultural Services. Childcare provision is currently linked to targeted events to meet demand. Also physical constraints on the buildings require resource to create dedicated spaces that comply with Ofsted. Explore options and evidence in relation to value for money of requirement for a report to cabinet member.	November 2007	Potential cost for premise costs and on-going revenue. Tony Featherstone
44c	The national indicator for accessibility for rights of way is amongst the worst 25% of councils nationally.	Cultural Services and Resources. A likely change in PI methodology for March 2008. Revise procurement of services in relation to the HJS contract.	October 2007	To make a significant difference there needs a change in procurement or additional investment.
45	The Council is not fully clear on how it wishes to use pricing to promote access or how effective current arrangements are.	Cultural Services. Establish pricing framework linked to partner delivery.	March 2008	Rob Hemblade Existing staffing resource. Jane Lewis and Tony

46	Apart from Halo no other elements of cultural services have specific service standards	Cultural Services. Introduce service standards in libraries, heritage centres, and TICs. Service standards for outside sites to be available on the web site. Discuss with the Courtyard to introduce service standards.	November 2007	Featherstone Existing staffing resource. Mick Ligema
47	The Council does not have robust data about people from BME communities living in Herefordshire to inform planning, delivery and improvement of services.	Corporate and Customer Services - Equality Team and Research Team. Data on BME (Black and Minority Ethnic) must be as robust as the rest of the country. Update detailed data available in the State of Herefordshire report. Collaborating on additional economic impact study of migrant workers in the West Midlands commissioned by the LSC.	June 2007 October 2007	Existing staffing resource. Charlotte Devereux
50	Parks, play areas and sport development do not work towards any form of accreditation.	Cultural Services. Play areas currently are accredited by ROSPA. Refer sports development accreditation to County Sports Partnership. Explore accreditation Green Flag award for Queenswood.	March 2008	Additional resource of £400 and staffing for submission. Tony Featherstone
51	Roll-out of the shared facilities model	Cultural Services and Corporate and Customer Services (Info) Pursue the following projects: Ross-on-Wye part of development of the Library. Ledbury based on a Lottery Application. Hereford as a part of ESG.	2009 2010 2112	Capital funding bid to be considered for 2008/9 Mick Ligema working with

					Info colleagues
52a	Satisfaction is below the median quartile for libraries and parks and open spaces (spend low, satisfaction low)	Cultural Services. Realign investment in library service and build new facilities. Additional resources will be required to improve performance in parks. This will be considered in the budget process	March 2008	Additional resource needed for significant improvement Jane Lewis	
52b	Non-user satisfaction is low	Cultural Services and Public Relations. Marketing to coincide with residents satisfaction survey linked to PR. Continue schemes to raise usages, e.g. reading challenge and schools programme.	September 2007	Existing staffing resource.	
52c	Libraries, parks and open spaces reported usage is amongst the worst 25% of councils nationally	Cultural Services. Focus marketing on libraries and parks and countryside.	On-going	Jane Lewis Existing staffing resource.	
61	Given the ageing population of the county the council has not given older people proportionate focus within cultural services.	Cultural Services. Mini-summit with Liverpool and Shropshire to explore good practice in working with older people. Feed into the prevention services agenda, including "green gym". Major art and older people scheme for the county based on lottery funding.	June 2007 Proposals for July March 2008	Existing staffing resource. Jane Lewis	
63	Tourism spend is comparatively high against positive un-audited satisfaction levels.	Cultural Services. Remodel TICs to reinvest spending in tourism product linked to scrutiny review of tourism.	October 2007	Existing staffing resource.	
66	Address high cost of Tourism Information Centres.			Jane Lewis	
64	Halo – benchmark value for money with other local authority areas	Resources. Establish value for money indicators for Halo based on cost per user and cost	September 2007	Existing staffing resource. Tony	

83	Some partnership agreements do not specify desired outcomes and contain few targets from which the council can assess and improve their performance.	residents. Cultural Services. New agreement for Halo.	March 2008	Featherstone Existing staffing resource. Tony Featherstone
----	--	---	------------	---

13 July