

**Chief Executive's Office**

Chief Executive: CJ Bull

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

Your Ref:

Our Ref: CJB/SAHC

Please ask for: Mr CJ Bull

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17th March, 2008

Dear Councillor,

**MEETING OF CABINET**  
**THURSDAY, 27TH MARCH, 2008 AT 2.00 P.M.**  
**THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD**

**AGENDA (08/20)**

**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.

<b>Item No</b>	<b>Title</b>	<b>Portfolio Responsibility</b>	<b>Scrutiny Committee</b>	<b>Included in the Forward Plan Yes/No</b>
11	Rights Of Way Improvement Plan	Economic Development and Community Services	Community Services	Yes
12	Wyebridge Academy	Children's Services	Children's Services	No



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**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 the Agenda.

**GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS**

The Council's Members' Code of Conduct requires Councillors to declare against an Agenda item(s) the nature of an interest and whether the interest is personal or prejudicial. Councillors have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial.

A personal interest is an interest that affects the Councillor more than most other people in the area. People in the area include those who live, work or have property in the area of the Council. Councillors will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area. If they do have a personal interest, they must declare it but can stay and take part and vote in the meeting.

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is and leave the meeting room.

**3. MINUTES**

To approve and sign the minutes of the meetings held on 21 February 2008; and 28 February 2008. (*Pages 1 - 16*)

**4. PERFORMANCE IMPROVEMENT FRAMEWORK AND CYCLE**

To seek Cabinet's approval for an updated Council Performance Improvement Framework and an associated Performance Improvement Cycle for the forthcoming two years. (*Pages 17 - 58*)



**5. PROPOSED CORPORATE PLAN 2008-11**

To consider a proposed Corporate Plan for 2008-11. Under the Council's current Performance Improvement Framework, the Corporate Plan is revised each year in relation to the outcomes from the Performance Improvement Cycle. This involves reviewing performance against the existing plan, setting priorities, objectives and targets for the next three years, and specifying the timetabled key actions needed to deliver them. *(Pages 59 - 142)*

**6. BUDGET MONITORING 2007/08**

To report on the Council's performance against revenue capital budgets as at 29 February 2008 and provide an update of the corporate risk register. The report provides details of the remedial action being taken to address areas of underperformance. *(Pages 143 - 178)*

**7. ANNUAL GOVERNANCE STATEMENT**

To consider, in the light of comments made by the Audit & Corporate Governance Committee, the proposed framework for preparing an Annual Governance Statement. *(Pages 179 - 202)*

**8. SUPPORTING GOVERNANCE IMPROVEMENT**

To note progress made in implementing actions agreed following the Special Report by the Director of Resources and the subsequent Independent Review of Herefordshire Council's ICT Financial and Contractual Governance Arrangements (Crookall Review); and to approve future reporting arrangements. *(Pages 203 - 220)*

**9. ANNUAL AUDIT AND INSPECTION LETTER 2008**

To note the Audit Commission's Annual Audit & Inspection Letter for 2008 and the comments made by the Audit & Corporate Governance Committee.

*(Pages 221 - 256)*

**10. USE OF RESOURCES REPORT 2008**

To note the Audit Commission's Use of Resources report for 2008 and the comments made by the Audit & Corporate Governance Committee. *(Pages 257 - 298)*

**11. RIGHTS OF WAY IMPROVEMENT PLAN**

To consider a Rights of Way Improvement Plan (ROWIP) for Herefordshire which looks at existing countryside access provision and the way in which the future needs of users and potential users can be met.

*(Pages 299 - 444)*



**12. WYEBRIDGE ACADEMY**

To consider a report about the provision of a new build Wyebridge Academy. *(to follow)*

**13. STAUNTON ON WYE REPLACEMENT AIDED SCHOOL PROJECT**

To sider proposals for the provision of a new build replacement school for Staunton on Wye.  
*(Pages 445 - 448)*

Yours sincerely,



**CJ BULL  
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



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# **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

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

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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

**MINUTES of the meeting of CABINET held at THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD on Thursday 21 February 2008 at 2.00 pm.**

**Present:** Councillor RJ Phillips (Chairman)

**Councillors:** LO Barnett, AJM Blackshaw, H Bramer, JP French and JA Hyde

**In attendance:** Councillors PA Andrews, WLS Bowen, PJ Edwards, TM James, RI Matthews, SJ Robertson, J Stone, JK Swinburne and PJ Watts

**26. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors: GFM Dawe, JG Jarvis and MD Lloyd-Hayes.

**27. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**28. MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 24 January 2008 be approved as a correct record and signed by the Chairman.

**29. DRAFT FINANCIAL STRATEGY 2008/11**

The Leader informed Cabinet that Agenda items four and five, the Draft Financial Strategy 2008/11 and the Draft Capital Programme 2008/09 would be dealt with together.

The Cabinet Member Resources advised Cabinet that the draft Financial Strategy needed to be taken in context with the draft Capital Programme. He stated that it provided for a balanced budget even though Herefordshire was one of the lowest funded authorities in the country. He reminded Members of the closer partnership working being carried out with the Primary Care Trust (PCT) and the need to provide value for money. He added that the budget continued to address the issue of support for the vulnerable with some capital for the continued improvement of services. He stated that it was proposed that an additional £356,000 be added to the base budget for 2007/08 rising to £750,000 for 2008/09 for the funding of prudential borrowing.

The Director of Resources stated that Agenda item four reflected the decisions of the Cabinet meeting of 24 January and that the report had outlined how the financial capacity had changed. The Director referred to the table of figures on the estimated financial capacity and stated that the figures outlined would reduce with the addition of funding to the base budget for further prudential borrowing as outlined by the Cabinet Member.

In referring to the Draft Financial Strategy 2008/11 the Director stated the priority

was for the improving of services for the vulnerable. The financial framework had been strengthened by the inclusion of efficiency targets whilst being careful not to disadvantage vulnerable services. To this end the Adult and Community Services budget had a much lower efficiency target in order to avoid cuts in services to the vulnerable. Cabinet was advised that corporate funding for modernising social care services was to be reallocated to the directorate budgets to provide clarity on budget management, with the Director of Resources working closely with the directorates to ensure deployment of those resources represented improvement and better value for money.

The Director advised Cabinet of the approach to the general reserves and balances strategy recommending a £4.5 million general reserves balance from 1 April 2008. This was in recognition of pressures and risks identified and for those unquantified. The Leader added that a further £6 million was available earmarked reserves for specific financial risks and stated that £7.5 million in the school reserves belonged to individual schools and was not for Council use.

A Member in attendance welcomed the clarity of the report and added that Strategic Monitoring Committee (SMC) was in agreement with the Executive on the proposals for the next three years and that the key issues were still around accommodation and property and the Council's forecast on the way forward. He went on to refer to the school review and requested that any funds set aside for the closure of schools should be outlined in the report. He added his surprise at the proposals for further prudential borrowing and was concerned the long term cost this could have on a Band D Council taxpayer. He advised Cabinet of two key points on the Capital Programme that he felt Cabinet should reconsider, which were in relation to the Master's House scheme at Ledbury and the costs to be borne by the Council in relation to the Bailey Bridge at Colwall.

The Leader stated that the prudential borrowing was clearly within the capacity of the Medium Term Financial Management Strategy and would not directly impact on Council Tax particularly with the extra capacity put into the base budget. He added that with regard to the schools review no funds had been set aside in the budget. Cabinet agreed the extra funding in the base budget to fund prudential borrowing and reiterated the need to invest in the infrastructure of the county, hence the modest increase in Council Tax. Cabinet noted the concerns of opposition Members on further borrowing. It was stated that it was most unlikely that the Bailey Bridge for Colwall would be progressed. Discussion had been held with Network Rail and it was proposed to replace the bridge in 2009 and the authority would need to make a contribution at that time. Cabinet was advised that Network Rail had a legal responsibility for the railway part of the bridge, with the Council having responsibility for the road across it and any strengthening required to take the highway across it.

With regard to Council tax rises the Leader advised of the proposed rates in neighbouring authorities stating that Shropshire would be 4.4%, Telford 4.3% and Worcester 4.3 – 4.4%. Therefore Herefordshire was in line with neighbouring authorities. He added that consultation would be carried out with Strategic Monitoring Committee and the Unions and advised that the Police had put in a figure of 4.95% (as advised by the Member representative on the Police Authority).

#### **RESOLVED**

#### **DRAFT FINANCIAL STRATEGY 2008/11**

#### **THAT:**

- (a) **Cabinet agrees that £356K be added to the base budget in 2008/09 rising to £750K in 2009/10 to fund prudential borrowing; and**

- (b) Cabinet agrees the draft financial strategy 2008/2011 attached to the report and recommends its approval to Council on 7 March 2008.

**DRAFT CAPITAL PROGRAMME 2008/09**

**RESOLVED**

**THAT Cabinet recommends to Council that:**

- (a) the funding available be noted;
- (b) the funding allocations to capital bids be endorsed;
- (c) the impact of capital spend on the replacement Social Care system (Corelogic) in 2008/09 be noted; and
- (d) the position on the capital receipts reserve be noted.

**30. DRAFT CAPITAL PROGRAMME 2008/09**

Taken with previous item the Draft Financial Strategy 2008/11.

**31. BUDGET MONITORING 2007/08**

The Head of Financial Services presented the Budget Monitoring report for 2007/08 and stated that directorates had shown an increase since last budget, but this had been offset by the invest to save scheme. He added that the overall position showed an overspend of £698,000, which was an improvement on the previous projected overspend of £1.05 million at the end of November. Referring to the July floods and the insurance claim to government through the Bellwin Scheme Cabinet was advised that government had honoured all the claims made and it was added that rigorous checking had been carried out by the government office prior to making any payment. Thanks were passed on to all staff involved in work to maximise the claim.

In referring to Adult Services Cabinet was advised that there was a slight increase in the projected outturn and ongoing negotiations were being carried out with Shaw Homes on costs paid. Cabinet was advised that discussions with HALO on the costs for single status and job evaluation were also ongoing.

In the Children and Young People's Directorate there was an increase in the projected overspend, however it was estimated that after application of centrally held contingency funds and invest to save funds, the budget would balance. Cabinet had advised that there had been little change in the projected outturn for Corporate and Customer Services. There was a further year's funding of £500k for Customer Services, by which time sufficient resource would need to have been re-allocated from services transferring into the division to make up the short fall. It was added that the Community Network Upgrade contract with Siemens would produce some savings in the area of line rental and call charges, though these were being quantified, but there would still be an overall overspend on the contract. Cabinet was referred to the Environment directorate and the Waste Disposal contract between Herefordshire and Worcestershire Councils and informed that this was being monitored carefully with any underspend against the contract has previously been earmarked for reserves to meet future waste management pressures.

In referring to the Capital Programme budget monitoring it was stated that outturn was projected slightly higher with expenditure just under £30 million.

Cabinet was asked about the road maintenance and footways budget allocation with particular reference to the underspend with the budgetary year soon to end. The Cabinet Member Highways and Transportation advised that all maintenance work had been put back due to the flood alleviation programme. However the planned maintenance work was now back on target for the January / March programme.

**RESOLVED**

**THAT:**

- (a) **Cabinet note the Bellwin settlement and thanked officers and Members for their hard work in achieving the settlement; and**
- (b) **Financial performance to the end of January 2008 be approved.**

**32. CALL IN OF CABINET DECISION ON HEREFORDSHIRE CONNECTS - ACQUISITION OF THE PREFERRED TECHNOLOGY TO REPLACE THE CURRENT CLIENT SYSTEMS USED WITHIN BOTH ADULT SOCIAL CARE AND THE CHILDREN AND YOUNG PEOPLE'S DIRECTORATE**

The Director of Corporate and Customer Services introduced the report to Cabinet and advised that the amended Cabinet report took into consideration the Strategic Monitoring Committee's recommendations.

The Herefordshire Connects Programme Manager informed Cabinet that a detailed report had been presented to the Strategic Monitoring Committee on 31 January 2008. The current system had been operational for 11 years and was not able to meet current requirements. A two-stage selection process had resulted in a final assessment between OLM and Corelogic. It was stated that colleagues from across the directorates and the Primary Care Trust (PCT) were involved in the process. It was found that Corelogic was the preferred option in all categories. Site visits had been undertaken to Worcestershire and Nottinghamshire. Worcestershire had also migrated from Clix to Corelogic and was able to share experiences. Cabinet was reminded of the importance of business continuity and storage capacity within the system. Security of information was a prime consideration and data would not be copied out of the system, but retained on the network. Cabinet was informed that 24 other Authorities were currently using Corelogic and that tests had been carried out at Bath Street which proved there was sufficient capability to load the system on the network. Cabinet was advised that a fixed price option was preferred as it provided certainty over costs and could be monitored against performance.

The Head of Financial Services referred Cabinet to the finances considered as part of the call in process. He stated that the figures in the summary of costs' table outlined the financial resources built into the budget, with a mixture of capital and revenue funding. It was stated that the costs were outlined to 2012/13 when capital repayments would leave.

The Cabinet Member Corporate and Customer Services and Human Resources thanked the Chairman of the Strategic Monitoring Committee for the hard work that had been carried out by his committee. It was added that it was important to achieve ISO27001 as considerable personal information would be held on the network. However, it was reiterated that data would not be held on laptops. She emphasised that there was a need to make a decision on the rest of the Connects programme soon.

Concern was raised on the compatibility of the system with the PCT and the data protection of personal information. Cabinet was reassured that the Council was

working very closely with the PCT and Cabinet could be confident in moving forward. The Chief Executive reminded Cabinet that Corelogic was part of a national system and therefore would be part of any national debate on future changes.

**RESOLVED**

**THAT Cabinet approve the revised submission prepared in response to the recommendations made by the Strategic Monitoring Committee in relation to Cabinet's decision on the acquisition of the preferred technology to replace the current client systems used within both Adult Social Care and the Children and Young People's Directorate and the Committee's further recommendations in relation to its consideration of this issue and its consideration of a consolidated report on the Herefordshire Connects programme.**

**33. MANAGING PERFORMANCE MANAGEMENT**

The Director of Corporate and Customer Services advised Cabinet that this report and those following on the Local Area Agreement, the Comprehensive Area Assessment and the Council's Comprehensive Performance Assessment and Direction of Travel scores were all interrelated.

Cabinet was informed that in the last corporate assessment carried out by the Audit Commission in 2005, the Council's performance management arrangements had been judged as an area of relative weakness. Concentrated actions to strengthen the arrangements had been put in hand and, in a follow up audit in the autumn of 2006, the Commission had stated that steady progress was being made, although a good deal had yet to be fully embedded across the Council. Cabinet had therefore agreed a further action plan to secure the necessary additional improvements. Almost all of the objectives and actions in the further action plan had now been achieved. The most important result was that, whereas in the Commission's 2006 Direction of Travel assessment it had judged levels of service to have only been maintained, in the latest 2007 assessment the Commission had said that performance had improved in most priority areas.

Examples of where actions had yet to be completed were noted; these included the role individual Members of Scrutiny Committees might play as critical friends for particular functional areas as in the performance improvement cycle and a bi-monthly cascade of information from the Herefordshire Partnership.

The Leader confirmed the importance of the Scrutiny function as a further line of challenge. Cabinet agreed there should be more pre-policy scrutiny and that excellent work had been done by Scrutiny recently.

Cabinet also agreed that the future actions necessary to continue the strengthening of the performance management arrangements should be taken forward as an integral part of the preparations for the new system of Comprehensive Area Assessment.

**RESOLVED**

**THAT:**

- (a) the report be noted; and**
- (b) it be agreed that the plan be updated in the context of the overall Corporate Area Assessment preparation programme, submitted to Cabinet in April 2008, and progress reported every six months.**

**34. DEVELOPMENT OF THE LOCAL AREA AGREEMENT**

The Herefordshire Partnership Manager presented the report on the Local Area Agreement setting out the work undertaken since the last Cabinet report and progress to date. Cabinet was advised of the performance indicators identified by the government office, of which the Council is to select up to 35 indicators. A revised list of performance indicators selected by the Council was tabled at the meeting. Cabinet was advised that as part of the selection process officers were working with the Corporate Management Board on relevant performance indicators. Cabinet was reminded of the weekly updates provided for partner organisations such as the Primary Care Trust and the Police and the next steps were to move towards realistic and achievable targets.

The Director for Corporate and Customer Services advised it was likely that the Government office would bring in more indicators in the future and felt there would be clashes with the Government over some indicators as the Council would not be able to make a difference in the time frame set out.

The Leader stated that the 35 indicators the partner organisations were working on needed to clearly reflect key issues such as highways and children and young people's services.

The Director informed Cabinet that at some point Cabinet might be required to support and reiterate the points made by the authority that it might be unable to deal with all the indicators. Cabinet was reminded that although there was engagement with partner organisations over the indicators ultimately the Council was the accountable body

Cabinet discussed the requirement for all Members to attend seminars to ensure they were updated on progress in all areas. Cabinet expressed concern that some of the data used was not up to date and requested that current data should be used. Cabinet agreed that weekly updates on the LAA should be forwarded to Cabinet Members, Scrutiny Chairmen and the Chairman and Vice-Chairman of Strategic Monitoring Committee as well as partner organisations.

**RESOLVED****THAT:**

- (a) the Local Area Agreement super refresh process be noted;**
- (b) the Story of Place and list of key priorities be approved;**
- (c) it be noted that the provisional list of indicators be included in the Local Area Agreement; and**
- (d) Cabinet Members, Scrutiny Committee Chairmen and Strategic Monitoring Chairman and Vice-Chairman along with partner organisations, be updated weekly on the Local Area Agreement.**

**35. HEREFORDSHIRE COMPREHENSIVE AREA ASSESSMENT PREPARATION PROGRAMME**

The Corporate Policy and Research Manager presented the report on the proposed preparation programme for the new system of Comprehensive Area Assessment (CAA) which would replace the current system of Corporate Performance Assessment form April 2009. Referring Cabinet to the summary of the proposed CAA arrangements published jointly by the inspectorates, he highlighted the key

differences between the CPA and the CAA as being the latter's concentration on the area rather than individual organisations, with the main tests being how good the quality of life is for people in the county and value for money. Cabinet was reminded of the seminar for all Members on Monday 25 February, which would provide more details.

Cabinet was advised of changes that were being made within the Audit Commission to secure the effective implementation of CAA. It was also advised of the national consultation that had taken place on the principles for its operation and of the outstanding major issues. It was noted that decisions on these matters and the proposed detailed arrangements would not be known until the summer, with the final arrangements not being notified until early 2009.

Under CAA the authority and its partners would be expected to demonstrate a sound grasp on the needs of the area and of individual groups within it, particularly the disadvantaged. They would have to show an equal understanding of the wishes and views of citizens and service users. These requirements were reinforced in respect of health and social care by a new statutory requirement placed on the Council and the PCT to carry out Joint Strategic Needs Assessment from 1 April 2008. In practice, CAA would require an equally thorough approach in respect of other areas, including the economy and the environment.

On the basis of this evidence the Council and its partners would need to have clear priorities and show that they were capable of managing successfully the risks to their achievement. In this context it was noted that a good deal had already been done in these respects in the preparation of the new Local Area Agreement, which was scheduled to be agreed in June.

Noting that Herefordshire could be in the first tranche of authorities assessed under CAA in the spring of 2009, officers advised that a programme was being drawn up to address the challenges so that the Council and its partners would be well prepared. Cabinet discussed the elements and objectives of the programme, the importance of the scrutiny arrangements and the inclusion of CAA preparations in the Members' Development Programme. Cabinet was advised that Member seminars on the CAA would be held quarterly.

The Leader expressed the wish that the Herefordshire Partnership Board Members be brought up to speed with the arrangements and that they were fully engaged in the process. He requested that the proposed programme be discussed at the Partnership Board as soon as possible. In the context of effective partnership working to meet the CAA requirements, concern was also expressed to maximise the contribution of the public service arrangements being developed between the Council and the Primary Care Trust (PCT) and how these would be reflected in the Council's Corporate Plan.

The Chief Executive stated that the authority and the PCT needed to look at how resources were used jointly for better outcomes. Combining resources could ensure that the authority and the PCT would be highly regarded in terms of CAA. For practical reasons it would not be possible to integrate all the Council's and the PCT's relevant plans immediately, but by combining the PCT's Local Delivery Plan and the Council's plan into a single document over time should ensure the bringing together of relevant services and result in greater efficiency and effectiveness. It was added that with regards to the Joint Strategic Needs Assessment it was proposed to bring the substantial body of existing information together in the next few weeks. It was emphasised that there was a strong track of working together in respect of needs analysis.

The Leader stated that with regard to the delivery on services to users the authority and the PCT were lagging behind what many other areas had achieved. Although there was a need to recognise the good work going on already, we should also recognise that actual service delivery needed to be improved. The Chief Executive agreed with the comments and added that it would take 12-18 months to build fully integrated services.

**RESOLVED**

**THAT:**

- (a) the proposed action plan be approved;
- (b) it be agreed that it be finalised having regard to discussions with partners and consideration by Strategic Monitoring Committee (SMC); and
- (c) it be agreed that progress against the plan be reported to Cabinet and SMC in July and October 2008, and in January and April 2009.

**36. COMPREHENSIVE PERFORMANCE ASSESSMENT AND DIRECTION OF TRAVEL UPDATE**

The Corporate Policy and Research Manager presented the report, which confirmed the Comprehensive Performance Assessment (CPA) and the Direction of Travel for 2007 issued by the Audit Commission on 7 February. He drew attention to the tables in the report comparing Herefordshire with other authorities. In respect of CPA Herefordshire was one of three two star authorities in the West Midlands. He added that the fall in the Council's overall CPA score from three star to two star was due to a one year only change in the selection of indicators used for housing, which had caused it under the mechanical scoring system to fall to one star. This was despite Strategic Housing's performance having secured notable improvements as regards the number of families in bed and breakfast accommodation.

With regard to the Direction of Travel assessment, it was noted that performance had improved in most priority areas, particularly in exam results, arrangements for looked after children, tax collection and benefits administration and with the speed of planning applications, street cleanliness and recycling levels. Value for money had been judged to be reasonable, but not measured consistently. Progress was judged as being made in most improvement plans but the overall picture was not being reported clearly.

Cabinet noted that Herefordshire was now the only authority in the West Midlands that was judged as only improving adequately in the West Midlands. With regard to the next Direction of Travel assessment it was stated that currently 62% of performance indicators were on track to improve in 2007/08 compared with 2006/07 and that action was being taken to achieve an even better outturn. If the Council was also successful in delivering the improvement programme, it should be possible to achieve the Improving Well category in 2008.

The Cabinet Member for Children's Services thanked officers for their complimentary reference to achievement in Children and Young People's Services and the good work that was being carried out.

**RESOLVED**

**THAT the report be noted.**



**37. REVIEW OF THE COUNCIL'S FINANCIAL AND CONTRACTUAL PROCEDURE RULES AND CONSTITUTION**

Cabinet was advised that the item was to be deferred until the next meeting of Cabinet on the 28 February 2008.

The meeting ended at 4.15 p.m.

**CHAIRMAN**



**MINUTES of the meeting of CABINET held at THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD on Thursday, 28 February 2008 at 2.00 p.m.**

**Present:** Councillor RJ Phillips (Chairman)  
Councillor (Vice Chairman)

Councillors: LO Barnett, AJM Blackshaw, H Bramer, JP French,  
JG Jarvis and DB Wilcox

**In attendance:** Councillors PA Andrews, WLS Bowen, ACR Chappell, ME Cooper,  
GFM Dawe, PJ Edwards, RI Matthews, JE Pemberton, SJ Robertson,  
PJ Watts and JD Woodward

**38. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor JA Hyde.

**39. DECLARATIONS OF INTEREST**

Councillor RJ Phillips, Leader of the Council and Mr CJ Bull, Chief Executive declared a personal interest in Agenda Item 6 the Edgar Street Grid.

Councillor ACR Chappell declared a personal interest in Wyebridge Academy.

**40. MINUTES**

**The Chairman proposed that approval of the Minutes of 21 February 2008 be deferred to the next meeting of Cabinet.**

**ITEMS OF NOTE:**

The Leader welcomed Councillor GFM Dawe to Cabinet as the Group Leader for the Hereford Alliance Group.

The Leader referred to Agenda Item 7 the Edgar Street Grid confidential report and advised Cabinet that all items would be dealt with in open session unless any specific financial aspects were raised.

Councillor PJ Edwards referred to Cabinet dates and welcomed the decision to have preferred meeting dates in the Council diary as this would ease the flow of information and overcome the number of late reports. Councillor Matthews queried the lateness of the Edgar Street Grid report. Members were advised that this was due to the sensitive nature of the report.

**41. WYEBRIDGE ACADEMY**

The Director for Children and Young People's Services presented the report on Wyebridge Academy and advised Cabinet of the proposed new build for the Academy; stating it came with some anxiety as it was a new project for officers and the County. She added it was an opportunity to make best use of the intended investment of £22 million to refurbish the school and would be negligent if it was not progressed to provide better facilities for young people. Cabinet was advised that the Department for Children Schools and Families (DCSF) were concerned the Authority was being slow in progressing the Academy. It was important to progress discussions with DCSF and finalise the statutory notices to enable the next steps. Trustees and the Board were keen to progress the Academy further.

The Head of Commissioning and Improvement advised Cabinet that Wyebridge College had made tremendous strides in recent years. There were still details to be considered with the learning environment at the College and the new Academy would address this and meet the needs of children in the South Wye area. Cabinet was advised that the opening of the Academy was dependent on the statutory notices for the formal closure of Wyebridge College.

The Leader invited Mr Martin Erwin, Chairman of Governors for Wyebridge College and the former Haywood High School to address Cabinet. Mr Erwin stated he had been the Chairman of Governors for nine years and had taken on the role after emergency powers had been instigated at the school. At that time the number of students achieving 5 or more grades A\*-C at GCSE Level were in single percentage figures. He went on to explain how the school was transformed under the new headship of Wiktor Darren and had continued to succeed under the inspirational leadership of John Sheppard, with last year 52% of students attaining 5 or more GCSEs at grades A\*-C. Despite this the College was still achieving negative press coverage. He stated it was believed that Academy status was the single opportunity for the College to break free of prejudice and thanked the Local Authority being supportive in this process. He said School Governors also supported the process. He emphasised the Academy would continue to be a community school for South Wye, with no Church places being offered. The School, the Council and the community would be liaised with throughout the process. He reminded Cabinet that the investment of £22 million would not be available again and that governors had voted unanimously to support the proposal for an Academy.

Mr Sheppard supported the comments of Mr Erwin and believed the Academy was a dream for something exciting to happen in the South Wye area.

Cabinet endorsed the comments made however; Cabinet believed the business case should have been presented prior to seeking Cabinet's endorsement. It was asked when the business case would be brought forward and whether there were any circumstances which would cause DCSF to withdraw funding.

The Director of Children and Young People's Services stated that significant conversations had been held with the Academy section of DCSF and it had been requested that the business case was presented to Cabinet prior to the issuing of statutory notices, however DCSF had opposed this. The business case would therefore be brought to Cabinet on 27 March. The Director emphasised that the DCSF had dictated the sequence of events.

A Member in attendance stated the Academy would be part of the next phase of regeneration for South Wye. It was stated that the children in South Wye were in the top quartile in the Country for being deprived. It was stated that 90% of South Wye residents supported an Academy and it was not believed that the Academy would be

taken over as a Church school.

A Member in attendance asked about the funding of the Academy and was advised that it was all coming from Central Government through Partnerships with Schools.

## **RESOLVED**

### **THAT:**

- (a) the issue of statutory notices to enable the opening of an Academy at Wyebridge Sports College for 900 students aged 11-16 on 1 September 2008, and post-16 provision for 220 students at the start of the academic year following completion of the new building be authorised; and**
- (b) a further report be made to Cabinet on 27 March 2008.**

## **42. FINANCIAL AND CONTRACTUAL PROCEDURE RULES**

The Head of Legal and Democratic Services presented the report on the review of the Budget and Policy Framework Procedure Rules, Financial Procedure Rules and Contract Procedure Rules and Members Questions for Council. He reminded Members of the background for the report from the Independent Crookall Report following on from the Director of Resources Section 151 report. He stated that the report had been before the Standards Committee, the Audit and Corporate Governance Committee and the Strategic Monitoring Committee. He added that questions from the Strategic Monitoring Committee had been responded to and the Director of Resources had looked at 4\* Authorities such as Worcestershire, East Riding of Yorkshire and Shropshire taking the best of these and condensing them to manageable levels. He added that Mini guides were being provided for officers and that the scheme of delegation for officers would be reviewed shortly. He stated that significant changes would be required for the Constitution and that it was proposed that a full review would come before Cabinet and Council in July.

A Member in attendance sought the Chief Executive's assurance that all the issues raised in the Crookall report had been dealt with. The Chief Executive stated that he felt part of the Crookall recommendations had been addressed in this report, however a further report would be coming before Cabinet which would provide a detailed response to the Crookall report.

Councillor GFM Dawe disagreed with the change to the time for submitting questions to Council and stated that he felt that the current time allowance was adequate. The Leader informed Cabinet that the proposal had been agreed by Group Leaders and had also been agreed at the meeting of the Constitutional Review Working Group. He reminded Members that questions could be asked of officers at any time.

Further discussion was held on the Scheme of Delegation and Cabinet was informed that a further report would be coming before Cabinet setting out the differing roles between Cabinet Members and Directors and where accountability lay.

**RESOLVED****THAT:**

- (a) **Cabinet considered the Budget and Policy Framework Procedure Rules, Financial Procedure Rules and Contract Procedure Rules attached to the report before formal consideration and adoption by Council on 7 March 2008;**
- (b) **the Head of Legal and Democratic Services carry out a thorough revision of the Scheme of Delegation for approval by Council on 7 March 2008;**
- (c) **the head of Legal and Democratic Services carry out a thorough review of the remainder of the Constitution for approval by Council in July 2008; and**
- (d) **Cabinet recommends to Council the amendment to paragraph 4.25.1. of the Constitution.**

**43. EDGAR STREET GRID**

The Leader of the Council reminded Members that it was not proposed to hold a closed session on the Edgar Street Grid unless Members wished to discuss any financial issues. The Cabinet Member for Economic Development and Community Services presented the Edgar Street Grid Development report for the selection of a preferred first phase development partner and for the authorisation of detailed negotiations with the supplier prior to consideration of a full Development Agreement. He welcomed Jonathan Bretherton and Nigel Hudson from Advantage West Midlands.

Jonathan Bretherton advised Cabinet that a thorough and rigorous process had been carried out to find a preferred developer, which had started following the Cabinet meeting of March 2007. He added that the ESG Hereford Ltd had been working with the current selection of developments for several months. He outlined the components of the various schemes provided by the three developers. In referring to all the schemes he stated that an open air scheme was a requirement in order to address a walk way between high town and the new development, with the key point being at Garrick House. He stated that the Stanhope scheme was a distinctive scheme. It had remarkable quality, which the developers wanted to achieve in the build and which was reflected in the costs. A supermarket and a multi plex cinema was part of the proposal for all three developments.

Jonathan Bretherton advised that the Stanhope development was the scheme being recommended to Cabinet although all three schemes were high quality and had been commended by English Heritage.

The Leader paid tribute to Jonathan Bretherton, his team and board members for their commitment and the work that had been carried out. Cabinet noted the amount of national interest in the schemes and felt that the similarity between the schemes was reassuring. The Leader said that the development needed to win back the status of Hereford as a market town within a large rural hinter land. The Cabinet Member for Economic Development and Community Services thanked Nigel Hudson and his colleagues from Advantage West Midlands for their support for the project.

A Member in attendance complimented the schemes but expressed concern as to whether the schemes would work in practice and not be a detriment to the current

retail area. Jonathan Bretherton stated that the linkage between the two areas was the most important issue. He added that it was not solely about forming a physical link, but included a raft of linkage schemes for the old and new areas and reiterated that the board was keen to support and help the development of the city centre as a whole.

**RESOLVED****THAT CABINET:**

- (a) **agree the selection of Stanhope as the preferred Retail Quarter Development Partner;**
- (b) **authorises the director of Adult and Community Services, in consultation with relevant officers, to complete negotiations regarding a Heads of Term Agreement;**
- (c) **authorises the Head of Legal and Democratic Services to sign a Heads of Terms agreement with the preferred development partner following satisfactory completion of the negotiations;**
- (d) **authorises the Director of Adult and Community Services, in consultation with the Director of Resources, Head of Legal and Democratic Services and ESG Herefordshire Ltd., to undertake further negotiations regarding a Development Agreement; and**
- (e) **notes that a further report be brought to Cabinet, on completion of the further negotiations regarding a Development Agreement, setting out the detailed financial implications, and seeking approval to enter into a Development Agreement before being finalised with the preferred developer.**

**44. EDGAR STREET GRID**

There was no confidential report on the Edgar Street Grid Development.

The meeting ended at 3.45 p.m.

**CHAIRMAN**







## PERFORMANCE IMPROVEMENT FRAMEWORK AND CYCLE

### PORTFOLIO RESPONSIBILITY: CORPORATE, CUSTOMER SERVICES AND HUMAN RESOURCES

CABINET

27 MARCH 2008

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## Wards Affected

County-wide

## Purpose

To seek Cabinet's approval for an updated Council performance improvement framework and an associated performance improvement cycle for the next two years.

## Key Decision

This is not a Key Decision.

## Recommendations

**THAT Cabinet approves**

- (a) those elements of the updated performance improvement framework at Appendix 1 that relate to its own role and those of the Leader, lead Cabinet members and the scrutiny function; and
- (b) the two-year performance improvement cycle at Appendix 2, including public consultation in Autumn 2008 to inform future priorities, plans and budgets.

## Reasons

The Council's **performance improvement framework** was last updated in March 2007. Developments since then, particularly the intensive programme to assure data quality, the tightening of the performance management arrangements for the *Herefordshire Partnership* and the new *Local Area Agreement*, and the emerging public service arrangements between the Council and the Primary Care Trust (PCT), mean that it is now out-of-date.

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Further information on the subject of this report is available from Steve Martin, Corporate Policy and Research Manager  
on 01432 261877

The framework has to be given effect by means of a **performance improvement cycle** that meets current and foreseeable needs and circumstances.

## Considerations

1. The **proposed revised performance improvement framework at Appendix 1 to this paper** reflects these developments. The opportunity has also been taken to clarify the definitions of roles and responsibilities (pages 20 to 22 and Appendix 5b of the proposed framework) and to improve the clarity of the text and diagrams more generally.
2. Most of the framework concerns operational and management matters that are the responsibility of the Chief Executive as Head of Paid Staff. Cabinet is therefore asked to approve only those elements relating to its own role and those of the Leader, lead Cabinet members and the scrutiny function.
3. The suggested **introduction by the Leader and Chief Executive** (page 3) explains the purpose of the framework. It also sets the scene for crucial future developments, namely the introduction of the new system of *Comprehensive Area Assessment (CAA)* and the step-by-step development of public service arrangements with the PCT, both of which will necessitate further updating of the framework during 2008.
4. Good governance and management of the Council dictate that the updating that is possible now should not be postponed pending those further developments. It is worth bearing in mind that the overall arrangements for CAA will not be confirmed before the Summer and that the details are not likely to be settled before February 2009.
5. The Council's **performance improvement cycle** needs to be re-shaped to meet current and foreseeable future needs and circumstances. These include:
  - taking account of the emerging arrangements for public service arrangements between the Council and the PCT;
  - planning and carrying out the systematic programme of needs assessment required by law in respect of health and social care and, more generally, by CAA to inform future plans and budgets
  - the emerging arrangements for CAA as a whole;
  - the possibility of the Council (or, possibly, the Council and the PCT or the *Herefordshire Partnership* as a whole) conducting public consultation during 2008 to inform future priorities, plans and budgets; this has not happened with

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Further information on the subject of this report is available from Steve Martin, Corporate Policy and Research Manager  
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Council Tax-payers and citizens generally since late 2004; it will take considerable time to plan and carry out, and for the results to be analysed, presented and debated before decisions are taken;

- the importance of getting strategic priorities and plans settled much earlier in the cycle than we have managed hitherto; specifically to have the corporate plan approved well before directorate, service and other operational plans have to be produced and *detailed* budget decisions made.
6. These considerations cannot be accommodated within the current Council *annual* performance improvement cycle.
  7. **Appendix 2 to this paper sets out a possible cycle that would accommodate the considerations set out in paragraph 5 above.** It would run through the rest of this year and throughout 2009, leading to the key operational elements being settled as usual before the end of March 2010.
  8. The proposed cycle provides for the Council's Corporate Plan 2008-11 to be supplemented during 2008 as some of the current uncertainties are clarified; for operational plans to be refreshed for 2009-11; and for the subsequent corporate plan – which would be for 2010 -13 - to be prepared in the Spring of 2009, taking account of the decisions taken following public consultation and the new, statutory *Place Survey*, which will measure the public's perceptions of the quality of life and other aspects of living in Herefordshire.
  9. The bottom line in Appendix 2 to this paper sets out the relevant elements in the PCT's performance cycle. While it isn't possible to achieve the full integration of the Council and PCT cycles (not least because of the elements of PCT cycle that are dictated by the Department of Health and the Strategic Health Authority), there is a need to make sure that the necessary connections are made as part of the development of public service arrangements. These will be particularly important in respect of the preparation of joint commissioning plans and associated decisions regarding pooled and other relevant budgets.
  10. Strategic Monitoring Committee is scheduled to consider the proposed performance improvement framework and cycle at its reconvened meeting on 20 March. The Committee's recommendations to Cabinet will be reported at the Cabinet meeting.

## Financial Implications

Depending on the method (or methods) used, public consultation could involve expenditure of the order of some £25,000. There are no other financial implications.

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Further information on the subject of this report is available from Steve Martin, Corporate Policy and Research Manager  
on 01432 261877

## **Risk Management**

A clear, up-to-date performance improvement framework, together with a performance management cycle that delivers it effectively, are principal means of managing the risks to the achievement of the Council's priorities.

## **Alternative Options**

Since the Council is effectively required to have a sound, up-to-date performance improvement framework and cycle, there are no alternative options.

## **Consultees**

The Head of Human Resources, the Head of Financial Services, performance improvement managers, the Primary Care Trust, Corporate Management Board and Strategic Monitoring Committee.

## **Appendices**

Appendix 1 – The proposed performance improvement framework for the Council and developing public service arrangements

Appendix 2 – The proposed performance improvement cycle for 2008 and 2009

## **Background Papers**

None identified.



# Performance Improvement Framework for the Council and developing public service arrangements

Draft Performance Improvement Framework for  
consideration by Cabinet  
27 03 08

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# Draft Performance Improvement Framework for consideration by Cabinet 27 03 08

## Introduction

The Council's prime purpose is to improve the quality of life, fairness and prosperity for all the people of Herefordshire, at the same time as providing good value for money for tax-payers. A robust performance improvement framework is essential to achieving these things. Increasingly, the Council will do so by developing ever-closer public service arrangements with the *Herefordshire Primary Care Trust (PCT)* and the *Herefordshire Partnership* more generally.

That's why at the heart of this framework is the delivery of the *Herefordshire Sustainable Community Strategy* and the associated *Local Area Agreement (LAA)*.

The advent of *Comprehensive Area Assessment (CAA)* from 2009 means that all local public bodies must be able together to demonstrate a good understanding of the needs of their local communities, and those of the different groups of people who live in them, and that they are able to secure high quality, value for money services to meet these needs.

The Council and the *PCT* are committed to working together to improve outcomes for people, with a particular focus on reducing inequalities by improving outcomes for disadvantaged groups. To achieve this, the top priority is to have in place really effective joint commissioning plans for health and social care, as well as shared emergency planning and the management of the risks that could frustrate our common ambitions. Further improvements will follow step-by-step, for instance in respect of public health and by streamlining management, administration, accommodation and systems, so that more resources can be directed into front-line services.

This framework will be updated during 2008 to reflect these and other developments, including those involving the wider *Herefordshire Partnership*.

The Council aims for continuous improvements in services and outcomes that will lead to improved *Direction of Travel* and *Use of Resources* assessments from the Audit Commission – respectively, improving strongly and performing well - in time for CAA in 2009.

Achieving these things is everybody's business: elected members, Cabinet, Scrutiny, the Corporate Management Board and the Joint Management Board with the PCT, heads of service, managers and their teams across the Council. It also depends on the contributions of our PCT colleagues and other partners. All managers and their staff must have a good understanding of the Council's objectives, including those shared with the PCT and other partners working in public service arrangements. They must also have the skills and confidence to deliver them. Our commitment to achieving *Investor in People* accreditation will help make sure we do this.

**Councillor Roger Phillips**  
Leader of the Council

**Chris Bull**  
Chief Executive

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## Section 1 - Principles

### The Framework: -

- 1.1 Is about achieving the Council's and its partners' shared prime objectives, which are an improved quality of life, fairness and prosperity for people throughout Herefordshire, and the best possible value for money
- 1.2 Establishes an overall corporate planning and performance improvement cycle that integrates all aspects of corporate, directorate, service, financial and workforce planning
- 1.3 Establishes the link between the ambitions set out in the higher level plans (The *Herefordshire Sustainable Community Strategy* and the Council's Corporate Plan) and the service objectives and actions to deliver those ambitions as set out in directorate, service and other more detailed plans
- 1.4 Requires directorate and service plans to be of three-year duration, reflecting the lifespan of the Corporate Plan, and to meet the requirements of annually updated guidance
- 1.5 Establishes the links between corporate and service objectives and the work of individual employees, through the *Staff Review and Development (SRD)* process
- 1.6 Holds Cabinet members, directors, heads of service and other managers to account for the performance of the services for which they are responsible
- 1.7 Ensures that the actual performance of services compared to targets, milestones and budgets is reviewed through regular integrated performance and financial reporting to the Cabinet, lead Cabinet members, scrutiny committees, Corporate Management Board, the Senior Management Team and directorate management teams
- 1.8 Requires the development of improved systems to ensure accurate, valid, reliable, timely and secure data and intelligence, including a detailed action plan to achieve the standards set out in the Audit Commission's key lines of enquiry for data quality



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- 1.9 Ensures that risk management is integrated into corporate, workforce and service planning, and performance monitoring and management, at all levels
- 1.10 Requires a commitment to improved performance in all we do, through self-assessment, including comparator and benchmarking data, and the outcomes of peer review and external inspections
- 1.11 Requires the engagement of staff at all levels, including through the use of staff surveys
- 1.12 Is overseen by;
  - 1.12.1 - a Council Corporate Management Board, comprising the Chief Executive, directors and the Head of Human Resources, with a focus on strategic leadership
  - 1.12.2 - a Council and PCT Joint Management Board, comprising the Chief Executive, directors from both organisations and the Head of Human Resources
  - 1.12.3 - a Head of Policy and Performance
  - 1.12.4 - dedicated performance improvement managers across the Council, accountable to the Head of Policy and Performance
- 1.13 Provides the platform from which we will develop a wider performance improvement framework for the public service arrangements we are developing with the PCT and other partners

# Draft Performance Improvement Framework for consideration by Cabinet 27 03 08

## Section 2 - Plans

2.1 The hierarchy of plans, including the links between the *Herefordshire Community Strategy*, the associated *Local Area Agreement (LAA)*, the Council's Corporate Plan, directorate and service plans and the *Staff Review and Development (SRD)* process, is shown in the diagram at **Appendix 1**.

2.2 **The Corporate Plan** sets out, at a strategic level, what the Council intends to achieve over the next three years to improve outcomes for people and value for money. It expresses this in terms of priorities, objectives, SMART targets, the associated resources and the management of risks. It includes the objectives and targets from the *Community Strategy* and the *LAA*, and the joint objectives, targets and key actions being pursued by the Council and the *PCT*. The Corporate Plan is reviewed and rolled forward regularly. The overall performance of the Council is monitored and managed against the Corporate Plan.

2.3 **Appendix 2** shows how the Council's Corporate Plan themes and priorities relate to the *Community Strategy* and the *LAA* priorities.

2.4 **Directorate, service and other detailed plans** are the basis for ensuring that the Corporate Plan will be delivered in terms of improved outcomes for people and value for money, across all that the Council does itself and in partnership with the *PCT* and other organisations. They do this by making clear:

2.4.1 - what has been achieved so far

2.4.2 - what will be done to fulfil the Corporate Plan in terms of priorities, objectives, SMART targets and associated resources

2.4.3 - how this will be done, including identification of the major risks and how they will be managed

2.5 Once approved, they become the basis for monitoring and managing the performance of the individual directorates and services. They are also the basis for ensuring that the objectives of the *Herefordshire Partnership* and the Council, including its joint work with the *PCT*, are delivered through the work of teams and individuals: the service plan being the basis for the performance targets and development plans set out in an individual's *SRD*.

2.6 Directorate and service plans look forward 3 years. They are reviewed and rolled forward annually. At their core must be the objectives and SMART targets in the Corporate Plan, including those in the *LAA*, the joint work programme with the *PCT* and what is to be achieved by means of statutory and partnership plans.

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2.7 This means that they should not only address the directorate's or service's immediate functional responsibilities but also its contribution to delivering the Council's objectives and priorities as a whole. In particular, they must say explicitly how equality will be promoted and diversity respected; how inequalities will be reduced; and how the welfare of rural areas will be protected and improved.

2.8 They must also show how the directorate will meet the requirements of the *Investor in People* standard to ensure that staff are enabled to improve performance.

2.9 Directorate and service plans must be drawn up having regard to, amongst other things:

2.9.1 - benchmarking data, including performance compared with broadly comparable authorities/statistical neighbours

2.9.2 - the results of surveys, including the *Annual Satisfaction Survey*, and other means of understanding customers' needs and wishes

2.9.3 - the results of the annual *Staff Opinion Survey* and other means of understanding the views of staff

2.10 Managers and staff must be involved in the development of the plans, not least as regards the setting of targets they will be required to deliver. This is the responsibility of directors and heads of service.

2.11 The plans must be in place and approved before the first operating year to which they relate.

2.12 **Directorate plans** are the responsibility of directors. They are approved by the lead Cabinet member, subject to the Head of Policy and Performance having certified that they meet the published requirements.

2.13 **Service plans** are the responsibility of heads of service. They are approved by the relevant director (or, in the case of Human Resources, the Chief Executive) and the lead Cabinet member. Again, this is to be subject to the Head of Policy and Performance having certified that they meet the published requirements.

2.14 It is open to directors to decide not to have service plans but, instead, to meet the requirements for directorate and service plans in directorate plans.

2.15 Plans must be maintained in-year as living documents, being reviewed and updated to reflect changing needs and circumstances, so as to continue to provide a sound basis for performance management.

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2.16 The detailed requirements in respect of directorate and service plans are updated annually as part of the performance improvement cycle.

## **Team plans**

2.17 It is for managers, with their line managers, to decide whether a team plan should be prepared to clarify or promote objectives arising from directorate or service plans and to manage team performance. Where they are produced, it is the responsibility of managers to involve their teams in the development of the plans.

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## **Section 3 - Performance monitoring and management**

3.1 Performance is monitored and managed at a level, and in a manner, appropriate to the individual committee, board, team, manager and member of staff.

### **Integrated performance and financial reports**

3.2 Integrated performance and financial reports (IPFRs) are the highest level Council performance reports. They are the principal means of reporting strategically to the Cabinet, Strategic Monitoring Committee (SMC), Corporate Management Board (CMB) and Senior Management Team (SMT).

3.3 IPFRs present hard (quantitative) and soft (qualitative) performance information on the full range of the Council's responsibilities and functions in terms of:

3.3.1 - the in-year targets, milestones and key actions shown in the Corporate Plan, including those in the *LAA*;

3.3.2 - the high-level picture in terms of the baskets of indicators that are the primary determinants of the Council's individual service block and overall *Comprehensive Performance Assessment (CPA)* scores and *Direction of Travel* assessment;

3.3.3 - the full suite of national mandatory performance indicators;

3.3.4 - the in-year targets, milestones and key actions being pursued jointly by the Council and the *PCT*

3.3.5 - the results of significant internal and external reviews and inspections;

3.3.6 - revenue and capital budgets;

3.3.7 - major workforce issues, including diversity;

3.3.8 - identified corporate risks.

3.4 They focus attention on the key issues, highlighting achievements as well as shortfalls by exception. In particular, they provide regular, high-level assessments of performance trends, identifying barriers and levers to performance improvement, so as to provide a spur for better performance.

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3.5 The IPFRs are supplemented by the reporting of performance management information associated with key corporate work-streams, such as major programmes, and controls assurance and audit matters considered by the Audit and Corporate Governance Committee.

SMC determines whether any matters in IPFRs should be referred to individual scrutiny committees for their consideration.

3.6 IPFRs use a red/amber/green (RAG) traffic-light system to identify what's going well, as well as areas of concern, i.e. those where we are performing below target or at risk of doing so. This system applies to all levels of the performance improvement framework.

## **Timetable**

3.7 The timetable for IPFRs is:

3.7.1 - to Cabinet and CMB - months 2,4,6,8,10 and 12, with a strategic assessment of end-year out-turn (and further detail, as necessary) reported in June.

3.7.2 - to SMC - the latest available report under a), if necessary supplemented with an up-date on subsequent developments.

## **Reports to subject scrutiny committees**

3.8 Subject scrutiny committees receive:

3.8.1 - an annual presentation by the relevant lead Cabinet member(s) on performance over the previous operating year against the objectives, targets, milestones and budgets in the previous year's plans and on issues for the current year and beyond

3.8.2 - in good time for the operating year to which they relate, relevant directorate and service plans

3.8.3 - at least quarterly, reports on progress against the objectives, targets, milestones, budgets and risks in relevant directorate and service plans

3.8.4 - such other reports as they may require, following consultation with the relevant lead Cabinet member(s) and the relevant director(s)/Head of Human Resources

## **The Leader and the Chief Executive**

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3.9 The Leader and the Chief Executive receive from each director/the Head of Human Resources, in terms agreed with the Head of Policy and Performance:

3.9.1 - a quarterly (January, April, July and October), report on progress against the objectives, targets, milestones, budgets and risks in relevant plans, on the basis of which a minuted meeting takes place between the Leader, the lead Cabinet member, the Chief Executive and each individual director/the Head of Human Resources, together with the Head of Policy and Performance and/or a member of his staff, to discuss the report

3.9.2 - such other reports as they may require.

## **Lead Cabinet members**

3.10 Lead Cabinet members receive from the relevant directors/the Head of Human Resources:

3.10.1 - monthly exceptions reports against the objectives, targets, milestones, budgets and risks in relevant directorate and service plans

3.10.2 - such other reports as they may require, following consultation with the relevant director(s)/Head of Human Resources

3.11 These reports are discussed at a monthly, minuted, meeting between the lead member and the relevant director(s)/Head of Human Resources.

## **Directors**

3.12 Directors receive from each of their heads of service:

3.12.1 - in preparation for each of their quarterly meetings with the Leader, the lead Cabinet member and Chief Executive, a report on progress against the objectives, targets, milestones, budgets and risks in the relevant service plan, on the basis of which a minuted meeting takes place between the director and the head of service to discuss the report

3.12.2 - such other reports as they may require.

3.13 Directors and heads of service are required to ensure that there is an effective cascade for discussion and follow-up of performance issues from their performance meetings with the Leader, the lead Cabinet member and the Chief Executive, and the other high-level reporting mechanisms, at meetings of directorate management and other teams.

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## **Team meetings**

3.14 It is the responsibility of all managers to hold regular team meetings to discuss performance, exchange information, identify actual or potential performance shortfalls against plans, recognise individual and team achievement, and enable improvement. Where appropriate, this can be coupled with the meetings arranged to discuss *News and Views*.

## **Partnership reporting**

3.15 Performance management for the *Sustainable Community Strategy*, the *LAA* and *Local Public Service Agreement 2* is the responsibility, with the Council, of the *Herefordshire Partnership*, which is the county's *Local Strategic Partnership*.

3.16 The *Herefordshire Partnership* performance management process mirrors that of *Herefordshire Council* in that it uses the same templates, a RAG traffic-light system and timescales. Progress is reported bi-monthly, by exception, to the *Herefordshire Partnership Performance Management Group*, which initiates action, as required. In turn, the *Performance Management Group* reports to the *Herefordshire Partnership Chief Executives Group*, by exception, which initiates action, as required.

3.17 Performance information considered by the *Performance Management Group* and the *Group's* views are incorporated in the earliest possible Council IPFR.

**Appendix 3** shows how the *Partnership* arrangements are structured.



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## **Section 4 - Improving performance through people**

4.1 The *Investor in People (IiP)* standard to which the Council aspires provides the framework for improving performance through people. Key principles are:

- 4.1.1 - developing strategies to improve performance
- 4.1.2 - taking action to improve performance
- 4.1.3 - evaluating the impact on performance

### **Individual performance - *Staff Review and Development (SRD)***

4.2 It is the Council's policy that a formal review of every employee's performance and development is held at least annually (except for those employed in a teaching capacity in schools). This annual *SRD* is supplemented by a six-monthly review of progress. The review and development discussion is conducted between an appropriate manager or supervisor and the individual jobholder.

4.3 The purpose of the *SRD* discussion is to:

- 4.3.1 - improve the individual's, team's and service's performance;
- 4.3.2 - review and provide feedback on performance over the last year;
- 4.3.3 - ensure employees are clear about what they are required to achieve in the coming year (in line with service/team plan objectives and targets for performance);
- 4.3.4 - plan how to gain any additional skills and knowledge needed to do this, and agree who will take agreed actions;
- 4.3.5 - inform succession planning;
- 4.3.6 - support and identify individual's development potential and career objectives; and
- 4.3.7 - agree how progress against an individual's *SRD* objectives will be monitored and supported.

### **Timings**

4.4 To ensure direct links between service objectives and targets and those of individuals:

- 4.4.1 - *SRDs* of Directors and Heads of Service must be completed before the end of March each year;
- 4.4.2 - *SRDs* of all other managers and staff must be completed before the end of May each year.

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4.5 Directors and heads of service are required to have in place auditable systems to ensure that all *SRDs* are completed by these deadlines to a satisfactory and consistent standard. In particular, they must ensure that they include objectives and targets, based on the relevant directorate/service/team plan, that are appropriate to the individual member of staff.

4.6 Full guidance and pro formas for the conduct of *SRDs* are on the Council Intranet under: *Info library* → *personnel* → *personnel* → *staff review and development* [Click here to access](#).

## **Six-monthly *SRD* review**

4.7 This discussion affords the opportunity to review progress against objectives and up-date actions, including in respect of the individual's training and development.

## **1-2-1s / supervision**

4.8 Regular 1-2-1s (or supervision sessions for employees in social work/care services), at a minimum of six-weekly intervals, are necessary to underpin the annual *SRD* discussion and to ensure that progress, objectives and targets are regularly reviewed, monitored and, where necessary, amended.

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## Section 5 - Performance improvement cycle

5.1 The performance improvement cycle (PIC) binds together operationally all the individual elements in this framework. Through a process of constructive challenge by managers and members, it enables the Council to:

5.1.1 - link directly, at all stages of planning and performance management, the allocation of resources with the delivery of the Council's and *Partnership* priorities, in terms of measurably improved outputs and outcomes for people

5.1.2 - achieve the best possible value for money, both overall and in respect of individual services

5.1.3 - make informed choices about the trade-offs between investment in different services

5.1.4 - address successfully cross-cutting objectives, such as diversity, equalities and rural issues

5.1.5 - develop improved services by means of workforce planning and recruitment and retention strategies

5.1.6 - make cash-releasing and non-cash-releasing savings to meet Government requirements and deliver service improvements in priority areas

5.1.7 - drive continuous improvement that secures better customer services and outcomes for people across the Council and with the PCT and other partner organisations

5.1.8 - make clear what senior managers', managers' and employees' responsibilities are in implementing the performance improvement framework

5.1.9 - ensure that effective commissioning and procurement procedures are in place

5.2 To these ends, the processes for corporate, service and financial planning are fully integrated in the cycle.

5.3 The core elements are shown in **Appendix 4**: The Performance Improvement Cycle 2008-09

***[N.B. Appendix 4 will be added once Cabinet has taken decisions on the proposed two-year cycle, which is Appendix 2 to the SMC paper ]***

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## Section 6 - Managing Risk

***[N.B – A single Risk Management Strategy for the Council and the PCT is currently being developed; it is expected to be completed and signed off by March 2008, at which point this section will need to be updated. The following is taken from the Council current arrangements.]***

6.1 The basis for continuous improvement in services and outcomes for people is a sound understanding of the needs and wishes of people and communities throughout the county, with a particular focus on improving the life-chances of vulnerable and disadvantaged groups.

6.2 On its own, this won't deliver the desired improvements. That depends on identifying the main risks to success and then managing them successfully.

6.3 Conscious, controlled risk-taking is therefore at the heart of effective performance management.

6.4 Effective risk management at all levels will improve performance against objectives by contributing to:

6.4.1 - better service delivery

6.4.2 - better outcomes for people

6.4.3 - fewer shocks and unwelcome surprises, with a

reduction in management time spent fire-fighting

6.4.4 - change programmes being achieved

6.4.5 - more focus on doing the right things and doing them properly

6.4.6 - a better basis for setting strategy

6.4.7 - reduced fraud

6.4.8 - more innovation

6.4.9 - a suitably qualified and trained workforce to commission and deliver services

6.4.10 - more efficient use of resources

6.5 To achieve a consistent approach to managing risk throughout the Council, it is imperative that all managers follow the agreed policy and tool-kit as provided by the Corporate Risk Manager. The tool-kit provides a step-by-step guide to identifying and managing risks and the formats for the risk register action plan.

6.6 The policy and tool-kit can be found using the following links:

Click here to access the [Risk Management Tool-Kit 2007](#)

Click here to access the [Risk Management Policy 2007](#)

Click here to access the [Risk Management Strategy 2007](#)

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## Section 7 - Self-assessment for improvement

7.1 Self-assessment for improvement is integral to the performance improvement cycle (PIC). All managers and their teams must strive actively to understand what they are achieving in terms of improved outcomes for people and better value for money; and to identify the key levers that will secure further improvements. Some of the tools to help do this are:

7.1.1 - the challenge process that runs through the PIC

7.1.2 - the analysis of performance against KPIs, both corporately and in directorates and services, is central to targeted programmes of improvement

7.1.3 - annual self-assessment for the *Direction of Travel* and *Use of Resources* assessments

7.1.4 - self-assessment in advance of periodic external inspections of specific services, including Corporate Policy and Performance “critical friend” involvement

7.1.5 - assessment as an integral part of the Council’s *Business Transformation Programme* to improve customer services and deliver the financial capacity needed to invest in key priorities for the future.

7.2 Further details are included in the *Driving greater efficiency* section that follows.

7.2.1 - Internal Audit work and reports make a vital contribution

7.2.2 - the results of external inspections and reviews, including the *Annual Audit Letter*, are taken into account in all planning and performance management, alongside self-assessment

7.3 During 2008-09, the Council will review how its assessment capacity could be further improved. This will take account of developments in the public service arrangements.

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## Section 8 - Driving greater efficiency

8.1 The Council's success depends on continued improvement in the productivity of all available resources: people, land, property, ICT and cash.

8.2 Our strategy is to improve services to secure outcomes valued by our users and the people of Herefordshire generally. We aim to get more from the same amount of resources, or achieve the same with less, targeting the capacity released to achieve our highest priorities. As part of this the Council and the PCT are working together to reduce management overheads and maximise the resources available for front-line services. We plan to extend this approach as we develop public service arrangements with partners more generally.

8.3 We intend to deliver cumulative, cashable and recurrent efficiency savings of 3% per annum over the coming three years. This target is at the heart of the performance improvement cycle.

8.4 Complementary measures that will drive potentially additional efficiency savings include:

8.4.1 - whenever there is staff turnover, the appropriate way of delivering the relevant elements of service is reviewed; this may include not replacing the member of staff, reallocating the duties to others or changing the way the service is provided;

8.4.2 - service managers are empowered to transfer certain amounts and types of budget between items, so that they have flexibility, within approved aggregate budgets, to react to changing needs and circumstances and improve the delivery of services to customers  
**[electronic link to the Financial Procedures Manual]**

8.4.3 - directorate and service plans set out the changes to services that are planned over the coming years to achieve improved performance within constrained budgets

8.4.4 - task and finish scrutiny teams carry out best value reviews of service areas the Council wishes to develop

### Providing value for money

8.5 Value for Money (VfM) has assumed enormous importance in the public sector and in the assessment of performance. The Council is required to deliver best value in the provision of services and to demonstrate its ability to achieve improved VfM, which is assessed through the *Comprehensive Performance Assessment (CPA)*, including the *Use of Resources* assessment, and annual audit and inspection letters. These disciplines are

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expected to become even more demanding under the new system of *Comprehensive Performance Assessment (CAA)*.

8.6 Council plans must show how VfM will be achieved. Plans therefore need to demonstrate:

8.6.1 that the Council currently achieves good VfM -

8.6.1.1 - do costs compare well with others allowing for external factors?

8.6.1.2 - are costs commensurate with service delivery, performance and outcomes achieved?

8.6.1.3 - do costs reflect Council priorities?

8.6.2 that the Council manages and improves VfM -

8.6.2.1 - do services monitor and review VfM?

8.6.2.2 - have services improved VfM and achieved efficiency gains?

8.6.2.3 - do procurement and other spending decisions take account of full long-term costs and benefits?

8.7 The key principles that underpin the approach to VfM are, where possible, to:

8.7.1 - take a community-wide perspective rather than that of individual service users;

8.7.2 - look at gross costs, as net costs can mask high spending if income is high;

8.7.3 - take account of local context and quality of service;

8.7.4 - take account of long-term costs and benefits, including the wider social and environmental impact;

8.7.5 - ensure equity of access to services;

8.7.6 - use data on costs and performance to provide a starting point for questions;

8.7.7 - allow for local policy choices within the context of national policies, priorities and specified standards of service;

8.7.8 - review current performance in achieving VfM and how VfM has improved over time, for example, using trend analysis; and

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8.7.9 - rely on evidence of outcomes achieved and the effectiveness of activity to improve VfM.



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## Section 9 - Roles and responsibilities

9.1 The current planning and performance relationship between the *Herefordshire Partnership*, the Council, and the Council and PCT's developing public service arrangements are illustrated in **Appendix 5a**.

9.2 Planning and performance roles and responsibilities within the Council are illustrated in **Appendix 5b**. (Headline roles and responsibilities in respect of data quality are described in section 10 below.)

9.3 The Council's role takes into account its direct service contribution to the *Herefordshire Sustainable Community Strategy (HSCS)* and *Local Area Agreement (LAA)*, as well as its community leadership role in ensuring that these strategies meet the needs of the county and are delivered successfully.

Headline roles and responsibilities within the Council are:

9.4 **Cabinet-** Cabinet has *collective overall accountability* for the effective operation of the Council, discharging its responsibility by:

9.4.1 - with the approval of the Council, setting the Council's overall aims, objectives and priorities, including those delivered with the *Herefordshire Partnership* and under public service arrangements with the PCT

9.4.2 - setting the broad performance improvement and management framework for the Council, defining high-level performance indicators

9.4.3 - ensuring that it receives all the necessary information to enable it to interrogate the critical success areas and key performance indicators, so as to inform decision-making

9.4.4 - ensuring there is an appropriate link between agreed performance targets and actual delivery

9.4.5 - identifying appropriate actions required where there are positive or negative variances from projected performance

9.4.6 - identifying an appropriate individual member of the Cabinet or of the Corporate Management Board to be responsible for each performance area

9.5 **The Leader** – *overall leadership and drive*, ensuring that the *Partnership's* and the Council's policies and priorities, including those being pursued jointly with the *PCT* under public service arrangements, are clear and are being communicated and implemented successfully.

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9.6 **Individual Cabinet members** – *overall leadership in their respective lead areas*, ensuring with the relevant directors/Head of Human Resources that plans reflect the Council's and *Partnership* priorities and are being implemented successfully, including under public service arrangements.

9.7 **Scrutiny** – *testing* the robustness of plans and the effectiveness of performance management to deliver the Council's and *Partnership* priorities, including under public service arrangements.

9.8 **The Chief Executive** – *leadership of the executive staff*, ensuring that the Council's and *Partnership* plans and priorities and associated systems are soundly based, communicated clearly to all staff and partner organisations and implemented successfully, including under public service arrangements.

9.9 **Corporate Management Board** – *collective responsibility* for the robustness of the Council's plans and systems to deliver the Council's and *Partnership* priorities, including under public service arrangements, the alignment of resources to implement them successfully, and the effectiveness of their communication and performance management.

9.10 There is also a developing role for the **Council and PCT Joint Management Board** in respect of the establishment of public service arrangements between the two organisations. This and other aspects of the governance, leadership and management of the public service arrangements will be further developed in the months ahead.

9.11 **Individual directors** – *strategic leadership and management of the staff in their directorates*, ensuring that their plans reflect the Council's and the *Partnership's* policies and priorities, as set out in the Corporate Plan, in terms of their direct functional responsibilities, public service arrangements and cross-cutting objectives, such as equalities and sustainability; that they are understood by all their managers and staff, and delivered successfully within approved budgets; and that performance information and analysis are presented clearly and accurately in accordance with the Council's timetable and other requirements.

9.12 **Heads of service** – *operational leadership and management of the staff in their services*, ensuring that their plans reflect the Council's and *Partnership* policies and priorities as set out in the Corporate Plan, in terms of their direct functional responsibilities, public service arrangements and cross-cutting objectives, such as equalities and sustainability; that they are understood by all their managers and staff, and delivered successfully within approved budgets; and that performance information and analysis are presented clearly and accurately in accordance with the Council's timetable and other requirements.

9.13 **Head of Policy and Performance** – *ensuring* that the Council has sound planning and performance management systems and that they are operating

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so as to deliver successfully its policies and priorities, including those of the *Partnership* and under public service arrangements.

9.14 **Performance improvement managers** – *ensuring* that the Head of Policy and Performance is able to discharge his responsibilities within their respective directorates and services; in particular by supporting their director(s) and heads of service to produce plans and to operate efficient and effective systems for performance management and reporting, all so as to enable them to deliver the Council's and *Partnership* policies and priorities, including under public service arrangements, within approved budgets.

9.15 **All individual managers** – *ensuring* that they and their staff contribute to the development of the relevant directorate/service and other plans, and understand their contribution to delivering the Council's and *Partnership* priorities, including under public service arrangements; that the objectives and targets of all teams and individuals for whom they are responsible reflect accurately what they are required to deliver to help achieve the policies and priorities; and that their team's approved objectives and targets are delivered within approved budgets.

9.16 **All individual members of staff** – *ensuring* that they understand what their contribution is to delivering the Council's and *Partnership* policies and priorities, including under public service arrangements, that they become actively involved in service and team planning activities instituted by managers, and that their individual objectives and targets are delivered within approved budgets.

9.17 **Research** – Advising on the selection of indicators; and overall *State of Herefordshire* reporting (Council, *Partnership* and under public service arrangements)

9.18 **Internal Audit** – assuring that the performance improvement framework as a whole is operating effectively.

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## **Section 10 - Verification and quality assurance systems**

10.1 The main verification and quality assurance systems for this framework are as follows:

10.1.1 - a corporate pro forma for all national and local performance indicators (PIs), including the definition, method of calculation, management and responsibility for each

10.1.2 - the early production of quality-assured PI information at year-end

10.1.3 - Internal Audit focus on any qualified or new performance indicators and support to any managers with concerns or uncertainties in this area

10.1.4 - targeted Internal Audit work on LAA PIs

10.1.5 - a template that has to be completed and regularly updated for each of the individual strategic PIs that are in the Corporate Plan (amongst which are all those selected for the *Herefordshire Sustainable Community Strategy*, including the LAA); this is quality assured jointly by Corporate Policy and Research and the Partnership support team; it provides the basis for the compilation of the IPFRs

10.1.6 - advice and support from the Research Team in respect of the design and selection of all strategic PIs and the setting of appropriate targets

10.1.7 - continuing work within directorates and services, under the overall direction of the Head of Policy and Performance and delivered by the performance improvement managers, to ensure that data is accurate, valid, reliable, timely, secure and collected and presented clearly to enable effective decision-making.

10.1.8 - targeted and, where necessary, mandatory corporate programme of training for managers on planning and performance improvement, including risk management

10.1.9 - commitment from directors and heads of service to ensure that the work is driven, supported and prioritised within their services

10.1.10 - closer working with District Audit, including joint set-up and feedback sessions with performance improvement managers

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10.1.11 - the quality assurance of directorate and service plans under the direction of the Head of Policy and Performance

10.1.12 - annual internal audit of the operation of this framework, which follows as a consequence of its having been identified as one of the Council's critical systems

10.1.13 - a *Data Quality Action Plan* to ensure that the Council progressively improves its performance in this respect in accordance with the Audit Commission's guidance on best practice

10.1.14 - continuous assessment against the *Investor in People* standard

## **Data Quality**

10.2 The Council has a *Data Quality Policy*, within which five core areas have been identified to provide a common approach to the collection, recording, analysis and reporting of data across the authority. The five areas are:

### **Responsibility and accountability**

10.3 *Overall responsibility and accountability* for data quality rests, on behalf of the Council and Cabinet, with the Leader and, on behalf of the Corporate Management Board, the Chief Executive.

10.4 *Strategic responsibility and accountability* is vested in the lead member for Corporate and Customer Services and Human Resources, and the Director of Corporate and Customer Services.

10.5 *Operational responsibility and accountability* is vested corporately in the Head of Policy and Performance and, for their respective services, the heads of services.

10.6 They are supported in the discharge of these duties by designated performance improvement managers. Each performance improvement manager has a *personal responsibility*, in respect of which they account to the Head of Policy and Performance, for ensuring in his or her respective areas that data quality protocols, procedures and systems are in place and operating efficiently and effectively.

10.7 The Council and *Herefordshire Partnership* Research Team is responsible for advising on and quality-assuring the analysis, interpretation and presentation of data.

10.8 All managers and staff have a *personal responsibility and accountability* for the accuracy and sound presentation of data, and for observing associated

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protocols, procedures and systems that apply to their designated areas of work.

## **Principles governing data quality**

10.9 Data quality is an integral part of all Council business and performance management. Data used to inform plans and decision-making, including resource allocation, must be right first time and fit for purpose. Data quality is the responsibility of all who contribute to it, directly or indirectly, whether they are producers of data or users of it

## **Key requirements for assuring data quality**

10.10 All staff must be aware of the importance of data quality and take responsibility for securing it.

10.11 Up-to-date arrangements and control procedures must be documented and in operation for the ownership, security, collection, recording, collation, analysis and reporting of data.

10.12 Staff must be equipped with the knowledge, understanding, skills and tools necessary to maximise the quality of data and their effective use.

10.13 Clear performance management arrangements must be in place across the organisation to ensure that data are used appropriately to inform decision-making, including resource allocation.

10.14 Data quality must be assured through routine reporting of errors and performance reviews.

10.15 All out-turn data and collection processes must be subject to periodic audit and review.

10.16 Business continuity and security arrangements must be in place for all data and information systems.

10.17 In furtherance of the Council's commitment to working with the PCT and other partners to deliver the *Herefordshire Sustainable Community Strategy*, including through public service arrangements, protocols agreed with partners and any relevant third parties must be in place to ensure that fit-for purpose data can be shared in compliance with legal and confidentiality standards.

10.18 A documented validation process must be in operation for all data provided by partners or third parties

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## **Securing a data quality culture**

10.19 The Council is determined to embed a culture of data quality across the organisation. Elected members, managers and staff alike must act at all times with an awareness of the importance of data quality and of accuracy and integrity in the use of data. It is therefore imperative that all receive the training or development appropriate for their particular roles, responsibilities and accountabilities; and that this is reviewed and refreshed over time to meet changing requirements, needs and circumstances.

## **Monitoring and review**

10.20 Progress in giving effect to this policy, through the associated operational arrangements and the *Data Quality Action Plan*, will be monitored regularly. The Head of Policy and Performance will report on it quarterly to the lead Cabinet member and Corporate Management Board, and six-monthly to the Cabinet and the Audit and Corporate Governance Committee.

10.21 The Chief Internal Auditor will present an annual data quality audit assurance report to the lead Cabinet member and director. This will also be reported to the Audit and Corporate Governance Committee and the Corporate Management Board. It will form the basis for continuous improvements in data quality.

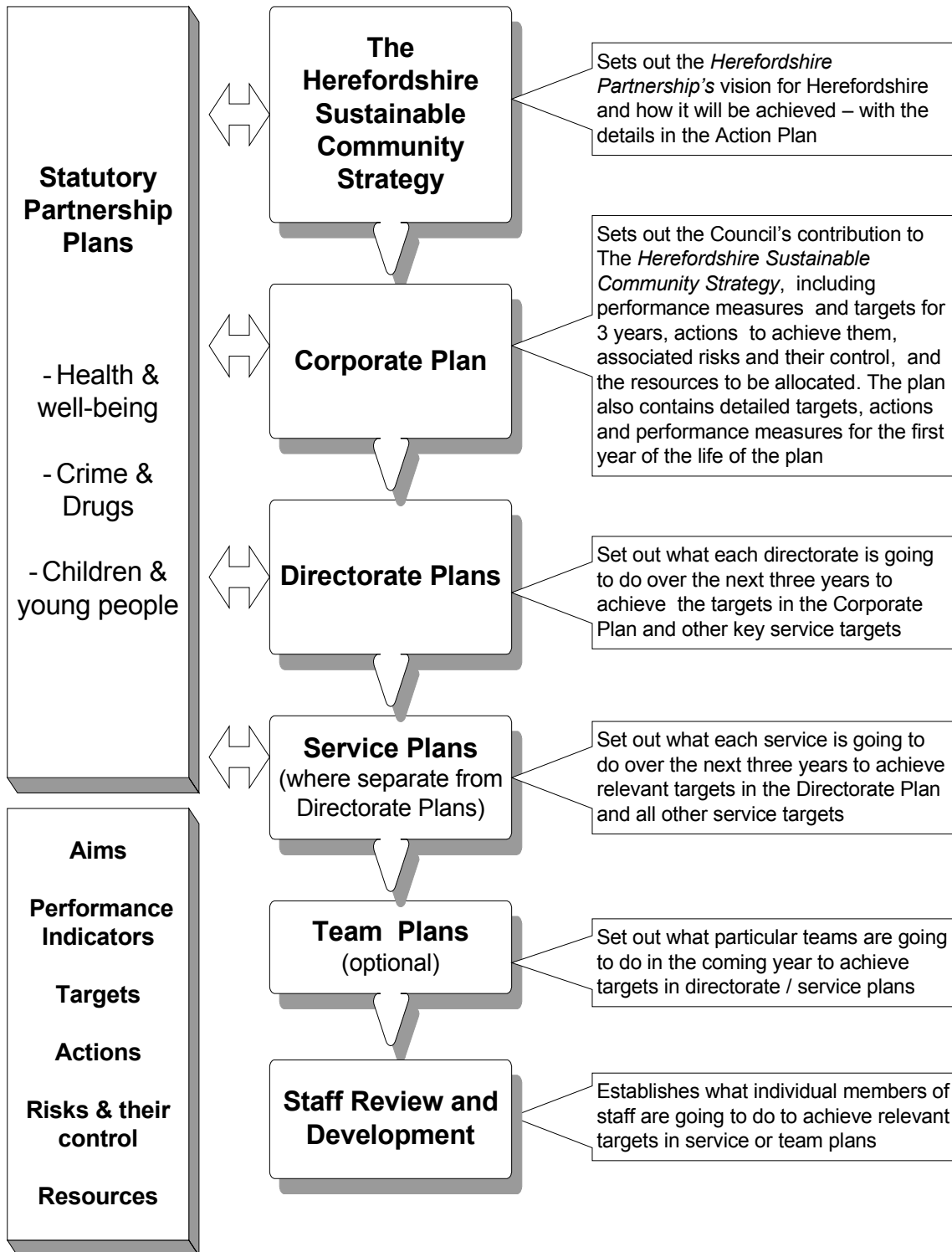
10.22 The *Data Quality Policy* and its associated operational arrangements and *Action Plan* will be reviewed and reported by the Head of Policy and Performance alongside the annual data quality audit assurance report.

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## The Corporate Planning Process

## Appendix 1





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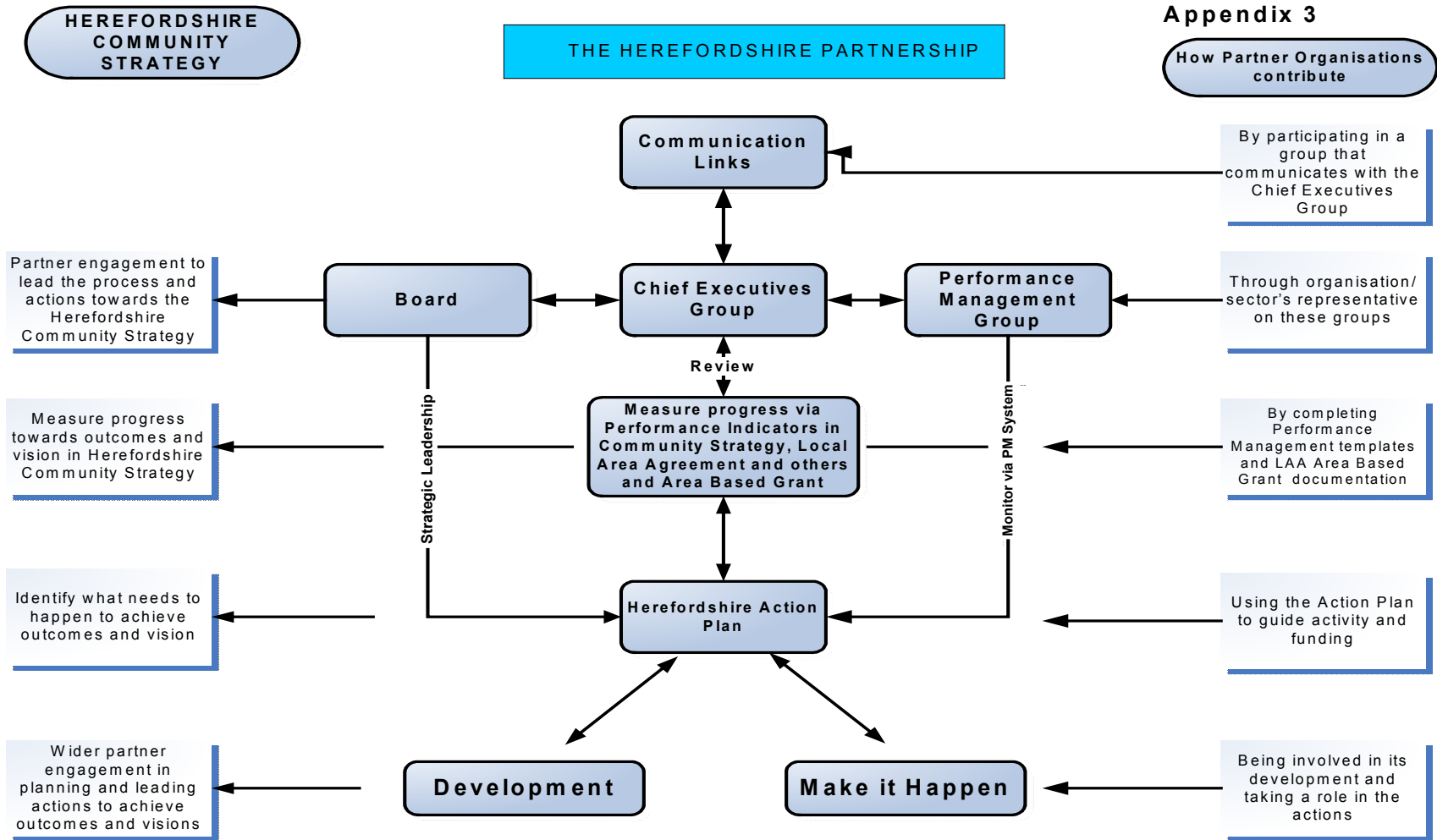
How the Council's themes & top priorities relate to the Herefordshire Sustainable  
Community Strategy (HSCS)

Appendix 2

HSCS themes	The Corporate Plan themes	The Council's top priorities	LAA priorities
<b>Children and young People</b>	<b>Children &amp; young people</b>	The best possible life for every child, safeguarding vulnerable children and improving educational attainment	<ul style="list-style-type: none"> <li>● To encourage and enable children and young people in Herefordshire to achieve their potential and participate in positive activities</li> <li>● To improve participation in, and achievement for, young people in education, employment and training post 14</li> </ul>
<b>Healthier communities and older people</b>	<b>Health and well-being</b>  <b>Older People</b>	Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives	<ul style="list-style-type: none"> <li>● Encourage and promote a healthy lifestyle with particular attention to: Reducing smoking, levels of obesity and excessive consumption of alcohol</li> <li>● Help vulnerable people to live safely and independently in their own homes</li> </ul>
<b>Economic development and enterprise</b>	<b>Economic development and enterprise</b>	The essential infrastructure for a successful economy, enabling sustainable prosperity for all	<ul style="list-style-type: none"> <li>● To improve access to integrated public and community transport, reduce traffic congestion and encourage alternatives to car use</li> <li>● Increase the economic potential of the county with a particular regard to higher skilled and better paid jobs</li> <li>● Increase access to learning and development at all levels, and increase participation, in order to raise achievement, address worklessness and improve workforce skills</li> </ul>
<b>Safer and stronger communities</b>	<b>Safer &amp; Stronger communities</b>	Affordable housing to meet the needs of local people	<ul style="list-style-type: none"> <li>● Further reduce the low levels of crime, disorder and anti-social behaviour in the county and reduce any disproportionate fear of such.</li> <li>● Increase safety for road users in the county.</li> <li>● Increase the availability of appropriate, decent and affordable housing</li> <li>● Improve the availability of sustainable services and facilities and access to them</li> <li>● Encourage thriving communities where people are able to influence change and take action to improve their area, regardless of their background.</li> <li>● Minimise domestic and commercial waste and improve recycling</li> <li>● Lead a local contribution to climate change reduction</li> </ul> <ul style="list-style-type: none"> <li>● To enhance the recovery from events that have significant and potentially long-term impacts upon the community through proactive and effective inter agency collaboration and co-ordination</li> </ul>
	<b>Organisational improvement and greater efficiency</b>	Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations	

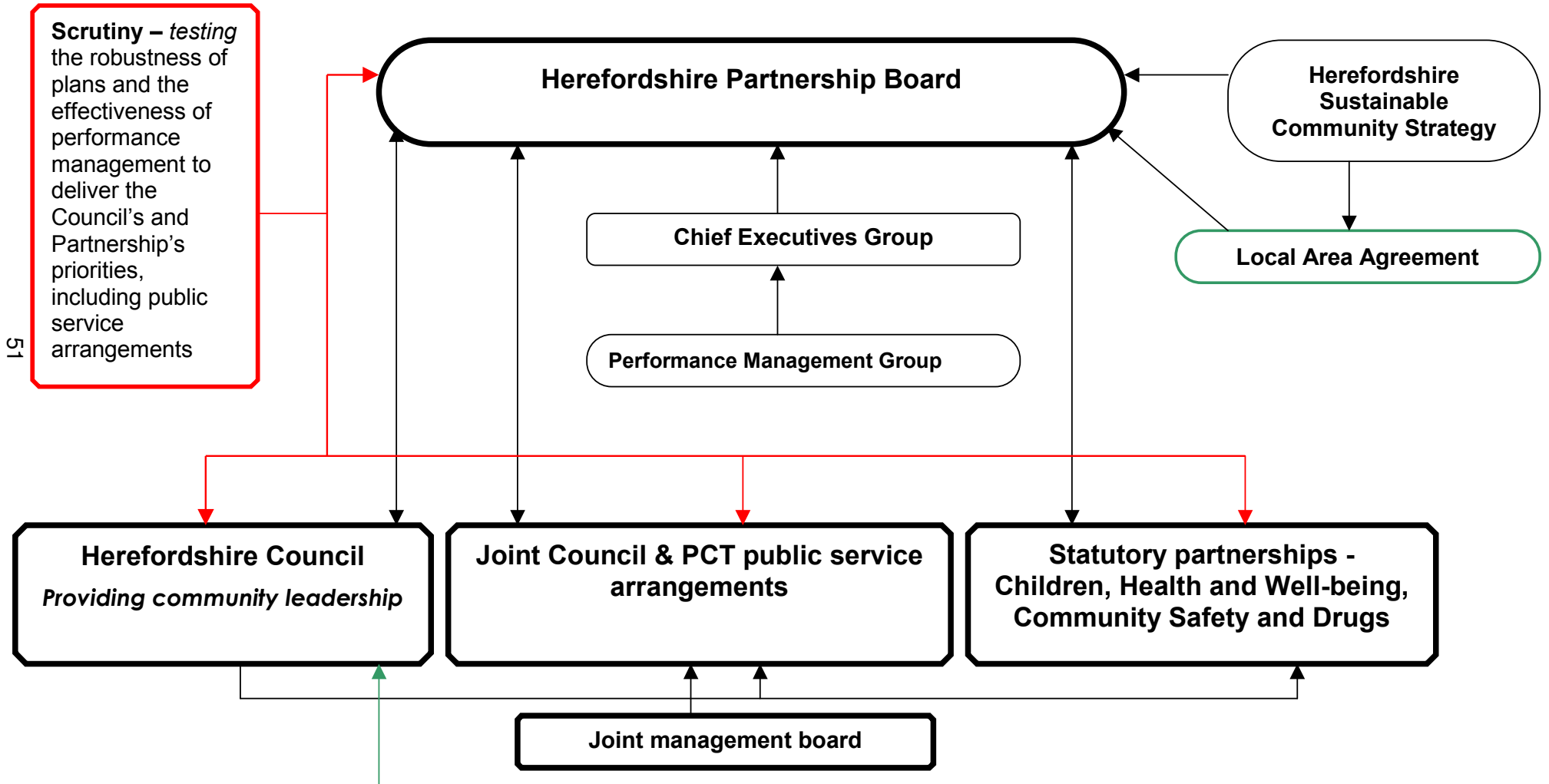
# Performance Improvement Framework

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**Current planning and performance management relationships**

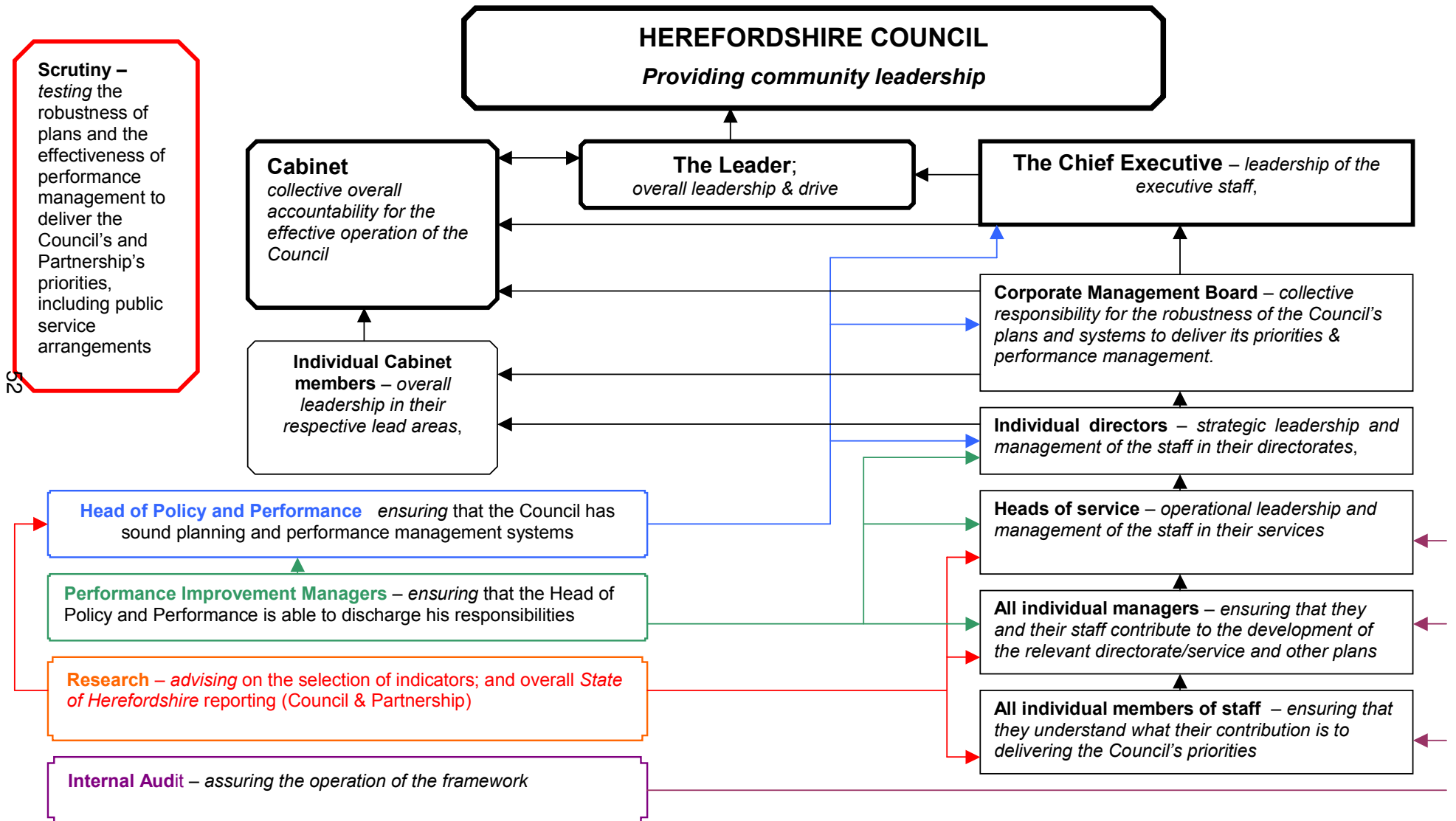
Appendix 5a



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**Herefordshire Council roles and responsibilities**

**Appendix 5b**



## Performance Improvement Framework



2008	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
LAA	Negotiation	Negotiation	Negotiation	Approval				6-month review?		
CPA/CAA		New mandatory national PIs in effect		Consultation on CAA details	Consultation on CAA details	Consultation on CAA details			APA assessments Adult Social Care & Children & young people	Last CPA assessments published?
Needs Assessment		JSNA duty in effect Agreed needs assessment programme					Mandatory biennial new Place Survey	Public consultation	Public consultation	Public consultation
Corporate Plan	Proposed Corporate Plan 2008-11 considered by Cabinet	Supplemented by emerging joint programme with PCT etc.	Corporate Plan 2008-11 approved by Council Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.
Directorate and service plans	2008-11 plans approved	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.	Issue requirements re. refreshed 2009-11 plans	Supplemented by emerging joint programme with PCT etc.	Supplemented by emerging joint programme with PCT etc.
Finance & Governance	- Council Tax & Budget set - Annual Governance statement			Statement of Accounts approved			Audit Commission Opinion on the Accounts	Updated MTFMS Annual summary of Accounts and performance published	Confirmation of the LG settlement within the three year settlement framework	Budget Advice to directorates and services
Performance reports		Month 12 IPR Leader and CX-led performance meetings		Month 2 IPR Confirmation of month 12 out-turn	Leader and CX-led performance meetings	Month 4 IPR		Month 6 IPR Leader and CX-led performance meetings		Month 8 IPR?
Human Resources	Directors & Service heads		All other managers & staff		Employee Opinion Survey	Training and Development Programme		Six-month reviews		





<b>PCT</b>	SHA confirm and challenge meetings Budget setting begins	FIMS Plan submission and LTFM	- LDP sign-off (Operating plan from 2009/10) - Budgets and Financial Plan approved by PCT Board	Final 3 year overarching plan 2009-11					1 <sup>st</sup> draft of 5 year (2010-2015) Strategic Plan Annual report published			- Operating Framework published - Strategic Plan published - PCT allocations
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## PROPOSED CORPORATE PLAN 2008-11

### PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

27 MARCH 2008

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#### Wards Affected

County-wide

#### Purpose

To ask Cabinet to commend to Council for approval the proposed Corporate Plan for 2008-11.

#### Key Decision

This is not a Key Decision.

#### Recommendations

**THAT Cabinet commends to Council for approval the proposed Corporate Plan for 2008-11, subject to such revisions as may be necessary to:**

- (a) reflect the terms of the approved new Local Area Agreement; and**
- (b) finalise the detailed content, subject to this being approved by the Chief Executive and the Leader.**

#### Reasons

Under the Council's current Performance Improvement Framework, the corporate plan is rolled forward each year. This is done in the light of the outcomes from the Performance Improvement Cycle, reviewing performance against the existing plan, setting priorities, objectives and targets for the next three years, and specifying the timetabled key actions needed to deliver them.

#### Considerations

1. **A draft of the proposed Plan is at Appendix 1.** Some targets and actions are still being negotiated. In particular, the new Local Area Agreement (LAA) is scheduled to be signed off by Government sometime in June. The draft Plan includes the proposals for the LAA as they currently exist. The Plan will need to incorporate the agreed LAA priorities, indicators and targets in due course.
2. The draft Plan is very different in form from its predecessors. Based on best practice in high-performing authorities, it is intended to get across by means of

bullet points, rather than as a narrative, both what the Council has achieved and what it is committed to doing in the future. The use of appendices makes it possible to have the best of both worlds: getting across the key points concisely for wider audiences but also providing sufficient detail to mean there isn't a need to produce something separate to manage corporate performance.

3. In particular, there is no need this time round to produce an annual operating plan as an additional document, since the draft Plan will provide the targets and key actions necessary for in-year performance reporting and management through the bi-monthly integrated performance and financial reports. Also, it will be possible to print different parts of the Plan separately for different audiences and purposes, including publicity. At the same time, the Plan can be maintained as one electronic document, with electronic links to other key documents, such as the Medium Term Financial Management Strategy and the corporate risk register.
4. In its final form the Plan will be professionally designed and include suitable pictures to illustrate the key themes and achievements.
5. The substance of the Plan is also different in some important respects:
  - while the top priorities include those in the current (2007-10) Plan in respect of children and young people, vulnerable adults and older people and the economy, these are supplemented by *Affordable housing to meet the needs of local people* and *Better services, value for money, particularly by working in partnership with the Herefordshire Primary care Trust and other local organisations*. (See page 6 of Appendix 1, which shows the relationship of the Council's top priorities and Corporate Plan themes to the Herefordshire Sustainable Community Strategy and the proposed LAA priorities.)
  - it includes initial achievements and timetabled key actions for the public service arrangements and other developing improvement programmes.
6. It will need to be refreshed as the new national indicators and the arrangements for the new system of Comprehensive Area Assessment become clear, together with the medium to longer-term programme of business transformation and performance improvement, including by means of public service arrangements.
7. Even when the full suite of new national mandatory performance indicators is confirmed, with clear definitions, it will take time to establish baselines for many of them against which targets can be set. Moreover, a lot of the proposed national indicators, including the substantial proportion that depends on surveying the public's perceptions, will not provide in-year information against which performance can be reported and managed.
8. This points to a conservative and precautionary approach to changing current key performance indicators and associated targets, until we know we have better ones (national and local) that we can rely upon. This approach is reflected in the Plan by including some relevant but untried and tested new indicators, but with the majority being the most suitable of those we already use.

9. Strategic Monitoring Committee is scheduled to consider the proposed plan at its reconvened meeting on 20 March. Its recommendations to Cabinet will be reported at the Cabinet meeting.

## **Financial Implications**

The draft Plan has been prepared so as to be fully compatible with the agreed Medium Term Financial Management Strategy (MTFMS). The only direct costs arise from the printing of the Plan, which are not expected to be more than about £6,000.

## **Risk Management**

A robust, affordable corporate plan, providing the basis for effective performance management, is a principal means of managing the risks to the achievement of the Council's priorities.

## **Alternative Options**

The Council has determined that it will have an up-to-date corporate plan. The options therefore concern what priorities, objectives, targets and key actions are included in it. These have been determined as a result of the operation of the performance improvement cycle over the past year, as reflected in the MTFMS and the Budget proposals.

## **Consultees**

The Corporate Management Board, Council managers and the Strategic Monitoring Committee.

## **Appendices**

Appendix 1 – the draft proposed Corporate Plan 2008-11.

## **Background Papers**

None identified.



***N.B. This is work in progress. It should therefore be noted that, until Cabinet has considered the draft Plan and the views of Strategic Monitoring Committee, and commended the draft Plan to Council for approval, the detailed content, including the inclusion or non-inclusion of specific projects, is to be regarded as provisional and subject to change.***

# **CORPORATE PLAN**

**2008-2011**

***Quality of life***

***Fairness and prosperity***

***Value for money***

If you need help understanding this document, or would like it in another format or language, please call 01432 xxxxxx or e-mail [xxxxxx@herefordshire.gov.uk](mailto:xxxxxx@herefordshire.gov.uk)

**3 Foreword / Introduction [N.B. Not included: in preparation]****The vision for Herefordshire and the role of the Corporate Plan**4 - *Themes and the Council's top priorities*5 - *Managing the risks to achieving the priorities***7 The planning framework****The themes in detail**8 • **Children and young people**10 • **Health and well-being**12 • **Older people**14 • **Economic development and enterprise**16 • **Safer and stronger communities**18 • **Sustainable communities**20 • **Organisational improvement and greater efficiency****Facts & Figures**22 - *What you need to know about Herefordshire*24 - *Delivering against our priorities*25 - *Awards success*26 - *What else have we done and how well have we done it?***Looking Forward**28 - *Strategic planning framework*30 - *Performance Improvement Cycle 2008-2009***Appendices**32 - *Appendix A - Overall performance in 2007-08*35 - *Appendix B - Budget*38 - *Appendix C - Satisfaction performance indicators*40 - *Appendix D - Update on our 2007-08 commitments*57 - *Appendix E - Key actions and timetables*76 - *Appendix F - Indicators and targets for 2008-11*



Foreword / Introduction by the Leader of the Council / Chief Executive

Draft

# The vision for Herefordshire and the role of the Corporate Plan

Working together in The Herefordshire Partnership, the Council, the Primary Care Trust and our other local public, private and voluntary sector partners have agreed a vision for Herefordshire in 2020. It is that:

*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.*

This vision is presented in more detail in The *Herefordshire Sustainable Community Strategy*. The themes of the strategy and how these are carried through in the *Local Area Agreement* with local partners and the Government, and in the Council's own themes and priorities, are shown in the table on page 6.

This Corporate Plan sets out what the Council intends to do over the coming three years - 2008 to 2011 - to achieve the shared vision for Herefordshire.

## Themes and the Council's priorities

United by the triple goals of *improving quality of life, fairness and prosperity, and value for money*, its seven themes are:

- **Children and young people**
- **Health and well-being**
- **Older people**
- **Economic development and enterprise**
- **Safer and stronger communities**
- **Sustainable communities**
- **Organisational improvement and greater efficiency**

Within these themes, the Council's top priorities are;

- **The best possible life for every child, safeguarding vulnerable children and improving educational attainment**
- **Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives**
- **The essential infrastructure for a successful economy, enabling sustainable prosperity for all**
- **Affordable housing to meet the needs of local people**

- Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations

In pursuing these themes and priorities we will ensure that we:

- promote equality and respect diversity
- reduce inequalities
- protect and improve the welfare of rural areas

The Corporate Plan looks back at our performance over the last year, including the results of independent assessment of the Council.

Looking forward, it sets out our targets for the coming year and for the two subsequent years. It also says what our measures of success will be and what key actions we will take, by when, to achieve the targets.

### **Managing the risks to achieving the priorities**

The Council has a systematic approach to identifying the risks to achieving its priorities, including those it is pursuing with its partners, and how these will be managed.

The major risks and the measures to mitigate them are set out in the Council's regularly updated Corporate Risk Register, which is available via the following link:

*[electronic link to be added]*

The Council plays close attention to managing the financial risks to the achievement of its priorities. Its approach is set out in detail in its latest Medium Term Financial Management Strategy, which is available via the following link:

*[electronic link to be added]*

**TABLE 1: How the Council's themes and top priorities relate to the *Herefordshire Sustainable Community Strategy (HSCS)* and the *Local Area Agreement (LAA)***

<b>HSCS themes</b>	<b>The Corporate Plan themes</b>	<b>The Council's top priorities</b>	<b>LAA priorities</b>
<b>Children and young people</b>	<b>Children and young people</b>	The best possible life for every child, safeguarding vulnerable children and improving educational attainment	<ul style="list-style-type: none"> <li>• To encourage and enable children and young people in Herefordshire to achieve their potential and participate in positive activities</li> <li>• To improve participation in, and achievement for, young people in education, employment and training post 14</li> </ul>
<b>Healthier communities and older people</b>	<b>Health and well-being</b>  <b>Older people</b>	Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives	<ul style="list-style-type: none"> <li>• Encourage and promote a healthy lifestyle with particular attention to: reducing smoking, levels of obesity and excessive consumption of alcohol</li> <li>• Help vulnerable people to live safely and independently in their own homes</li> </ul>
<b>Economic development and enterprise</b>	<b>Economic development and enterprise</b>	The essential infrastructure for a successful economy, enabling sustainable prosperity for all	<ul style="list-style-type: none"> <li>• To improve access to integrated public and community transport, reduce traffic congestion and encourage alternatives to car use</li> <li>• Increase the economic potential of the county with a particular regard to higher skilled and better paid jobs</li> <li>• Increase access to learning and development at all levels, and increase participation, in order to raise achievement, address worklessness and improve workforce skills</li> </ul>
<b>Safer and stronger communities</b>	<b>Safer and Stronger communities</b>  <b>Sustainable communities</b>	Affordable housing to meet the needs of local people	<ul style="list-style-type: none"> <li>• Further reduce the low levels of crime, disorder and anti-social behaviour in the county and reduce any disproportionate fear of such.</li> <li>• Increase safety for road users in the county.</li> <li>• Increase the availability of appropriate, decent and affordable housing</li> <li>• Improve the availability of sustainable services and facilities, and access to them</li> <li>• Encourage thriving communities where people are able to influence change and take action to improve their area, regardless of their background.</li> <li>• Minimise domestic and commercial waste, and improve recycling</li> <li>• Lead a local contribution to climate change reduction</li> <li>• Enhance recovery from events that have significant and potentially long-term impacts upon the community through proactive and effective inter-agency collaboration and co-ordination</li> </ul>
	<b>Organisational improvement and greater efficiency</b>	Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations	

# THE PLANNING FRAMEWORK

**Council Priority** - The essential infrastructure for a successful economy, enabling sustainable prosperity for all

**Council Priority** Affordable housing to meet the needs of local people

QUALITY OF LIFE

**Council Priority**  
The best possible life for every child, safeguarding vulnerable children and improving educational attainment

**SEVEN CORPORATE PLAN THEMES**

<b>Children and young people</b>	<p><i>The Herefordshire Sustainable Community Strategy vision - "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."</i></p>	<b>Organisational improvement and greater efficiency</b>
<b>Health and well-being</b>		<b>Sustainable communities</b>
<b>Older people</b>		<b>Safer and stronger communities</b>
		<b>Economic development and enterprise</b>

**Council Priority**  
Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations

FAIRNESS AND PROSPERITY

**Council Priority** - Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives

**Cross-cutting themes –**  
Protect and improve the welfare of rural areas & Promote equality, reduce inequalities and respect diversity

**VALUE FOR MONEY**

# THE CORPORATE PLAN THEMES

## Theme one - Children and young people

To maximise the health, safety, economic well-being, achievements and contribution of every child, with special emphasis on sound arrangements for safeguarding vulnerable children and securing further improvements in educational attainment

**The Council, with the Primary Care Trust and its other partners in the Herefordshire Partnership have agreed that the long-term objectives for creating a great place for every child and young person to grow up are:**

- Children and young people are healthy and have healthy lifestyles
- Children and young people are safe, secure and have stability
- Children and young people achieve educational, personal, social and physical standards
- Children and young people engage in positive behaviour inside and out of school
- Children and young people engage in further education, employment and training on leaving school

### **Our key achievements during 2007-08**

- 78 schools will have achieved the Healthy Schools Standard by March 2008
- The Tellus2 survey reported that more children and young people feel safe in Herefordshire than nationally
- There have been substantial improvements in educational standards at Key Stage 4 since 2005, with 93.4% of young people achieving 5 or more A\*-G grades at GCSE in 2007
- At Key Stage 3 Herefordshire pupils achieved 4% above the national average at levels five plus and six plus in 2007 exams
- 31% of young people feel that Herefordshire Council gives them the opportunity to influence decision making, a significant improvement on the 19.2% who said so in 2005
- The percentage of 16-18 year olds not in education, employment or training has been reduced to below the national average
- The number of families in bed and breakfast accommodation has been reduced from 55 in 2006 to 3 in 2007

### **Our key commitments during 2008-09**

- Increase the percentage of initial assessments of children in need completed within seven days
- Improve educational attainment at Key Stages 1 and 2
- Implement an area-wide programme for 14-19 learning
- Implement CAFTAC (Common Assessment Framework – Team Around the Child) county-wide, in tandem with other national strategies
- Develop the Youth Service to meet the new Targeted Youth Support and Positive Activities agenda
- Reduce the number of households in temporary accommodation

### **Our key commitments for future years - 2009-11**

- Maintain and enhance educational standards at all Key Stages
- Continue to work with schools and communities to secure the best possible sustainable school education for the future
- Conclude the roll-out of children's centres and extended schools
- Embed Children's Trust arrangements, including targeted and pooled resources to secure effective commissioning of services for children and young people
- Implement the Primary Capital Strategy, Building Schools for the Future and the Academy

### **Measures of success in 2011**

- Earlier intervention and prevention services delivered through multi-agency integrated teams based in localities
- Joint commissioning of services across all Children's Trust agencies
- Improved performance at all Key Stage examinations
- Emotional health of children and young people enhanced

## Key Performance Indicators (KPIs) for Children and Young People this coming year

### Council KPIs

- NI 59 Initial assessments for children's social care carried out within 7 working days of referral
- NI 64 Child protection plans lasting 2 years or more
- NI 65 Children becoming the subject of a Child Protection Plan for a second or subsequent time
- NI 66 Looked after children cases which were reviewed within required timescales
- NI 67 Child protection cases which were reviewed within required timescales
- NI 68 Referrals to children's social care going on to initial assessment
- NI 93 Progression by 2 levels in English between KS1 and KS2
- NI 94 Progression by 2 levels in Maths between KS1 and KS2

### KPIs in the Local Area Agreement on which the Council leads (⊗ denotes a statutory indicator)

- NI 57 Children and young people's participation in high-quality PE and sport
- NI 69 Children who experienced bullying
- NI 72 ⊗ Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy
- NI 73 ⊗ Key Stage 2 - to increase the proportion achieving level 4+ in both English and Maths
- NI 74 ⊗ Key Stage 3 - to increase the proportion achieving level 5+ in both English and Maths
- NI 75 ⊗ Key Stage 4 - to increase the proportion achieving 5 A\*-C grades at GCSE and equivalent, including GCSE English & Maths
- NI 83 ⊗ Key Stage 3 - to increase the proportion achieving level 5 in science
- NI 87 ⊗ Attendance - to reduce the number of persistent absentee pupils in secondary schools
- NI 91 Participation of 17 year-olds in education, employment or training
- NI 92 ⊗ Narrowing the gap between the lowest achieving 20% in Early Years Foundation Stage Profile and the rest
- NI 93 ⊗ Key Stage 1-2 - to improve the proportion progressing two national curriculum levels in English
- NI 94 ⊗ Key Stage 1-2 - to improve the proportion progressing two national curriculum levels in Maths
- NI 95 ⊗ Key Stage 2-3 - to improve the proportion progressing two national curriculum levels in English
- NI 96 ⊗ Key Stage 2-3 - to improve the proportion progressing two national curriculum levels in Maths
- NI 97 ⊗ Key Stage 3-4 - to improve the proportion progressing the equivalent of 2 national curriculum levels in English
- NI 98 ⊗ Key Stage 3-4 - to improve the proportion progressing the equivalent of 2 national curriculum levels in Maths
- NI 99 ⊗ Children in care - to increase the proportion achieving level 4+ in English at Key Stage 2
- NI 100 ⊗ Children in care - to increase the proportion achieving level 4+ in Maths at Key Stage 2
- NI 101 ⊗ Children in care - to increase the proportion achieving 5 A\*-C grades at GCSE and equivalent, including GCSE English and Maths
- NI 110 Young people's participation in positive activities
- NI 117 16-18 year olds who are not in education, employment or training

### KPIs in the Local Area Agreement on which one of our partner organisations leads

- NI 51 Effectiveness of child and adolescent mental health (CAMHs) services – PCT lead
- NI 56 Obesity among primary school age children in Year 6 - PCT lead

## Theme two - Health and well-being

To improve the health and well-being of all our citizens aged 18-64, reducing health inequalities and maximising the independence of disadvantaged people

Note – Information still to be agreed is shaded in yellow

**The Council and the Primary Care Trust, with their partners in the Herefordshire Partnership, have agreed that the long-term objectives to enable 18-64 year-olds to have the best possible health and well-being are:**

- Healthy life-styles
- Modernised health and social care services that maximise people's control and independence
- The reduction of health inequalities
- Protection from abuse, exploitation and discrimination
- Improved quality of life through access to leisure, social activities, life long learning and to universal services
- Sufficient income and decent, affordable housing

### **Our key achievements during 2007-08**

- Helped over 340 people with physical disabilities to live at home
- Helped over 300 people with learning disabilities to live at home
- Helped over 430 people with mental health problems to live at home
- The *Supporting People* programme is currently helping over 3,300 people across the county
- Enabled 128 people to choose their own care arrangements through direct payments
- Over 96% of equipment delivered within 7 days

### **[Learning disability improvements – highlights as a result of the action plan – to be added in final plan]**

- Comprehensive assessments of future health and social care needs for people with physical disabilities and people with mental health problems, and the patterns of service required to meet them
- Setting up of Woodside Flats as an assessment resource.
- Joint Intermediate Care post to establish integrated service across health and social care.
- Consultations held with users, carers and providers to improve day care services
- Increased numbers of people with learning disabilities receiving individual budgets
- Everyone known to us with a learning disability is now registered with a GP
- Have ensured that GPs can identify everyone on their lists who has a learning disability.

### **Our key commitments during 2008-09**

- Joint health and social care commissioning plans to secure modern, more effective services for people with mental health problems, learning disabilities, physical disabilities
- Establish single access point intermediate care service, increasing the number of intermediate care places to prevent hospital admission and secure timely discharge
- Embed the Single Assessment Process across partner organisations.
- Ensure equality of access to health services.
- Develop and implement a mental health rehabilitation and recovery service.
- Ensure that users are appropriately assessed for continuing health care eligibility.
- Ensure all users feel safe.
- Extend self-directed care (direct payments and individual budgets) to as many people as possible
- Increase the range and availability of support to carers.
- Maximise the number of people accessing health care on a planned rather than an unplanned basis

### **Our key commitments for future years - 2009-11**

- Ensure information, advice and advocacy is available to all
- Ensure self-directed care and personalised budgets are offered to the majority of service users
- Increase the range and availability of support to carers.
- Use the Transformation Grant to improve dementia services
- Integrate health and social care across front-line services

### **Measures of success in 2011**

- Improved health and emotional well-being – More people enjoying good physical and mental health.



More people enabled to manage their long-term conditions independently.

- Improved quality of life – More people having access to leisure, social activities and life-long learning. More people feeling safe and secure at home and in the community.
- Making a positive contribution – More people involved in local activities and in policy development and decision making affecting their lives.
- Increased choice and control – More people choosing and controlling services and able to manage risks in their personal lives.
- Freedom from discrimination and harassment – Improved access to services and fewer people suffering abuse or exploitation
- Economic well-being – More people having sufficient income for good diet and to meet their individual needs.
- Maintaining personal dignity and respect – More people clean and comfortable, enjoying a clean and healthy environment. More people able to participate in family and community life.

### Key Performance Indicators (KPIs) for Health and well-being this coming year

#### Council KPIs

- NI 8 Adult participation in sport
- NI 130 Social care users receiving self-directed support (direct payments and individual budgets)
- NI135 Carers receiving needs assessment or review and a specific service or advice and information (aged 18-64)
- C30 Number of adults with learning difficulties helped to live at home (74HC)
- C31 Number of adults with mental health difficulties helped to live at home (74HC)
- C29 Number of adults with physical difficulties helped to live at home (74HC)
- D54 Delivery of equipment
- *Local indicator to be agreed around safeguarding*
- *Local indicator to be agreed around council tax / housing benefit*

#### KPIs in the Local Area Agreement on which the Council leads

- NI 130 Social care users receiving self-directed support (direct payments and individual budgets)
- NI 135 Carers receiving needs assessment or review and a specific service or advice and information
- NI 142 Number of vulnerable people who are supported to maintain independent living

#### KPIs in the Local Area Agreement on which one of our partner organisations leads

- NI 39 Alcohol harm related hospital emissions - PCT
- NI 121 Mortality rate from all circulatory diseases at ages under 75 - PCT
- NI 123 16+ current smoking rate prevalence - PCT

## Theme three - Older People

To ensure that older people remain healthy, independent and active, continuing to live in their local communities and contribute to them.

Note – Information still to be agreed is shaded in yellow

**The Council, the Primary Care Trust and their partners in the Herefordshire Partnership have agreed that the long-term objectives for older people to live fulfilled lives are:**

- Staying involved
- Feeling and being safe
- Having enough money and avoiding social isolation
- Staying healthy and independent
- Exercising individual choice and control

### **Our key achievements during 2007-08**

- Over 96% of items of equipment delivered to service users within 7 days.
- New mental health domiciliary care service in place
- Roving night service in place.
- Leadon Bank extra-care housing up and running
- Nearly 4,000 people have received support from the joint welfare benefits team, enabling them, to access additional income of £4.2m
- Through the Signposting service, nearly 1,500 people have received a total of 3,000 services to enable them to remain independent at home.
- Over 550 people have received a Telecare service to maximise their independence
- Over 900 footcare sessions have been delivered to help prevent falls and maintain independence. (Figures to end 3<sup>rd</sup> quarter)
- 38 older people are benefiting from direct payments (as at 31<sup>st</sup> Jan)
- Village wardens have provided over 1,500 client contacts to enable people to remain safely in their own homes – data as at 31<sup>st</sup> Aug 2007 – to be updated.
- A new 'Just Checking' monitoring service has been launched to monitor safety and independence at home – eight people helped by this since January.

### **Our key commitments during 2008-09**

- Increase options to support people in their own homes.
- Increase the number, type and use of supported housing options.
- Extend the delivery of person-centred services
- Introduce the option of self-directed care and individual budgets to older people. (This option has previously only been available to people with learning disabilities)
- Increase the range and availability of support to carers.
- Increase the uptake of benefits
- Increase the number of people remaining at home after receiving an intermediate care service
- Ensure easier access to services by providing them closer to home, including working with the PCT to provide more flexible GP surgery opening hours
- Tackling inequalities and causes of ill-health, by developing effective prevention strategies
- Implement the Older Person's Strategy, *Growing Older in Herefordshire* to improve the quality of life for older people.

### **Our key commitments for future years 2009-11**

- Ensure information, advice and advocacy is available to all
- Ensure self-directed care and personalised budgets are offered to the majority of service users
- Increase the range and availability of support to carers.
- Use the Transformation Grant to improve dementia services
- All services treat Older People with dignity and respect
- Integrate health and social care across front-line services

### **Measures of success in 2011**

- Improved health and emotional well-being – More older people enjoying good physical and mental health. More older people enabled to manage their long-term conditions independently.

- Improved quality of life – More older people having access to leisure, social activities and life-long learning. More older people feeling safe and secure at home and in the community.
- Making a positive contribution – More older people involved in local activities and in policy development and decision making affecting their lives.
- Increased choice and control – More older people choosing and controlling services and able to manage risks in their personal lives.
- Freedom from discrimination and harassment – Improved access to services and fewer older people suffering abuse or exploitation
- Economic well-being – More older people having sufficient income for good diet and to meet their individual needs.
- Maintaining personal dignity and respect – More older people clean and comfortable, enjoying a clean and healthy environment. More older people able to participate in family and community life.

### **Our Key Performance Indicators (KPIs) for Older People this coming year**

#### **Council KPIs**

- NI 125 Achieving independence for older people through rehabilitation/intermediate care
- NI 130 Social care clients receiving self-directed support – older people
- NI 131 Delayed transfers of care from hospitals
- NI 135 Carers receiving needs assessment or review and a specific service or advice and information – older people
- NI 136 People supported to live independently through social services (older people element, similar to former Helped to live at home indicator (C32))
- *Indicator to be agreed around intensive homecare*
- The gap between the percentage of people 65 and over using home care services provided through Social Care, and people 65 and over who directly purchased services using Direct Payments, who report being satisfied with the help they received from Herefordshire Social Care and perfection (100%) *(This is an LPSA indicator that needs to be managed for 2008-09)*
- *Local indicator to be agreed around safeguarding*
- Number of people using Telecare
- *Local indicator to be agreed around number of people remaining at home after an intermediate care service*
- C72 Reduction in new admissions to residential care

[DN –to be supplemented, where possible, to address the wider implications of the *Older Peoples Strategy*]

#### **KPIs in the Local Area Agreement on which the Council leads**

- NI 130 Social care clients receiving self-directed support
- NI 135 Carers receiving needs assessment or review and a specific service or advice and information
- NI 136 People supported to live independently through social services
- NI 39 Alcohol harm related hospital emissions - PCT
- NI 121 Mortality rate from all circulatory diseases at ages under 75 - PCT
- NI 123 16+ current smoking rate prevalence - PCT

## Theme four - Economic development & enterprise

To secure the essential infrastructure for a successful economy by improving business, learning and employment opportunities in Herefordshire, enabling sustainable prosperity for all

**The Council and its partners in the Herefordshire Partnership's have agreed that the long-term objectives for ensuring there are opportunities for all people and businesses to prosper are:**

- More and better paid employment
- A more adaptable and higher skilled workforce
- Reduced traffic congestion through access to better integrated transport provision

### **Our key achievements during 2007-08**

- Retail developer selected for the Edgar Street Grid
- Outline planning permission secured for Model Farm employment site
- Redundant building grants totalling £215,141 were awarded to 8 Herefordshire projects during 2007-08. These projects will create or safeguard 53 jobs over the next 5 years.
- New Rotherwas relief road started
- Enterprise Centre at Rotherwas started
- Funding for Rotherwas Futures secured
- Over £290m tourism contribution to the economy

### **Our key commitments during 2008-09**

- Retail Quarter started on Edgar Street Grid
- Edgar Street Grid Urban Village partner secured
- Increase the number of bus journeys made compared to 2006-07
- Detailed planning permission secured for Model Farm, Live/Work developer appointed and Advantage West Midlands funding secured for infrastructure
- Completion of Rotherwas Relief Road
- Rotherwas Futures Phase 2 (Southern Magazine employment units) commenced
- Redundant Building Grant of over £500,000 to be used to complete 25 projects, creating 120 new jobs
- Inward investment strategy completed
- Continued development of home / work business support
- Vision for Hereford City strategy to be produced
- Engage 1,500 residents in adult and community learning courses

### **Our key commitments for future years - 2009-11**

- Increase the proportion of all major planning applications processed within 13 weeks
- Increase the number of bus journeys made compared to 2006-07
- Construction of Model Farm employment units commenced and first units completed
- Commence construction of Retail Quarter and on- and off-site infrastructure
- Units on Rotherwas Futures phase 2 completed and site infrastructure in place
- Implement the inward investment strategy

### **Measures of success in 2011**

- Model farm business and Live/Work units available for new businesses
- Edgar Street Grid retail quarter work commenced
- Rotherwas Futures phase 2 completed and units available for rent
- Inward investment attracted

**Our Key Performance Indicators (KPIs) for *Economic development* and enterprise this coming year**

**Council KPIs**

- NI 161 Learners achieving a Level 1 qualification in literacy
- NI 162 Learners achieving an Entry Level 3 qualification in numeracy
- NI 167 Congestion – average journey time per mile during the morning peak
- NI 168 Principal roads where maintenance should be considered
- NI 169 Non-principal roads where maintenance should be considered
- NI 171 VAT registration rate
- NI 172 VAT registered businesses in the area showing growth

**KPIs in the *Local Area Agreement* on which the Council leads**

- NI 13 Migrants' English language skills and knowledge
- NI 152 Working age people on out of work benefits
- NI 167 Congestion – average journey time per mile during the morning peak
- NI 168 Principal roads where maintenance should be considered
- NI 169 Non-principal roads where maintenance should be considered
- NI 171 VAT registration rate

**KPIs in the *Local Area Agreement* on which one of our partner organisations leads**

- NI 163 Working age population qualified to at least Level 2 – Learning and Skills Council LSC

# Theme five - Safer and stronger communities

To develop stronger, more inclusive communities and create a safer place to live, work and visit.

**The Council and its partners in the Herefordshire Partnership have agreed that the long-term objectives for developing stronger and safer communities in which to live are:**

- Reduce levels of crime, drug-misuse, anti-social behaviour and the fear of these things
- Reduce the number of road accidents
- Ensure that people have a sense of belonging and are active in their communities
- Ensure that inequalities are reduced, so that fewer are disadvantaged
- Increase access to services and facilities
- Ensure there is affordable housing for local people

## **Our key achievements during 2007-08**

- Completion of the Museum Resource Centre
- Completion of phase 2 of Aylestone Park
- New mobile library vehicles introduced, with a direct link to the main library catalogue
- 79% of people said that they were satisfied with their local community as a place to live, and 49% thought that people from different backgrounds got on well together
- 69% of residents were satisfied with parks and open spaces, 48% were satisfied with theatres and 46% were satisfied with museums and galleries
- Helped to resolve over 60 complaints alleging discriminatory treatment
- Hepatitis C awareness project carried out in October and highlighted nationally as best practice by the Department of Health.
- Between January to October 2007, 120 referrals were made to the Drugs Intervention Programme and all were acted upon.
- Christmas alcohol awareness campaign to encourage safer drinking - results of evaluation due in April
- Sports Referral project nominated for a BBC Midlands Sports award
- *Retail radios* in shops and pubs in the market towns linked up to the main CCTV control room.
- *Herefordshire Compact* in place to promote and support partnership working between the voluntary and community sector and public bodies
- 575 grant enquiries from partners in the private, public and voluntary and community sectors responded to in 2007, resulting in £350,000 of additional external funding being secured to fund a range of social, cultural and learning projects in local communities.

## **Our key commitments during 2008-09**

- A reduction in the number of adults killed or seriously injured in road accidents
- All pedestrian crossings in the county to have facilities for disabled people
- *Herefordshire Community Safety and Drugs Partnership Strategy 2008-11* to be launched
- Harm reduction strategy for Herefordshire to be completed and implemented
- *Hidden harm* report, looking into the risks facing children with drug-misusing parents, to be completed and implemented
- Improve the public's perception of levels of crime, drugs mis-use, anti-social behaviour and the safety of our roads.
- Development of codes of good practice to support the *Herefordshire Compact*
- Secure external LEADER funding for social and community priorities in rural areas
- Secure external Rural Regeneration Zone funding to support multi-use centres in rural areas.
- Deal positively with all complaints alleging discriminatory treatment
- Run a series of events and activities to encourage reading as part of the National Year of Reading.
- Work with independent museums to achieve national accreditation that reflects their improvement as centres for local people and visitors
- Build on the success of h.art (Herefordshire Art Week) and Hereford Contemporary Crafts Fair, with increased visitor numbers / sales at both events.
- Work to commence on development of the Ledbury Centre at the Masters House site
- Support Herefordshire's involvement in London's 2012 Olympics

### **Our key commitments for future years - 2009-11**

- A reduction in the number of people killed or seriously injured in road accidents
- Implementation of the *Herefordshire Community Safety and Drugs Partnership Strategy*
- Ledbury Centre - to be developed at Masters House site
- Ross on Wye library refurbished to accommodate *Info in Herefordshire*
- Deal positively with all complaints alleging discriminatory treatment
- Relocate the library in Hereford to a new multi-use customer and cultural centre on the Edgar Street Grid.
- Development of phases 3, 4 & 5 of Aylestone Park
- Support Herefordshire's involvement in the London 2012 Olympic Games.
- Establish a talent identification programme in preparation for the 2012 Olympic Games.

### **Measures of success in 2011**

- Overall satisfaction with the local area as a place to live
- Higher levels of satisfaction for quality of life indicators
- Fewer people killed or seriously injured in road accidents
- Hereford Centre built on the Edgar Street Grid
- A network of multi-use centres across Herefordshire
- Greater community cohesion
- Increase the number of drug users in effective treatment
- Further reduction in crime levels, anti-social behaviour, drug misuse and fear of crime

### **Our Key Performance Indicators (KPIs) for Safer and stronger communities this coming year**

#### **Council KPIs**

- NI 1 Percentage of people who believe people from different backgrounds get on well together in their local area
- NI 3 Civic participation in the local area
- NI 4 Percentage of people who feel they can influence decisions in their locality
- NI 9 Use of public libraries
- NI 17 Perceptions of anti-social behaviour
- NI 21 Dealing with local concerns about anti-social behaviour and crime by the local council and police
- NI 47 People killed or seriously injured in road traffic accidents

#### **KPIs in the Local Area Agreement on which the Council leads**

- NI 1 Percentage of people who believe people from different backgrounds get on well together in their local area
- NI 4 Percentage of people who feel they can influence decisions in their locality
- NI 6 Participation in regular volunteering
- NI 9 Use of public libraries
- NI 11 Engagement in the Arts
- NI 17 Perceptions of anti-social behaviour
- NI 40 Drug users in effective treatment
- NI 47 People killed or seriously injured in road traffic accidents

#### **KPIs in the Local Area Agreement on which one of our partner organisations leads**

- NI 19 Rate of proven re-offending by young people – Youth Offending Team
- NI 30 - Re-offending of prolific and priority offenders - West Mercia Constabulary
- NI 115 substance misuse by young people - Young Persons Substance Misuse Group

## Theme six - Sustainable communities

To protect the environment, including producing much less waste, recycling much more of what remains and significantly reducing carbon emissions; and to provide an efficient and effective planning system that supports this objective, as well as enabling the supply of sufficient affordable housing and employment.

**Protecting the environment is important for Herefordshire residents. The Council and its partners in the Herefordshire Partnership have agreed that the long-term objectives for making Herefordshire a greener and more sustainable place in which to live are:**

- To secure cleaner, greener communities
- To ensure there is affordable housing for local people
- To enable the provision of accessible, sustainable employment opportunities

### **Our key achievements during 2007-08**

- Retained the International Environmental Management Standard - ISO 14001 - for the whole Council
- Received the Institution of Civil Engineers Best Civil Engineering Project award in the West Midlands for the restoration of the Victoria footbridge
- The new Whitecross Eco-school was awarded the 'Best Sustainable Innovation' category at the Local Authority Building Control National Built-in Quality Awards.
- The amount of household waste collected has been reduced, and the proportion of that waste recycled and composted increased
- Reduced the percentage of roads and streets falling below an acceptable levels of cleanliness from 17% in 2006 to 14% by December 2007
- 150 affordable homes delivered
- 100 empty properties brought back into use during the year.
- Continued to deal with planning applications promptly – 69% of all major applications were dealt with within 13 weeks compared to the statutory standard of 60%
- Obtained funding of over £7m and started work on flood alleviation scheme at Ross
- Co-ordinated nearly £2m worth of highway and other repairs following the floods in July 07

### **Our key commitments during 2008-09**

- New crematorium to come on-stream in November 2008
- Continue to reduce the amount of residual waste per household and increase the proportion of waste recycled or composted
- Continue to improve street cleanliness
- Local Development Framework to be developed further
- 298 affordable homes to be delivered
- Bring back into use 38 properties that have been empty for more than 6 months
- Continue to deal with planning applications in good time
- Reduce the carbon emissions from our own operations
- Reduce the number of households in temporary accommodation

### **Our key commitments for future years - 2009-11**

- Increase the percentage of household waste recycled or composted
- Continue to reduce the amount of residual waste per household and increase the proportion of waste recycled or composted
- Continue to improve street cleanliness
- Continue to deliver affordable homes throughout county
- Continue to deal with planning applications in good time

### **Measures of success in 2011**

- Planning applications dealt with within 13 weeks
- Retain the International Environmental Management Standard - ISO 14001 - for the whole Council
- Reduce the Council's own carbon emissions
- The proportion of all new housing that is affordable will be higher
- Reduced amount of residual waste per household and increased proportion of waste recycled or composted
- Cleaner streets



## Our Key Performance Indicators (KPIs) for Sustainable communities this coming year

### Council KPIs

- NI 155 Number of affordable homes delivered (gross)
- NI 156 Number of households living in temporary accommodation
- NI 175 Access to services and facilities by public transport, walking and cycling
- NI 185 CO<sub>2</sub> reduction from Local Authority operations
- NI 187 Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating
- NI 191 Residual household waste per head
- NI 195 Improved street and environmental cleanliness (levels of graffiti, litter, detritus and fly posting)
- NI 197 Improved local biodiversity – active management of local sites

### KPIs in the Local Area Agreement on which the Council leads

- NI 37 Awareness of civil protection arrangements in the local area
- NI 154 Net additional homes provided
- NI 155 Number of affordable homes delivered (gross)
- NI 156 Number of households living in temporary accommodation
- NI 159 Supply of ready to develop housing sites
- NI 175 Access to services and facilities by public transport, walking and cycling
- NI 186 - Per capita reduction in CO<sub>2</sub> emissions in the local authority area
- NI 187 Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating
- NI 191 Residual household waste per head
- NI 197 Improved local biodiversity – active management of local sites

## Theme seven - Organisational improvement and greater efficiency

To secure better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations

**In order to be a consistently high performing organisation, focused on the needs of its communities, the Council has the following long-term objectives:**

- To work in an ever-closer relationship with the Herefordshire Primary Care Trust, so as to improve outcomes for users and citizens and provide better value for money for tax-payers
- To secure the highest possible levels of efficiency savings and value for money, including through better working arrangements with its key partners, so as to maximise investment in front-line services and minimise Council Tax increases
- To ensure that its essential assets, including schools, other buildings, roads and ICT, are in the right condition for the long-term, cost-effective delivery of services
- To ensure business continuity in the face of emergencies
- better to understand the needs and preferences of service users and Council Tax-payers, and to tailor services accordingly
- To recruit, retain and motivate high quality staff, ensuring that they are trained and developed so as to maximise their ability and performance
- To embed corporate planning, performance management and project management systems so as to continue to drive up service standards and efficiency
- To ensure data quality of the highest standard

### **Our key achievements during 2007-08**

- Council Tax increased by only 3.8%, well below the national average
- Front-office services for Planning and Environmental Health, Trading Services and handling calls on Council Tax transferred to *Info*. Centres. Back-office services made more efficient and effective
- Established the customer call centre
- Achieved efficiency savings of £4.2 million, of which £3.5 million were cash-releasing
- Improved employee satisfaction – for example, 75% of staff agreed that the Council is good to work for, (up from 69% the previous year); and 69% of staff feel kept informed about plans, priorities and performance (up from 63%)
- Appointment of single chief executive for the Council and PCT
- Recruitment of single director for public health
- Joint emergency planning unit established with the PCT and the Herefordshire Hospitals Trust
- Joint approach to risk management established with the PCT
- Signed an information-sharing agreement between the Council and the PCT
- The Environment Directorate achieved the International Quality Management Standard ISO 9001
- Data quality policy and action plan in place, so as to achieve best practice standards
- Organisation structures of the Council, the Primary Care Trust and the *Herefordshire Partnership* reviewed (to be updated when decisions announced)
- We became the first employer in the county to sign a Local Employment Partnership (LEP) to offer work trials, New Deal placements and one-to-one mentoring for people seeking work

### **Our key commitments during 2008-09**

- Joint Strategic Needs Assessment for health and social care carried out with the PCT and other partners
- A more general programme of needs assessment – including the economy, the environment and communities – carried out with *Herefordshire Partnership* partners
- Joint Council and PCT health and social care commissioning plans for older people, mental health, physical disability and learning disabilities
- Implement the information-sharing agreement between the Council and the PCT
- Appointment of a single director for commissioning for the Council and the PCT
- A modern, fit-for-purpose social care ICT system that will improve the efficiency and effectiveness of services for children and adults
- Implementation of new Council, PCT and *Herefordshire Partnership* organisation structures
- Implement revised governance arrangements for the *Herefordshire Partnership*

- Cash-releasing efficiency savings of some £3 million
- Begin a revised accommodation strategy to rationalise the Council and PCT estate
- *Investor in People* accreditation
- More efficient and effective tourist information centres
- Achieving major improvements in data quality systems
- Strengthen arrangements for consultation and engagement with the public and service users, focusing particularly on disadvantaged groups
- Satisfaction surveys and follow-up work to establish the reasons for dissatisfaction, so as to improve services and outcomes for people
- Continue to update Equality Impact Assessments
- Prepare effectively with partners for the new system of Comprehensive Area Assessment
- Strengthened scrutiny arrangements that make a major contribution to planning and performance management across the Council, the PCT and the *Herefordshire Partnership*

#### Our key commitments for future years - 2009-11

- Deeper and broader public service arrangements with the Primary Care Trust to improve outcomes for people and value for money
- Full rationalisation of front- and back-office functions
- Complete the rationalisation of the Council and PCT estates.
- Meet the new statutory duty to involve local people in decisions, including changes to the complaints process and the handling of public petitions
- Reaching level 4 of the equality standard for local government

#### Measures of success in 2011

- Measurable improvements in health and social care outcomes for people
- Higher levels of public and user satisfaction
- An improved Direction of Travel assessment
- An improved Use of Resources assessment
- Demonstrable improvements in value for money across the council
- Emergencies dealt with successfully
- Maintained *Investor in People* accreditation

#### Our Key Performance Indicators (KPIs) for Organisational improvement and greater efficiency this coming year

##### Council KPIs

- Direction of Travel assessment
- 101 HC Use of Resources score
- NI 179 Value for money – total net value of ongoing cash-releasing value for money gains that have impacted since the start of the financial year
- 73 HC Investors in people accreditation
- VFM HR SI 1 - Average days per full-time employee per year invested in learning and development
- BVPI 11b Percentage of the top 5% of local authority staff who are from an ethnic minority
- BVPI 11c Percentage of the top paid 5% of staff who have a disability (excluding those in maintained schools)
- VFM HR PI 5 Average working days per employee (full time equivalent) per year lost through sickness absence
- VFM HR SI 10 Percentage of leadership posts occupied by women
- VFM HR SI 11 Percentage of employees who consider themselves to have a disability
- VFM HR SI 12 Percentage of Black and Minority Ethnic (BME) employees in the workforce
- NI 14 Avoidable contact: the average number of customer contacts per received customer request
- Local indicator - Judgement awarded by the Audit Commission on the Council's data quality arrangements
- VFM SI 5 The percentage of total non-pay channelled directly through collaborative procurement arrangements with other buying organisations
- VFM ICT PI 7 – Commissioner and user satisfaction index
- VFM ICT SI 3 – Unavailability of ICT services to users

# FACTS AND FIGURES – 1

## What you need to know about Herefordshire

### Size

- Herefordshire covers 842 square miles

### Population

- The current population is 177,800 (source; Office of National Statistics (ONS) 2006 mid year estimate)
- 24% of the population is over retirement age (compared to 19% nationally) (source; ONS 2006 mid year estimate)
- In 2005 3.7% of the county's population was from an ethnic minority (compared to 15.3% nationally) (source; ONS)

### Employment

- 18% of jobs are in wholesale, retail & repair trades
- 17% of jobs are in manufacturing
- 12% of jobs are in health & social work
- 7% of jobs are in agriculture (compared to 1.5% for England)
- 7% of jobs are in tourism
- 20% of the economically active population is self-employed (compared to 12% nationally)
- In Herefordshire 6.1% of 16-18 year olds are not in education, employment or training (compared to 7.7% for England)
- Unemployment is low - 1.6% in January 2007, compared to 3.4% across the region and 2.6% across England.

### Earnings

- In 2006, average gross weekly earnings for full-time employees were:
  - £390.60 for Herefordshire
  - £415.50 for the West Midlands
  - £453.30 for England
- On average, Herefordshire workers work longer hours: 9.3% are working 60 hours or more a week, compared to 5.8% in the West Midlands.

### Education

- In 2006 93% of young people achieved 5 or more GCSEs at grades A\*-G (compared with 91% amongst the top performing English authorities).
- 19% of the adult population holds qualifications at Level 4 or 5 (compared to 16% regionally)
- At the time of the 2001 Census (the most recent figures), 29% of 16-74 year olds had no qualifications, compared to 34% regionally.

### Access to services

- Nearly 37% of households have 2 or more cars, compared to 30% regionally.
- 18% of households in Herefordshire don't have a car (compared to 27% for England)

### Leisure & culture

- An estimated 17.7% of the population volunteer
- 70% of residents find it easy to access a library
- 69% of residents find it easy to access sports and leisure centres.
- 69% of residents are satisfied with parks and open spaces

### The priorities for the people of Herefordshire –

- In 2006 residents said that the most important things that needed to improve were:
  - More affordable, decent housing
  - Better health services
  - A lower level of crime
  - A reduction in traffic congestion.

## Health

- Life expectancy for men is 77.6 years (compared with 76.9 for England)
- Life expectancy for women is 82.4 years (compared with 81.1 for England)
- Three areas in Hereford City (2 within South Wye and 1 in Central Ward) are within the 25% most health deprived areas in England.

## Housing

- Average house prices are high (£215,208) compared with the region (£172,152) and England and Wales as a whole (£207,573).
- Ratio of lower quartile house price to lower quartile earnings is 9.25 for Herefordshire, which is high compared to 6.86 for the West Midlands and 7.25 for England (provisional figures)

## Crime & Safety

- House burglaries have reduced by 66% over the past four years
- Vehicle crimes have gone down by more than 34% over the past four years
- The number of people killed or seriously injured on the roads fell to 133 in 2007 compared with 147 in 2005

## Waste disposal

- 521kg of household waste was collected per person per year in 2005-06 (compared to the worst 25% of all other English authorities, which collected on average 479kg)
- In 2005-06, Herefordshire land-filled 76% of all household waste, compared with the 70% national average

## Outstanding natural beauty

- 3,460 kilometres of public rights of way
- 1,400 open spaces owned and managed by the local authority
- 259 commons
- We own or manage over 3,000 hectares of land
- The Wye Valley is an area of Outstanding Natural Beauty.

# FACTS AND FIGURES - 2

## Delivering against our priorities

*“Performance has improved in most priority areas”* (Audit Commission Comprehensive Performance Assessment scorecard 2007)

<p><b>COUNCIL PRIORITY – “The best possible life for every child, safeguarding vulnerable children and improving educational attainment”</b></p>	<ul style="list-style-type: none"> <li>• 78 schools will have achieved the Healthy Schools Standard by March 2008</li> <li>• 93.4% of young people achieving 5 or more A*-G grades at GCSE in 2007</li> <li>• 500 children took part in 30 events in libraries in the summer holidays</li> <li>• £500,000 Artificial Turf pitch at John Kyrle High School, Ross</li> </ul>
<p><b>COUNCIL PRIORITY – “Reshaped adult health and social care, so that more older and other vulnerable people maintain control of their lives”</b></p>	<ul style="list-style-type: none"> <li>• Over 96% of items of equipment delivered to service users within 7 days. (Figure as at January 31<sup>st</sup> 2008)</li> <li>• New mental health domiciliary care service in place</li> <li>• Roving night service in place</li> <li>• Leadon Bank extra-care housing up and running</li> </ul>
<p><b>COUNCIL PRIORITY – “The essential infrastructure for a successful economy, enabling sustainable prosperity for all”</b></p>	<ul style="list-style-type: none"> <li>• Rotherwas Relief Road on course to be completed in June 2008</li> <li>• Retail developer selected for the Edgar Street Grid</li> <li>• Enterprise Centre at Rotherwas started</li> </ul>
<p><b>COUNCIL PRIORITY – “Affordable housing to meet the needs of local people”</b></p>	<ul style="list-style-type: none"> <li>• 100 empty properties brought back into use during the year.</li> <li>• 150 affordable homes built</li> <li>• 22 eco homes built at Barton Yard</li> </ul>
<p><b>COUNCIL PRIORITY – “Better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations”</b></p>	<ul style="list-style-type: none"> <li>• Appointment of single Chief Executive for the Council and the PCT</li> <li>• Establishment of a joint emergency planning unit with the PCT and the Herefordshire Hospitals Trust</li> <li>• Reduction in staff sickness from 8.41 days a year at the start of the year to 8.07 (Dec 2007)</li> </ul>

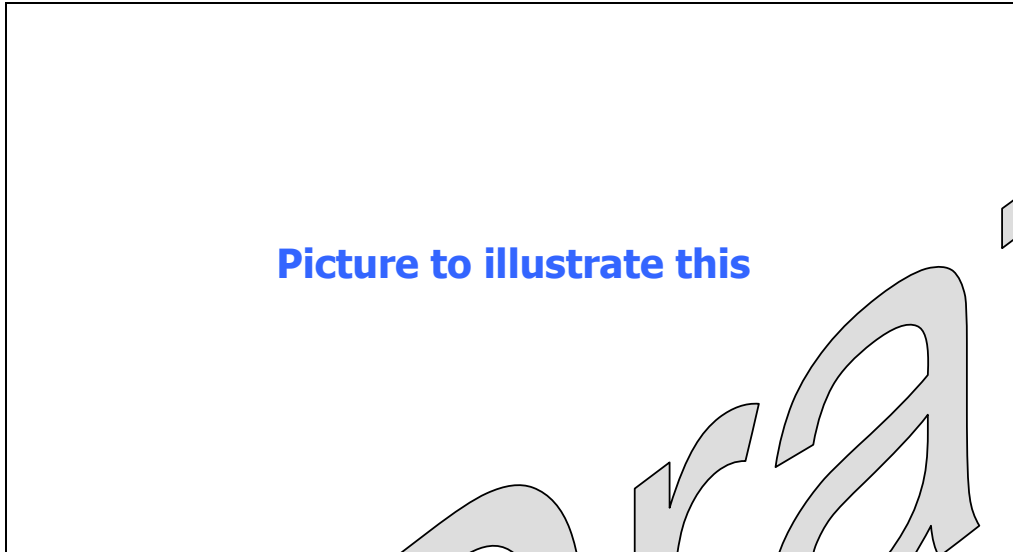
## Residents’ satisfaction

<p>Picture</p>	<p>84% of users satisfied with the library service              88% satisfied with household waste collection - up 6%              84% of users satisfied with the local authority education service              78% of users satisfied with parks and open spaces.</p>
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(Figures taken from the 2007 satisfaction survey)

# FACTS AND FIGURES - 3

## Awards Success



- Received Institution of *Civil Engineers Best Civil Engineering Project* award in the West Midlands for the restoration of the Victoria footbridge
- The new Whitecross Eco-school was awarded the *Best Sustainable Innovation* category at the Local Authority Building Control National Built in Quality Awards.
- *Info in Herefordshire* and *Info by Phone* were awarded the customer service excellence Charter Mark award for the fifth year in succession.
- Leading Aspect Award for *Values Education*

# FACTS AND FIGURES - 4

## What have we done and how well have we done it?

### Grants received

- Sustrans lottery funding worth £350,000 to help build a walking and cycling link between Hereford and Holme Lacey
- £100k carbon reduction funding from Salix
- Business support funding worth £14,500 to assist and advise 15 village shops across the county
- Redundant building grants totalling over £215,00 were awarded to 8 Herefordshire projects during 2007-08, creating or safeguarding 53 jobs over the next 5 years.

### Green issues

- 22 eco-homes built at Barton Yard, officially opened summer 2007
- All year 7 pupils (over 2,000 children) attended the SPeAR experience – an interactive sustainability show held at the Courtyard.
- Land (without a nature conservation designation) and managed for biodiversity - up from 25% to over 30% by the end of 2007/08
- 87 Herefordshire schools and nurseries are registered as *Eco-Schools*. 28 schools have bronze awards and 15 have silver

### Outstanding natural beauty

- 485,000 visits to Queenswood Country Park
- New policies to improve access along public rights of way – during 2007/08 over 200 individual access improvements were made to around 160 paths

### Festivals and events

- Herefordshire Food Festival had over 7,900 visitors in 2007
- Herefordshire Art Week – over 300 artists at 115 venues across the county with over 20,000 visits generating over £100,000 worth of sales and commissions.
- Annual Walking Festival – this has attracted over 7,000 people since 2002
- The annual Funding Fair was held in October with over 150 delegates from the voluntary and community sector.
- 'Out in the Sticks' festival held – over 20 events were held across the county to celebrate the lives, achievements and culture of the lesbian, gay, bisexual and transexual communities
- Summer Reading Challenge – 830 young people completed the challenge in 2007

### Schools

- Arts Marks – 7 Golds achieved
- An annual *Arts Supermarket* to bring art and artists into the classroom
- Work to prevent flooding at Holmer School
- £500,000 Artificial Turf pitch at John Kyrle High School, Ross

### Thriving leisure and arts

- Village Art markers working with 8 communities.
- Opening of the Museum Resource and Learning Centre
- 201,000 tickets sold for the Courtyard Centre for the Arts
- Hereford Leisure Centre and Ross Swimming Pool have been rated within the top one per cent of public leisure facilities nationwide (Quest)

### Affordable housing

- 100 empty properties brought back into use during the year.
- 150 affordable homes built

### Major regeneration projects

- Edgar Street Grid
- Rotherwas Futures



### **Capital spend**

- Completion of phase 2 of Aylestone Park
- Rotherwas Relief Road started - to be completed in June 2008
- £1m investment in Leisure Centres

### **Good libraries**

- New library at Kington.
- New mobile library vehicles with access to the library catalogue

### **Community learning**

- 1446 learners on adult and community learning courses
- 76.4% success rate in adult and community learning

### **Social care & health**

- Integrated community equipment services continues to excel in delivering items of equipment within seven days – over 96% of items of equipment delivered to service users within 7 days to Jan 2007
- 120 referrals to the Drugs Intervention Programme
- Hepatitis C awareness project highlighted as a national area of best practice
- Investment to prevent Legionella in council-owned buildings
- Development of specialised day opportunities for adults with learning difficulties
- The Herefordshire Fuel Poverty Strategy was launched in July 2007; up to March 2008 it had helped 663 people with heating and energy efficiency grants

### **Activities for young people**

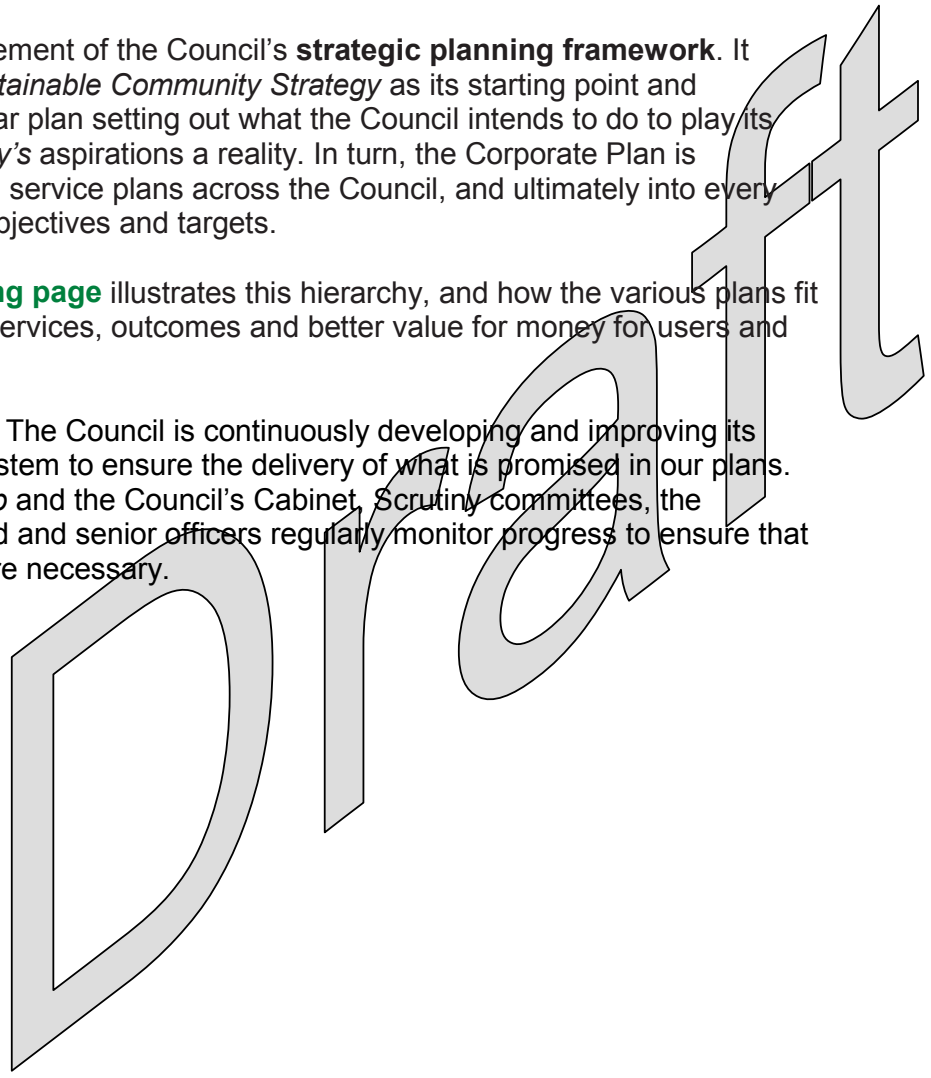
- 85% of babies and young people received Book-start packs
- 260 babies finished Bookcrawl
- Creative Partnerships involved 5 schools and 350 children in creative learning
- *Write Direction* film project involved 8 schools and 250 children
- 500 children took part in 30 events in libraries in the summer holidays
- 1,345 children starting the Summer Reading Challenge with 65% completing it

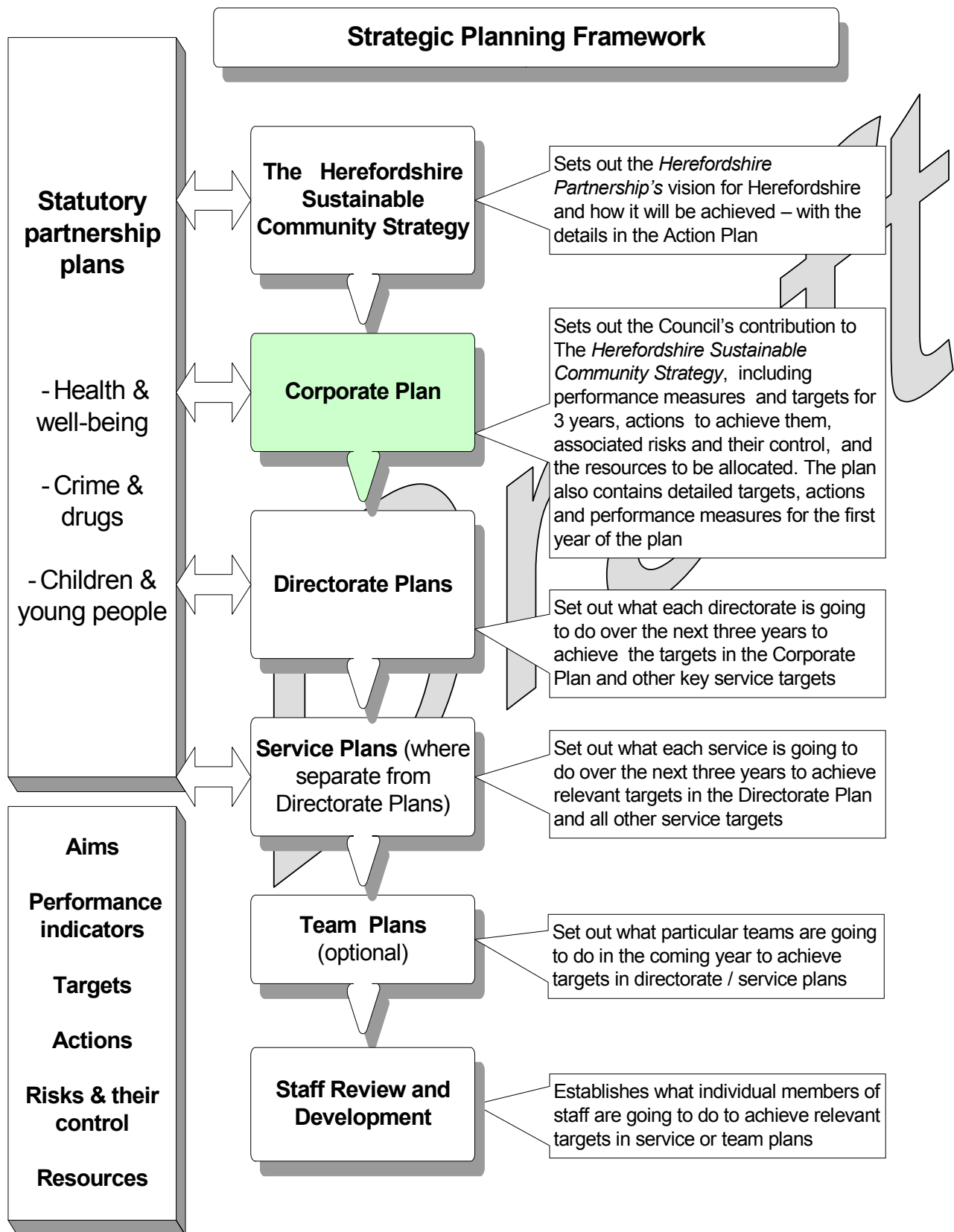
# Looking Forward - 1

This Corporate Plan is one element of the Council's **strategic planning framework**. It takes the *Herefordshire's Sustainable Community Strategy* as its starting point and translates that into a three-year plan setting out what the Council intends to do to play its full part in making the *Strategy's* aspirations a reality. In turn, the Corporate Plan is translated into directorate and service plans across the Council, and ultimately into every member of staff's individual objectives and targets.

**The diagram on the following page** illustrates this hierarchy, and how the various plans fit together to deliver improved services, outcomes and better value for money for users and citizens.

**Ensuring it gets delivered** – The Council is continuously developing and improving its performance management system to ensure the delivery of what is promised in our plans. The *Herefordshire Partnership* and the Council's Cabinet, Scrutiny committees, the Corporate Management Board and senior officers regularly monitor progress to ensure that remedial action is taken, where necessary.





## Looking Forward – 2

### Performance Improvement Cycle 2008-2009

<b>March 2008</b>	Corporate Plan 2008-11 commended to Council by Cabinet Directorate and service plans 2008-11 approved Council Tax & Budget set Annual Governance Statement Directors and heads of service - Staff Review & Development (SRDs)
<b>April</b>	Joint Strategic Needs Assessment statutory duty in effect Agreed needs assessment programme Month 12 Integrated Performance and Finance Report (IPFR) Leader and Chief Executive led performance meetings
<b>May</b>	Corporate Plan 2008-11 approved by Council Staff Review & Development (SRD) - All other managers & staff
<b>June</b>	Local Area Agreement (LAA) approved Statement of Accounts approved Month 2 IPFR & Confirmation of month 12 out-turn
<b>July</b>	Leader and Chief Executive-led performance meetings Employee Opinion Survey Consultation on Comprehensive Area Assessment (CAA) details
<b>August</b>	Month 4 IPFR Training and Development Programme
<b>September</b>	Mandatory biennial new Place Survey Audit Commission Opinion on the Accounts Public consultation
<b>October</b>	Issue requirements for refreshed 2009-11 plans Updated Medium Term Financial Management Strategy (MTFMS) Annual summary of accounts and performance published Month 6 IPFR Leader and Chief Executive led performance meetings SRD six-month reviews
<b>November</b>	Annual Performance Assessments of Adult Social Care & Children & Young People Confirmation of the local government settlement within the three-year settlement framework
<b>December</b>	Budget advice to directorates and services Final Comprehensive Performance Assessment published Month 8 IPFR
<b>January 2009</b>	Use of Resources judgement CAA details confirmed Report on the Place Survey and public consultation Draft 2009-10 operating statement First drafts of refreshed 2009-11 plans Local government settlement confirmed Leader and Chief Executive-led performance meetings

<b>February</b>	Direction of Travel judgement
	CAA details confirmed
	Strategic options and challenge – Corporate Management Board (CMB), Cabinet, Strategic Monitoring Committee (SMC)
	Updated MTFMS
	Month 10 IPFR
<b>March</b>	LAA 12 month review
	2009-10 operating statement approved
	Strategic options and challenge - CMB, Cabinet, SMC
	Refreshed 2009-11 plans approved
	Council Tax & Budget set
	Annual Governance statement
	Directors and heads of service - SRDs
<b>April</b>	Agreed needs assessment programme
	Month 12 IPR
	Leader and Chief Executive led performance meetings
<b>May</b>	CAA risk assessment of the Council and partners?
	Updated MTFMS (reflecting strategic options and challenge process)
	Staff Review & Development (SRD) - all other managers & staff
	Beginning of CAA
<b>June</b>	Draft Corporate Plan 2010-13
	Statement of Accounts approved
	Month 2 IPR & confirmation of month 12 out-turn
<b>July</b>	Leader and Chief Executive-led performance meetings
	Employee Opinion Survey
<b>August</b>	Month 4 IPFR
	Training and Development Programme
<b>September</b>	Annual local satisfaction survey?
	Corporate Plan 2010-13 approved
	Issue requirements for 2010-13 directorate and service plans
	Audit Commission Opinion on the Accounts
<b>October</b>	LAA 6-month review?
	First set of CAA results published
	Annual summary of accounts and performance published
	Month 6 IPR
	Leader and Chief Executive led performance meetings
	SRD six-month reviews
<b>November</b>	Annual Performance Assessments of Adult Social Care & Children & Young People?
	Confirmation of the LG settlement within the three-year settlement framework
<b>December</b>	Initial draft of 2010-11 operating statement
	First drafts of 2010-13 plans
	Budget advice to directorates and services
	Month 8 IPR

## Appendix A – 2007 performance

Every year the Audit Commission assesses the performance of each council in England and awards a star rating - out of 4 - alongside a direction of travel judgement.

The **Comprehensive Performance Assessment (CPA)** star rating is intended to show how well councils are delivering services for local people and communities. From a range of perspectives, and bringing together information from other inspectorates, the Commission gives an overall view of performance.

In 2007 the Audit Commission assessed the Council as demonstrating 2\* overall performance.

The **Commission for Social Care Inspection (CSCI)** assessed the Council as maintaining a 1\* service (which equates to 2\* in the CPA service block scores), delivering adequate outcomes, with uncertain capacity for improvement.

The **Office for Standards in Education (OFSTED)** judged as satisfactory the Council's maintenance and improvement of outcomes for children and young people, its associated social care services and its capacity to improve.

The Council's overall score for Use of Resources, as judged by the Audit Commission, has fallen to 2 (adequate performance) from a 3 (performing well in 2005-06). In its assessment the Commission acknowledged that the Council is generally a low cost authority with a mix of performance levels; has a good Medium Term Financial Management Strategy, linked to key strategic objectives; and produces good annual accounts. However, serious flaws within the application of internal control arrangements were uncovered, and policies and procedures within procurement processes were not complied with.

The following table shows the various judgements used in CPA and compares performance with 2006:

	2006	2007
Use of Resources	3	2
Children and young people	2	2
Social care (adults)	2	2
Benefits	2	3
Culture	3	3
Environment	2	3
Housing	2	1
Corporate Assessment (protected from 2002)	3	3
<b>Overall star rating</b>	3*	2*

The **Direction of Travel assessment** is intended to show a council's rate of improvement in the services it delivers to the public.

The Audit Commission's overall view of the Council is that:

*"Herefordshire Council is improving adequately. Performance has improved in most priority areas. Children's services remain adequate overall with some improvement in exam results and arrangements for looked after children. Progress in adult social care has been steady with more vulnerable people helped to live at home. Tax collection and benefits administration have improved, along with the speed of planning applications, street cleanliness and recycling levels. However, it costs more to collect waste and there has been limited progress on the Council's business transformation programme. The Council continues to contribute to*

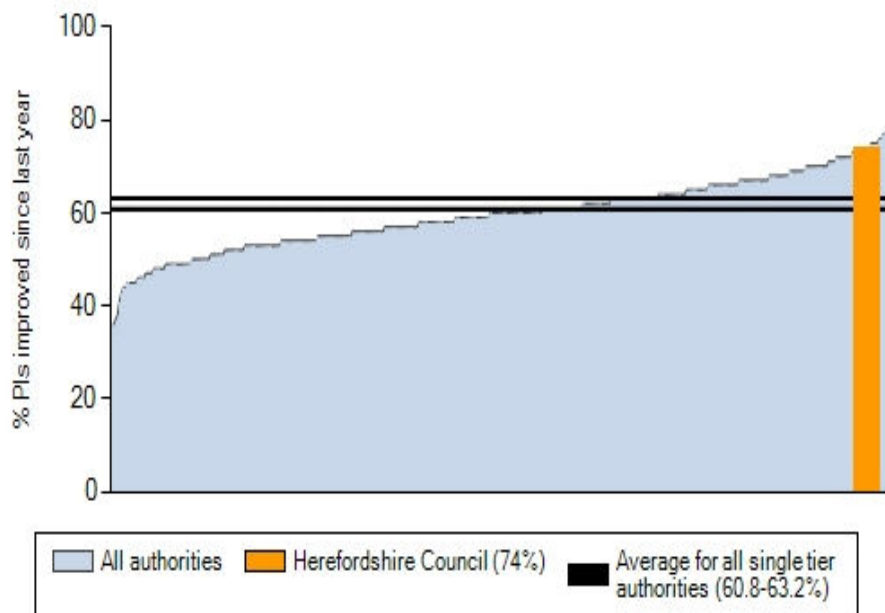
improvements in road safety, regeneration initiatives and better health for children and vulnerable adults through working in partnerships. Value for money is reasonable but is not measured consistently. Progress is being made on most improvement plans but the overall picture is not being reported clearly. Further improvements are expected to result from the new managers of adult social care and a single head of Human Resources with the Primary Care Trust. Some significant weaknesses in the governance of ICT have been recognised by the Council and plans agreed to address them.”

The judgement of the Council’s Direction of Travel has remained constant for the last 3 years and is shown in the table below:

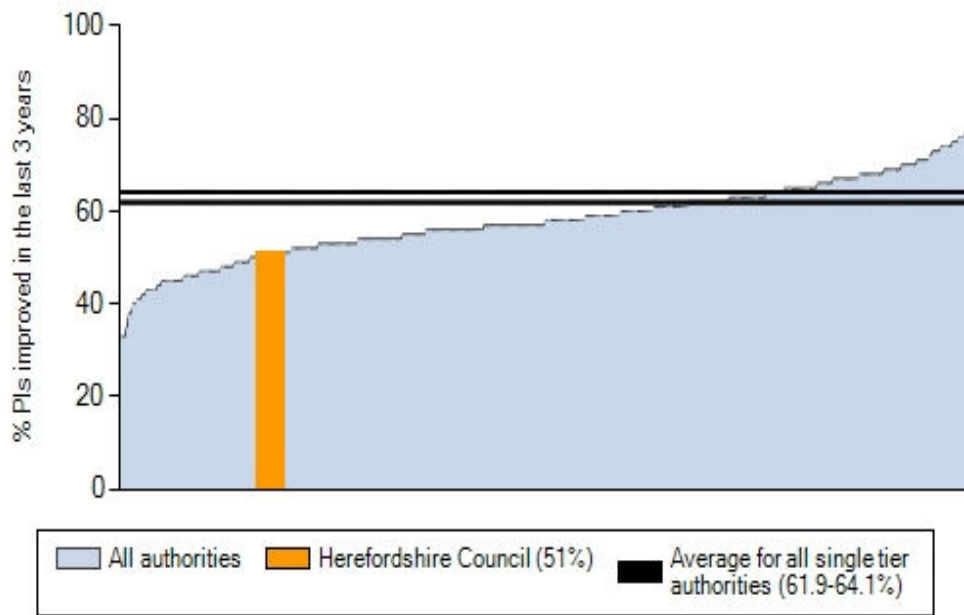
	2006	2007
<b>Direction of Travel judgement</b>	Improving adequately	Improving adequately

Part of this Direction of Travel assessment was based on an analysis of the Council’s performance against the suite of performance indicators in the Audit Commission’s Performance Information Profile. The profile showed an improvement in 74% of the indicators over the previous 12 months, placing the Council 14<sup>th</sup> out of 388 authorities; however improvement over a 3-year period was 51%, placing the Council 311<sup>th</sup> out of 388 authorities.

**Proportion of indicators that have improved in the last year**

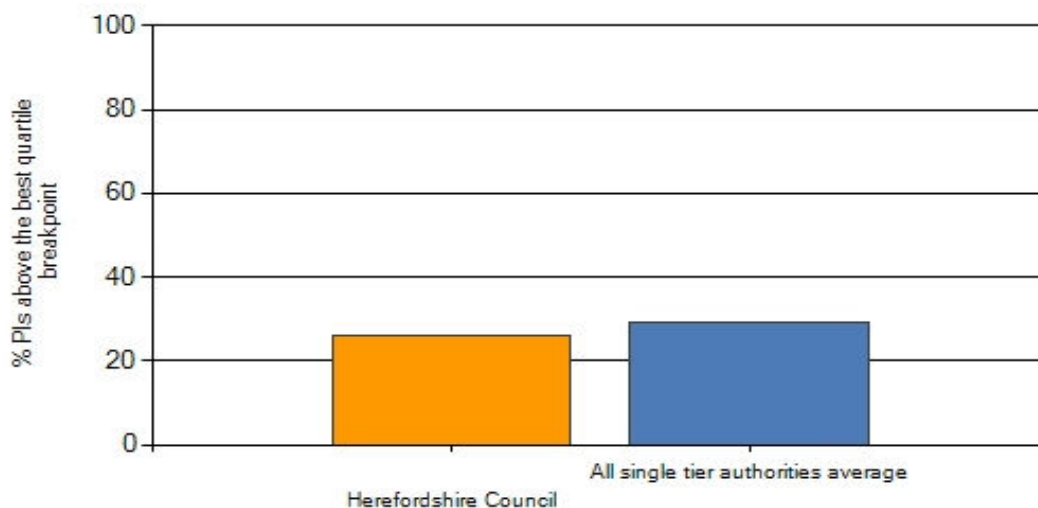


## Proportion of indicators that have improved in the last three years



Although the Performance Information Profile illustrates the extent of improvement, the Council's performance levels compared to other authorities are best illustrated by quartile performance (dividing the data into 4 intervals, each containing 25% of the data). The lower, middle, and upper quartiles are computed by ordering the data from smallest to largest and then finding the values below which fall 25%, 50%, and 75% of the data). In 2007, the Council had 26% of its indicators in the top quartile, which is slightly below the average of all other single tier authorities.

### Percentage of indicators that are in the "best" quartile





## Appendix B – COUNCIL BUDGET

<b>Revenue budget</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Adult and Community Services	51,235	51,787	51,859
Children's Services (excluding Direct Schools Grant)	24,864	25,086	25,437
Corporate and Customer Services	9,142	9,232	9,427
Environment	25,533	26,676	27,349
Resources	6,923	7,096	7,243
Central Services and Human Resources	5,074	5,108	5,168
Capital Financing Costs (net of Investment Income)	10,120	11,723	13,099
<b>Total Corporate Area budgets</b>	<b>132,891</b>	<b>136,708</b>	<b>139,582</b>
Herefordshire Connect - Revenue Costs	1,137	454	354
2008/09 Capacity Reserve	(1,500)	0	0
Procurement and Efficiency	(750)	(750)	(750)
Corporate Capacity		2,043	6,014
<b>NET REVENUE BUDGET</b>	<b>131,778</b>	<b>138,455</b>	<b>145,200</b>

<b>Capital programme 2008-11</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Children and Young Peoples Services	15,582	30,993	25,769
Environment Services	16,203	13,407	13,620
Corporate and Customer Services	669	0	0
Resources	4,436	2,910	8,600
Adult and Community Services	16,310	3,105	2,329
Available Funding not yet allocated	4,188	5,221	646
Herefordshire Connects	508	0	0
	<b>57,896</b>	<b>55,636</b>	<b>50,964</b>
<b>Funded by:</b>			
Capital Receipts Reserve	10,104	1,347	745
Grants and Contributions	19,961	31,466	27,249
Supported Capital Expenditure (Revenue)	12,750	13,567	13,230
Revenue Contribution	170	0	0
Prudential Borrowing – Existing allocations	10,723	4,034	9,094
Prudential Borrowing – New bids	4,188	5,222	646
	<b>57,896</b>	<b>55,636</b>	<b>50,964</b>

**Notes** - Herefordshire Connects figures other than the Social Care system are excluded

**Note** - Social Care system part of *Herefordshire Connects* only.  
Directorate totals subject to change. Figures based on 4.4% Council Tax increase modelled for in 2008/09.

## Appendix B (cont) How each £1 is spent

### 29.7 pence - pays for adult social services, and in 2007/08 we did the following

- New mental health domiciliary care service in place
- Increased numbers of people with learning disabilities receiving individual budgets
- 167 footcare clinics to help prevent falls and maintain independence

### 22.9 pence - pays for children's services, and in 2007/08 we did the following

- 78 schools will have achieved the Healthy Schools Standard by March 2008
- 93.4% of young people achieving 5 or more A\*-G grades at GCSE in 2007
- 31% of young people feel that Herefordshire Council gives them opportunity to influence decision making, a significant improvement on the 19.2% in 2005
- The number of 16-18 year olds not in education, employment or training has been reduced to below the national average

### 11.5 pence pays for running the Council and working with partners to improve local services and in 2007/08 we did the following

- Council Tax increased by only 3.8%, well below the national average
- Achieved efficiency savings of £4.2 million, of which £3.5 million were cash-releasing
- Appointment of single chief executive for the Council and PCT
- Established the customer call centre

### 16.3 pence pays for cleaning the streets, collecting rubbish, recycling and maintaining highways and streetlights, and in 2007/08 we did the following

- Retained the International Environmental Management Standard - ISO 14001
- Reduced the percentage of roads and streets falling below an acceptable levels of cleanliness from 17% in 2006 to 14% by December 2007
- Reduced the amount of household waste collected and the proportion recycled, and increased the proportion composted

### 7.7 pence pays for parks, libraries, leisure facilities and cultural events and in 2007/08 we did the following

- Managed 59 play areas, 1400 open spaces, 3,460km of public rights of way and 259 commons
- Organised events such as Herefordshire Art Week, the Walking Festival, the Food Festival, Craft Markets and Fairs, the Summer Reading Challenge and the Schools Library Service Book Festival,
- Provided two new library mobile library vans in 2007.
- Introduced a Cultural Passport loyalty card scheme with Libraries and Heritage – over 2,200 cards printed and distributed

### 6.6 pence pays for regeneration, housing and environmental health and in 2007/08 we did the following

- Built 150 affordable homes
- 100 empty properties brought back into use during the year.
- Retail developer selected for the Edgar Street Grid
- Redundant building grants totalling £215,141 were awarded to 8 Herefordshire projects during 2007-08. These projects will create or safeguard 53 jobs over the next 5 years.

**5.3 pence** pays for improving transport and the built environment, and in 2007/08 we did the following

- Received the Institution of Civil Engineers Best Civil Engineering Project award in the West Midlands for the restoration of the Victoria footbridge
- The new Whitecross Eco-school was awarded the '*Best Sustainable Innovation*' category at the Local Authority Building Control National Built-in Quality Awards.
- Started the Rotherwas relief road

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## Appendix C - how satisfied are our residents with what we do and what we provide?

	2006	2007	% change
<b>BV3:</b> % satisfied with the way the authority runs things overall	43%	44%	+1
How to pay bills to the Council	90%	92%	+2
How and where to register to vote	89%	90%	+1
How you can get involved in local decision-making	42%	45%	+3
How to complain to the Council	44%	48%	+4
What the Council spends its money on	54%	60%	+6
What standard of service you should expect from the Council	52%	52%	---
Whether the Council is delivering on its promises	32%	34%	+2
What the Council is doing to tackle anti-social behaviour in your local area	20%	20%	---
How well the Council is performing	33%	32%	-1
Overall, how well informed do you think your Council keeps residents about the services and benefits it provides	45%	44%	-1
% contacted the authority with a complaint in the last 12 months	17%	20%	+3
% satisfied with the handling of their complaint	36%	27%	-9
How easy it was to find the right person to deal with	70%	73%	+3
The length of time it took to deal with the person you contacted	71%	70%	-1
Any information you were given	68%	66%	-2
How competent the staff were	72%	71%	-1
How helpful the staff were	74%	72%	-2
The final outcome	64%	61%	-3
% satisfied with the opportunities for participation in local decision-making provided by the Council	26%	28%	+2
% agree they can influence decisions affecting the local area	29%	30%	+1
% agree they can influence decisions affecting the local community	32%	33%	+1
<b>BV103:</b> % satisfied with the provision of public transport information	48%	43%	-5
% seen or received public transport information in the last 12 months	32%	31%	-1
<b>BV103u:</b> % of USERS satisfied with the provision of public transport information	70%	71%	+1
<b>BV103nu:</b> % of NON-USERS satisfied with the provision of public transport information	32%	30%	-2
<b>BV104:</b> % satisfied with the local bus service	49%	45%	-4
% used the local bus service in the last 12 months	46%	44%	-2
<b>BV104u:</b> % of USERS satisfied with the local bus service	62%	68%	+6
<b>BV104nu:</b> % of NON-USERS satisfied with the local bus service	29%	25%	-4
<b>BV119A:</b> % satisfied with sports / leisure facilities and events	58%	56%	-2
% used sports / leisure facilities or events in the last 12 months	55%	55%	---
<b>BV119Au:</b> % of USERS satisfied with sports / leisure facilities and events	74%	72%	-2
<b>BV119Anu:</b> % of NON-USERS satisfied with sports / leisure facilities and events	36%	35%	-1
<b>BV119B:</b> % satisfied with libraries	70%	69%	-1
% used libraries in the last 12 months	59%	59%	---
<b>BV119Bu:</b> % of USERS satisfied with libraries	84%	84%	---
<b>BV119Bnu:</b> % of NON-USERS satisfied with libraries	47%	46%	-1
<b>BV119C:</b> % satisfied with museums and galleries	45%	46%	+1
% used museums or galleries in the last 12 months	39%	40%	+1
<b>BV119Cu:</b> % of USERS satisfied with museums and galleries	67%	68%	+1
<b>BV119Cnu:</b> % of NON-USERS satisfied with museums and galleries	31%	31%	---
<b>BV119D:</b> % satisfied with theatres / concert halls	48%	48%	---
% used theatres or concert halls in the last 12 months	48%	51%	+3
<b>BV119Du:</b> % of USERS satisfied with theatres / concert halls	68%	65%	-3

<b>BV119Dnu:</b> % of NON-USERS satisfied with theatres / concert halls	27%	29%	+2
<b>BV119E:</b> % satisfied with parks and open spaces	69%	69%	----
% used parks or open spaces in the last 12 months	76%	76%	----
<b>BV119Eu:</b> % of USERS satisfied with parks and open spaces	77%	78%	+1
<b>BV119Enu:</b> % of NON-USERS satisfied with parks and open spaces	35%	32%	-3
<b>BV89:</b> % satisfied with litter clearance	66%	63%	-3
<b>BV90A:</b> % satisfied with the household waste collection	82%	88%	+6
<b>BV90B1:</b> % satisfied with local recycling facilities	70%	71%	+1
<b>BV90B2:</b> % satisfied with the doorstep recycling collection	69%	63%	-6
<b>BV90C:</b> % satisfied with the local tip / household waste recycling centre	87%	79%	-8

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## Appendix D – Update on our commitments in the 2007-08 Annual Operating Plan

Throughout appendix D the following coloured coded letters are used to show progress;

**G** - Met target

**A** - Some progress/data not yet available so not possible to determine

**R** - Failed to meet target

**Children and young people** - To maximise the health, safety, economic well-being, achievements and contribution of every child, with special emphasis on sound arrangements for safeguarding vulnerable children and sustained improvements in educational attainment

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
<b>BE HEALTHY</b>		
We aim to have all schools accredited as Healthy Schools by 2010	<b>G</b>	On target to achieve this – 71 out of 100 schools accredited as at Q3
Increase from 33% in 2004-05 to 40% in 2007-08 the proportion of babies born in the South Wye area who are breastfeeding at six weeks (21b HCS)	-	Q2 data – 29.5%. Awaiting further data.
Increase from 21% in 2004-05 to 30% in 2007-08 the proportion of babies born to teenage mothers in the county who are breastfeeding at six weeks (21a HCS)	-	Q2 data – 12.73%. Awaiting further data.
Increase the percentage of all babies in the county breastfeeding at six weeks (20 HCS) Target to be set	-	Target is 43%. Q2 data – 33.06%. Awaiting further data.
Taking actions to reduce the percentages who smoke, and who are obese, as well as reducing the rates of alcohol consumption and drug use.	<b>A</b>	Actions being taken. Perceptions to be tested out in 2009 Youth Survey – in the meantime proxy indicators to be used
Taking actions to increase the percentage participating in sport or other physical activities	<b>A</b>	Actions being taken. Perceptions to be tested out in 2009 Youth Survey – in the meantime proxy indicators to be used
Increasing the percentage of young people eating five portions of fruit and vegetables a day.	<b>A</b>	Actions being taken. Perceptions to be tested out in 2009 Youth Survey – in the meantime proxy indicators to be used
Continuing to reduce the number of sexually transmitted infections in young people by at least 1% a year against the 2004 baseline figure of 278 cases (23 HCS)	-	Awaiting data
<b>STAY SAFE</b>		
We will improve performance with the intention that we are in the top quartile of authorities for staying safe outcomes and will aspire to level 3 in 2007 Annual Performance Assessment (APA)	<b>R</b>	Level 2 achieved in 2007. APA found that the council has maintained the improved safeguarding arrangements identified in the previous APA and that there were some good features.
By working closely with schools, requiring the recording of incidents and action to deal with bullying, we aim to reduce the percentage of 11-15 year-olds who	<b>A</b>	The 2007 Youth Survey set a baseline of 24%. We aim to reduce this by 2% when it is measured again in the 2009 Youth Survey

say they have been bullied in the last twelve months (28 HCS) Target to be set.		
<b>ENJOY and ACHIEVE</b>		
We will continue to ensure that at least 85% of three year-olds have access to good quality early years education	G	99.2% in Q3
We will work with schools to raise to even higher levels performance in the top GCSE grades, in particular increasing the proportion of pupils in schools maintained by the Council achieving 5 A* - C GCSEs, or the equivalent, including English and Maths	G	52.3% achievement in 2007 exams, an improvement from 48.2% in 2006
By working in partnership with schools to tackle disaffection by means of the Behaviour Support Plan and the Behaviour Support Policy produced by each school, we aim to reduce school absences in 2007/08:		
<ul style="list-style-type: none"> <li>in secondary schools maintained by the Council, from 7.4% to 6% of half-day sessions (34 HCS)</li> <li>in primary schools maintained by the Council, from 4.9% to 4% of half-day sessions (33 HCS)</li> <li>the number of children looked after by the Council continuously for at least 12 months, who missed at least 25 days of schooling during the previous school year, to fall from 14 in 2004 to no more than 7 in 2008 (35a HCS)</li> <li>the number of half day sessions missed by looked after children as a percentage of the total number of sessions in primary schools to fall from 4.65% in 2005/06 to 4.25% in 2007/08 (35b HCS)</li> <li>the number of half day sessions missed by looked after children as a percentage of the total number of sessions in secondary schools to fall from 7.6% in 2005/06 to 7% in 2007/08 (35c HCS)</li> </ul>	A A R	Data available at year end Data available at year end The number of children looked after by the Council continuously for at least 12 months, who missed at least 25 days of schooling during the previous school year was 16.
	G	3.85%
	R	9.04%
We aim to reduce by 2008-09 the conception rate of under 18s by 40% (national target) from a baseline of 37.2 per 1000 (85 HCS)	A	Data is provided annually by the National Teenage Pregnancy Unit. Although we are unlikely to meet the national target because we started from a very low base, the recently released 2006 figures show that we have achieved a -29% reduction from the baseline.
We aim to increase adults' perceptions of improvement in:		
<ul style="list-style-type: none"> <li>activities for teenagers (60a HCS) - improve adult perception by 28 percentage points by 2010</li> <li>facilities for young children (90 HC) - improve adult perception by 1 percentage points by 2010</li> </ul>	G G	Both measures improved in the 2007 satisfaction survey. Outturn - 31 percentage points for HCS60a and 2 percentage points for HC 90
<b>POSITIVE CONTRIBUTION</b>		
Working with them, we aim to ensure that 100% of schools have a functioning	R	78% expected to be achieved at year end

school council		
By encouraging Duke of Edinburgh Awards and other initiatives we aim to increase the number of 11-15 year-olds volunteering (37 HCS)	A	35% baseline set in the 2006 Teenage Lifestyle survey – to be tested again in 2009 Youth Survey
Through the implementation of our <i>Community Involvement Action Plan for Young People</i> and by progressively embedding the Hear by Rights Standards by 2010, we will develop and maintain a good understanding of the needs and wishes of children and young people. The key measures of our success will be to increase the percentage of young people who feel that they can influence decisions affecting important local services (38 HCS)	A	The 2007 Youth Survey set a baseline of 31%. The target for 2008/09 has been set at 35% Performance will be measured in the 2009 youth survey
<b>ECONOMIC WELL-BEING</b>		
Working with schools and the Learning and Skills Council (LSC), we aim to reduce to less than 4.8% the proportion of 16-18 year-olds not in education, employment or training (40 HCS)	R	Provisional figure from Connexions is 6.1% Awaiting ratification by government
We aim to increase from 12 to 46 the number of young people engaged in education, training or employment at the age of 19 who had been looked after by the Council in their 17 <sup>th</sup> year who are engaged in education, training or employment at the age of 19 (41 HCS).	A	Annual data – calculated in March – Aftercare team reports that good performance is being maintained with further work being undertaken with agencies to enhance training and employment opportunities for the hardest to place young people. Data to be reported at year end.
By working with schools, the LSC and further education colleges to broaden the range and flexibility of the curriculum and available qualifications, including increased vocational options, we aim to increase from 92.9% to 96.5% in 2008/09 the proportion of pupils in schools maintained by the Council achieving 5 or more A* - G grades at GCSE, or the equivalent (30 HCS)	R	93.4% in the 2007 exams
By implementing our <i>Homelessness Strategy</i> and by securing, with partners, an increase in the supply of both temporary and settled housing, we aim to eliminate the need for the use of bed and breakfast accommodation for households with children	R	Target of 0 will not be met for 07/08. As at Q3, figure was 3 households in B&B



**Health and well-being** - To improve the health and well-being of all our citizens aged 18-64, reducing health inequalities and promoting the maximum possible control and independence for disadvantaged groups

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
Increase the number of people with physical disabilities per 1,000 population aged 18-64 helped to live at home from 4.8 to 5.1	R	2007 forecast outturn is 3.25
Increase the number of people with learning disabilities per 1,000 population aged 18-64 helped to live at home from 2.5 to 3	R	2007 forecast outturn is 2.92 which is an improvement on the previous year
Increase the number of people with mental health problems per 1,000 population aged 18-64 helped to live at home from 3.7 to 4.4	R	2007 forecast outturn is 4.13 which is an improvement on the previous year
Working with partners, we will before the end of 2007 establish the future needs of 18-64 year-olds with mental health problems or physical disabilities; and have a clear understanding of the services and support programmes needed to meet them cost effectively.	G	Reports completed and independently assured
Reduce the mortality rate from cancer for people under 75 from 96 per 100,000 population aged under 75 in 2006 to 93 in 2007 – (8 HCS)	-	These figures to be supplied by the PCT
Reduce the mortality rate from circulatory diseases for people under 75 from 79 per 100,000 population aged under 75 in 2006 to 77 in 2007 – (9 HCS)	-	These figures to be supplied by the PCT
Reduce the number of deaths per annum from chronic diseases from 595 (based on a three year running average from 2004 to 2006) to 590 (based on a three year running average from 2005 to 2007) (10 HCS)	-	These figures to be supplied by the PCT
Reduce the mortality rate from accidents. Baseline and target to be set (53 HCS)	-	These figures to be supplied by the PCT
Reduce the gap between deprived areas of Herefordshire and the rest of the county in the number of the <i>all causes standardised mortality rate</i> (SMR) for deprived areas of Herefordshire - from 24% (based on a three year running average from 2004 to 2006) to 20% (based on a three year running average from 2005 to 2007) (11 HCS)	-	These figures to be supplied by the PCT
Working with the PCT, improve the healthy lifestyles of residents by: <ul style="list-style-type: none"> <li>- increasing the number of adults who quit smoking from 1,100 a year in 2006 to 1,200 a year in 2007. (12a HCS)</li> <li>- reducing the percentage of adults who consume more than the recommended intake of alcohol per week from the 2006-07 baseline figure of 17% (12b HCS)</li> <li>- reducing the percentage of adults eating fewer than five</li> </ul>	-	530 at the end of September  These figures to be supplied by the PCT

portions of fruit and vegetables on a typical day from the 2006-07 baseline figure of 34% (12c HCS)		
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- increasing the percentage of adults undertaking thirty minutes or more of moderate physical activity at least three days per week from 22% in 2006 to 23% (12d HCS)

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**Older People** - To ensure that older people remain healthy, independent and active, continuing to live in, and contribute to, their local communities. Note – Information still to be supplied is shaded in yellow

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
Increase the number of people of 65 or over helped to live at home per 1,000 population from 82.9 to 83 in 2007-08 and 100 in 2009-10	G	Forecast outturn is 83 against last year at 81
Reduce to 31,222 by 2007-08 the number of emergency unscheduled acute hospital bed-days in NHS hospitals occupied by a person aged 75 or more	-	These figures to be supplied by the PCT
Increase the satisfaction of people over 65 using home care services provided through Herefordshire social care or directly purchasing services using direct payments from 58% in 2006 to 66% in 2009.	-	Next survey scheduled for 2009
We aim to have in place by October 2007 a comprehensive Older People's Strategy, with clear targets and actions for improvement.	A	The <i>Growing Older in Herefordshire</i> strategy was published in August 2007 and an agreed strategy adopted by October 2007
Increase the number of people in receipt of Pension Credit from 7,722 in 2006-07 to 8,138	A	8,100 at November
Increase the number of people aged 60 or over in receipt of Council Tax benefit from 7,751 in 2006-07 to 8,061	A	Latest figure is 7,653
Increase the number of people in receipt Attendance Allowance from 6,470 in 2006-07 6,702	G	Latest figure is 6,830
Reduce waiting times for assessment and care packages: D55 start of assessment with 48hrs and completion within 28 days D56 arrangement of services within 28 days of completion of assessment.	G A	Forecast outturn is 90 Forecast outturn is 76
Increase the number of individuals receiving non-care managed packages	G	1,450 for year
Map, co-ordinate and develop a range of rehabilitation, prevention and independent living services	G	New mental health domiciliary care service, "Just checking" service, "Roving night" service. New Extra Care services opened at Leadon Bank.
Establish community wardens across the county;		<b>Current data being sought</b>
Expand the <i>Signposting Scheme</i> ; piloting a local care sitter service;		<b>Current data being sought</b>
Expand the provision of <i>Supporting People</i> services;		<b>Current data being sought</b>
Target further sites with Fire Service outreach workers;		<b>Current data being sought</b>
Continue the <i>Trading Standards Doorstep Crime Campaign</i> ;		<b>Current data being sought</b>
Increase significantly the number of older people receiving direct payments to purchase social care.	A	38 as at 31 <sup>st</sup> Jan compared with 36 as at end of 2006-07

**Economic development and enterprise** - To secure the essential infrastructure for a successful economy by improving business, learning and employment opportunities in Herefordshire, enabling sustainable prosperity for all

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
Tender for the development partner for the retail element of the Edgar Street Grid and have a preferred development partner in place by early 2008.	G	Preferred retail partner in place
By December 2007, to undertake a feasibility study for the inclusion and development of a library as part of the scheme.	G	Feasibility work tendered in September 2007 and completed in March
Open the Rotherwas access road by June 2008.	G	On target
Begin phase two of <i>Rotherwas Futures</i> , tendering for construction by January 2008.	A	Deadline for tendering has slipped as awaiting archaeological, ecological and environmental reports
Complete and handover the Learning & Resource Centre and Work Skill Centre within the <i>Learning Village</i> in Hereford City by December 2007.	A	Learning village build expected to be completed in April 2008
Increase the number of VAT-registered businesses each year by at least 1.3% (HCS 2).	G	Increase in 2006 was 4.1% (latest available figure)
Establish a new grant scheme to encourage employers and run a support programme of seminars and events to increase the number of people employed in technology and knowledge intensive industries from 9,500 in 2006-07 to 10,286 in 2007-08. (HCS 3)	A	Progress to be reported at year end
Increase the number of residents aged 19 and over achieving a Level 2 qualification, excluding manufacturing and engineering, from 1,738 to 1,872 (4c HCS)	A	2006/07 data due in March 2008.
Increase the number of residents aged 19 and over achieving a Level 2 qualification in engineering and manufacturing to 57 (4b HCS)	A	2006/07 data due in March 2008.
Increase the number of residents aged 19 and over achieving a Level 3 qualification, excluding manufacturing and engineering, from 825 to 878 (4e HSC)	A	2006/07 data due in March 2008.
Increase the number of residents aged 19 and over achieving a Level 3 qualification in manufacturing and engineering from 26 to 44 (4d HSC)	A	2006/07 data due in March 2008.
31 skills for life qualifications gained through Train to Gain in 2007-08 (5 HCS)	A	Data to be reported at year end
An increase in the percentage of the working age population qualified to at least Level 3 (4ai HCS) [Note: LSC lead. Target has not been set]	A	The percentage of working age people qualified to at least Level 3 has increased from 44% in 2005 to 47% in 2006.
An increase in the percentage of the working age population qualified to at least level 4 (4aii HCS) [Note: LSC lead. Target has not been set]	A	The percentage of working age people qualified to at least Level 4 has increased from 26% in 2005 to 29% in 2006.

**Safer & stronger communities** – To develop stronger, more inclusive communities and create a safer place to live, work and visit.

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
Decrease from 416 to 140 the number of people accepted as homeless during a year in respect of whom the Council has a full statutory duty (14 HCS)	R	162 at the end of January
Increase the proportion of adult residents who feel they can influence decisions affecting their local community from 35% in 2005-06 to 40% by 2008 and to 43% by 2009-10 (61a HCS)	R	33%
Increase the percentage of adult residents who feel the Council does enough to give them the opportunity to influence important decisions about local services from 23% in 2005-06 to 28% in 2009-10 (70 HC)	G	The 2007 Annual Satisfaction Survey asked a similar question "Satisfaction with the opportunities for participation in local decision making provided by the Council". The result was 28%.
Increase the proportion of adult residents who feel they can influence decisions affecting their local area (61b HCS) 2006 figure was 29%	A	2007 figure was 30%. This increase is not statistically significant
Increase the proportion of adult residents reporting that they have engaged in formal volunteering for an average of two or more hours a week from 17% in 2005-06 to 22% in 2007 to 25% in 2009-10. (62 HCS)	R	17%
Reduce the number of violent crimes from 2,844 in 2003/04 to 2,553 by 2008 (45 HCS)	R	1,929 at the end of November
Reduce the number of criminal damage incidents from 2,524 in 2003/04 to 2,101 by 2008 (42b HCS)	R	1,836 at the end of November
<p>For there to have been a fall of at least 5% by 2008 against the 2005 baseline figures in the proportion of people who think that the following things are a problem: (43 HCS)</p> <p>Speeding traffic - 81% to 76%</p> <p>Vandalism, graffiti and other deliberate damage to property or vehicles - 60% to 55%</p> <p>People using drugs - 60% to 55%</p> <p>People dealing drugs - 53% to 48%</p> <p>People being drunk or rowdy in public places - 53% to 48%</p>	A	<p>Results of 2007 survey:</p> <p>Speeding traffic - 74% = no significant change</p> <p>Vandalism, graffiti and other deliberate damage to property or vehicles - 61% = rating has increased</p> <p>People using drugs - 61% = no significant change</p> <p>People dealing drugs - 55% = no significant change</p> <p>People being drunk or rowdy in public places - 54% = no significant change</p>
<p>We aim to maintain the proportions of survey respondents who find it easy to access the following key local services using their normal form of transport;</p> <ul style="list-style-type: none"> <li>●A doctor (59a HCS) (79% in 2006)</li> <li>●A local hospital (59b HCS) (57% in 2006)</li> <li>●A library (59c HCS) (70% in 2006)</li> </ul>	G G G	<p>Figures from the 2007 Annual Satisfaction Survey;</p> <p>Doctor 79%</p> <p>Local hospital 59%</p> <p>Library 70%</p>

<ul style="list-style-type: none"> <li>●A sports or leisure centre (59d HCS) (69% in 2006)</li> <li>●A cultural or recreational facility (59e HCS) (55% in 2006)</li> </ul>	<p>G R</p>	<p>Sports or leisure centre 69% A cultural or recreational facility 52%</p>
<p><i>We aim to increase by 2010 the percentage of adults who use:</i></p>		<p><i>Figures from the 2007 Annual Satisfaction Survey;</i></p>
<p>Sports and leisure facilities at least once a month: from 25% in 2005 to 31% (65a HCS)</p>	<p>A</p>	<p>30%</p>
<p>Parks, open spaces, play areas and other recreational facilities at least once a month: from 41% in 2005 to 48% (65e HCS)</p>	<p>G</p>	<p>50%</p>
<p>Libraries at least once a month; from 32% in 2005 to 36% (65b HCS)</p>	<p>R</p>	<p>29%</p>
<p>Museums or galleries at least once every six months: from 19% in 2005 to 22% (65cHCS)</p>	<p>G</p>	<p>24%</p>
<p>Theatres or concert halls at least once every six months: from 32% in 2005 to 37% (65d HCS)</p>	<p>R</p>	<p>32%</p>
<p>We will also aim to increase, by at least 5 percentage points by 2010, the adult public's perceptions of improvement in the following quality of life indicators;</p> <ul style="list-style-type: none"> <li>●Affordable decent housing (60b HCS)</li> <li>●Public transport (97h HC)</li> <li>●The level of traffic congestion (60e HCS)</li> <li>●Wage levels and the local cost of living (60f HCS)</li> </ul>	<p>R G G R</p>	<p><i>Figures from the 2007 Annual Satisfaction Survey, compared with the 2006 General Survey;</i></p> <ul style="list-style-type: none"> <li>●Affordable decent housing - Score = minus 7 percentage points</li> <li>●Public transport - Score = plus 6 percentage points</li> <li>●The level of traffic congestion - Score = plus 7 percentage points</li> <li>●Wage levels &amp; local cost of living - Score = minus 8 percentage points</li> </ul>
<p>The remaining indicators did not change in 2007 by plus or minus 5 percentage points (i.e a statistically significant change) since 2006</p> <ul style="list-style-type: none"> <li>●Access to nature (97a HC)</li> <li>●Activities for teenagers (60a HCS)</li> <li>●Clean streets (97b HC)</li> <li>●Community activities (97c HC)</li> <li>●Cultural facilities (97d HC)</li> <li>●Education provision (97e HC)</li> <li>●Facilities for young children (90 HC)</li> <li>●Health services (97f HC)</li> <li>●Job prospects (60c HCS)</li> <li>●Parks and open spaces (97g HC)</li> <li>●Race relations (97i HC)</li> <li>●Road and pavement repairs (97j HC)</li> <li>●Shopping facilities (97k HC)</li> <li>●Sports and leisure facilities (97l HC)</li> <li>●The level of crime (60d HCS)</li> <li>●The level of pollution (97m HC)</li> <li>●Public rights of way (97n HC)</li> </ul>		
<p>We aim to increase;</p> <ul style="list-style-type: none"> <li>● The satisfaction of adult residents with their local community as a place to live from 80% in 2005 to 87% in 2008 (64 HCS)</li> </ul>	<p>R</p>	<p>79% (Figure taken from 2007 Annual Satisfaction Survey)</p>
<ul style="list-style-type: none"> <li>●The percentage of people who feel that Herefordshire is a place where people from different backgrounds can get on together (63 HCS)</li> </ul>	<p>G</p>	<p>2006 = 74% 2007 = 76% (Figures taken from 2007 Annual Satisfaction Survey)</p>
<ul style="list-style-type: none"> <li>●The percentage of people who feel that people in their area treat them with respect and consideration. (87 HCS)</li> </ul>	<p>-</p>	<p>This question was not asked in the 2007 survey The new 'Place' survey due in 2008 will ask a question on respect but this is still to be agreed</p>

●The percentage of people who feel informed about what is being done to tackle anti-social behaviour in the local area. (98 HC)	A	2006 = 20% 2007 = 20% (Figures taken from 2007 User Satisfaction Survey)
●The percentage of people who feel that parents in their local area are made to take responsibility for the behaviour of their children. (86 HCS)	A	The Annual Satisfaction Survey asked a similar question "Parents not being made to take responsibility for the behaviour of their children". The result in 2006 was 65%. The result for 2007 was 65%
Reduce from 141 in 2004 to a 3-year average of 129 by the end of 2008, the number of people killed or seriously injured (KSI) in road traffic accidents in a year (52 HCS)	G	119 people were killed or seriously injured in 2006 and 133 in 2007. The 2-year average was 126
Reduce the number of people slightly injured in road traffic accidents (99 HC) in Herefordshire to a 3-year average of less than 719	G	752 people were slightly injured in 2005, 633 in 2006 and 713 in 2007. The 3 year average is 703
Improve the condition of principal roads so that only 5% fall below an acceptable threshold compared to 21% in 2005-06 (83a HC)	R	6%
Improve the condition of non-principal roads so that only 14% fall below an acceptable threshold (83b HC)	G	11%
Reduce all recorded crime (overall crime rate) by 15% (42c HCS) from a baseline of 12,034 in 2004/05 (i.e; reduce to 10,229).	R	Progress to date – 8,774 (Figure to 31 <sup>st</sup> December from HCSDP PMF 2007)
Reduce the number of young people aged under 25 who are victims of crime in Herefordshire by 6% (25 HCS) from a baseline of 6,567 in 2004/05 (i.e; reduce to 6,173)	N/A	Progress to date – 4,859 [Note – Recording methods have changed with consequent changes to targets and baselines. Updated position to be included in final plan.]
Reduce re-offending by young people in Herefordshire by a further 2.5% by 2008 (measured in calendar years against the 2006 baseline) (36 HCS)	A	Progress to be reported at year end
Reduce by 15% the proportion of prolific and other priority offenders (PPOs) who re-offend. (48 HCS)	A	Progress to be reported at year end
Reduce British Crime Survey comparator crimes by 15%, from the 2003-04 baseline figure of 6,909 (i.e. reduce to 5,872) (42a HCS)	R	Progress to date – 4,877 (Figure to 31 <sup>st</sup> December from HCSDP PMF 2007)
No more than 600 recorded domestic burglaries per year (49a HCS)	G	Progress to date – 179 (Figure from IPFR November 2007)
No more than 1,086 recorded vehicle crimes per year (49b HCS)	G	Progress to date - 573 (Figure from IPFR November 2007)
Increase the number of Class A drug supply offences brought to justice by 25% - a 3-year target from a 2004/05 baseline of 22 (increase to 28) (50 HCS)	G	Progress to date – 28 (Figure to 31 <sup>st</sup> December from HCSDP PMF 2007)
Increase the numbers of drug users in treatment to 720 (46 HCS)	A	Progress to date - 551 (Figure from IPFR September 2007)
Reduce the offending behaviour of individuals engaged in the Drugs Intervention Programme (47 HCS). Targets for 2007/08 are;	A	

KPI1 60%, KPI2 85%, KPI3 95%. <i>[Note – definitions of KPIs to be included]</i>		KPI 1 = 93% KPI 2 = 100% KPI 3 = 105% of original target (central performance data to October)
Increase the number of calls to the Herefordshire Women's Aid helpline by 10% from the 2004/05 baseline of 594 (i.e; increase to 654) (51a HCS)	A	Progress to date – 489 (Figure to 31 <sup>st</sup> December 2007 from HCSDP PMF 2007)
Increase the number of domestic violence offences reported by 10% from the 2004/05 baseline of 414 (51b HCS)	N/A	Progress to date – 870 (Figure to 31 <sup>st</sup> December 2007 from HCSDP PMF 2007) <i>[Note – Recording methods have changed with consequent changes to targets and baselines. Updated position to be included in final plan. From 1st April 2008 the Herefordshire Community Safety and Drugs Partnership will produce a new Strategy to take into account changes in recording methods]</i>
Increase the number of arrests for domestic violence by 10% - 3-year target from a 2004/05 baseline of 92 (increase to 101) (51c HCS)	N/A	Progress to date – 372 (Figure to 31 <sup>st</sup> December 2007 from HCSDP PMF 2007). <i>[Note – Recording methods have changed with consequent changes to targets and baselines. Updated position to be included in final plan. From 1st April 2008 the Herefordshire Community Safety and Drugs Partnership will produce a new Strategy to take into account changes in recording methods]</i>
Increase the number of sanction detections for domestic violence incidents by 5% to 55% by 2007/08 (51d HCS)	A	Sanction detections as at 31 <sup>st</sup> December 2007 were 54%
Reduce by 4% against the 2006 baseline the proportion of adults worried about crime or anti-social behaviour (44 HCS)	A	Progress to be reported at year end



**Sustainable Communities** -To protect the environment, including producing much less waste, recycling much more of what remains and significantly reducing carbon emissions; and to provide an efficient and effective planning system that supports this objective, as well as enabling the supply of sufficient affordable housing and employment

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
Reduce from 18% in 2005-06 to 15% the proportion of relevant land and highways that fall below an acceptable level (54 HCS)	G	Progress to date – 14% at the end of January
Reduce from 3% in 2005-06 to 2% the proportion of relevant land and highways from which unacceptable levels of graffiti are visible (92 HC)	G	Progress to date – 2% at the end of January
Reduce from 2% to 1% the proportion of land and highways from which unacceptable levels of fly-posting are visible (93 HC)	G	Progress to date – 0% at the end of January
Maintain our current grade of 1 (very effective) for the year-on-year reduction in the total number of incidents and increase in total number of enforcement actions taken to deal with 'fly-tipping' (94 HC)	R	Progress to date – Grade 3 (Figure from IPFR November 2007)
Increase by at least 4% over three years the percentage of people satisfied with the cleanliness standard in their area* (95 HC)	A	The 2007 Annual Satisfaction Survey asked the following question "How satisfied or dissatisfied are you that Herefordshire Council has kept (this land) clear of litter and refuse?" The result was 63% compared to 66% in 2006.
Increase from 90% in 2005-06 to 100% the percentage of abandoned vehicles removed within 24 hours from the point where the Council is legally entitled to remove the vehicle (96 HC)	R	Progress to date – 97.67% (Figure from IPFR November 2007)
We aim by 2009-10 to increase from 2.59% to 3.4% the proportion of Council-owned or managed land without a nature conservation designation that is managed for biodiversity (67 HC)	A	Progress to be reported at year end
We aim to increase the proportion of land designated as a Site of Special Scientific Interest within the local authority area that is in favourable condition. (55 HCS)	A	Progress to be reported at year end
We aim to increase the numbers of key species/(57 HCS)	N/A	This target has been superseded by the new National Indicator –which will operate from 1 April 2008.
Reduce the amount of household waste collected per head in a year to 505 kilograms (compared to the 2005-06 baseline of 521.7 kilograms) (56a HCS)	A	Progress to date – 371.58kg at the end of December 2007
Reduce from 78.2% to 65% the proportion of household waste that is land filled (56b HCS)	A	Progress to date – 69.91% at the end of December
Increase the proportion of household waste recycled from 17.46% in 2005-06 to 23.97% (56e HCS)	A	Progress to date – 21.53% at the end of December

Through the implementation of <i>The Herefordshire Partnership's Carbon Management Action Plan</i> , we aspire to see a reduction in carbon emissions per head of the population (58 HCS)	A	Progress to be reported at year end Target will be set for National Indicator 186 as part of the LAA by April 2008.
We will continue to seek improvements in the energy efficiency of domestic dwellings required under the Home Energy Conservation Act through the provision of grants and advice and by implementing an Affordable Warmth Strategy with the aim of reducing energy consumption by at least 4.4% against the 2006 baseline.	A	Report and outcome not due until February 2009.
We will achieve a 10% reduction in Council carbon dioxide equivalent emissions by 2010. (102 HC)	N/A	This target has been superseded by the new National Indicator NI 185 –which will operate from 1 April 2008.
Reduce the percentage of adult residents in Herefordshire who usually travel to work for their main job by driving a car or van on their own. (6 HCS) [Target to be set]	N/A	This target has been superseded by the new National Indicator NI 176 –which will operate from 1 April 2008.
Control the increase of annual average traffic volumes to no more than 8% compared with 2003-04 (7a HCS & 7b HCS)	A	Progress to be reported at year end
Increase from 3,248,935 to 3,948,000 the number of passenger bus journeys a year (76 HC)	A	Progress to be reported at year end
We will measure people's perceptions of traffic congestion (60e HCS) (Three-year target to be set. Progress will be reported on annually through the Annual Satisfaction Survey)	N/A	This target has been superseded by the new National Indicator NI167 – which will operate from 1 April 2008.
Increase by 18% the number of cycling trips in a year compared with 2003-04 (72 HCS)	A	Progress to be reported at year end

**Organisational improvement and greater efficiency** - To secure better services, quality of life and value for money, particularly by working in partnership with the Herefordshire Primary Care Trust and other local organisations

Our Commitment	Status	Progress to 31/03/08 *(unless otherwise stated)
We will implement the <i>Herefordshire Connects</i> programme	R	Currently subject to review
We will rationalise our front and back office functions	G	Achieved in respect of planning, environmental health and trading standards, where front-office functions are being undertaken by the <i>Info by Phone</i> customer call centre.
We will continue to improve the value for money we get from procuring goods and services. In the first year of this plan we will achieve an additional saving of £250,000 through improved procurement procedures.	G	£200k savings were produced from the new arrangements for temporary staff. Full year savings from the contract will be £250,000 as planned. Further savings expected include £70k from postal services review and £70k from review of West Mercia Stationery Supplies contract.
We will review our <i>Accommodation Strategy by June 2007</i> , including the disposal of properties, the cessation of leases and the relocation of staff in the light of future needs for office accommodation.	G	The review was carried out within the agreed timescale, which identified a series of specific options for detailed review. Those options are to be submitted to Strategic Monitoring Committee in April 2008 and to a subsequent Cabinet meeting for approval
By disposing of some dilapidated property and bringing up to standard the buildings we retain following the review of our <i>Accommodation Strategy</i> , we will raise the proportion of the gross internal floor space in ODPM categories A and B to at least 95% by 2009-10	A	We continue towards the target of 95% properties in Condition category A or B by 2009/2010. Currently 86% of properties are in this category. However, following a review of the Asset Management Plan process, the Council has changed the method by which properties within its portfolio are assessed to ensure that it measures not just their physical condition but rather their suitability to deliver appropriate modern services. A base assessment for this will be carried out in 2008/09 and a target set accordingly.
In the light of the outcomes of the review of our <i>Accommodation Strategy</i> , we will complete our new ICT network during 2007-08 to make our operations more efficient and effective, with the network available for at least 98.5% of the time	A	The work to install the new network was completed during 2007-08, although not all council offices are on it. Data on the availability of the network will be available shortly.
By embedding our business continuity plans for all parts of the Council's activities and services through an annual programme of risk assessment and business continuity management, we will ensure that we comply with the <i>Civil Contingencies Act 2004</i> , in particular so as to safeguard the most vulnerable people in the county (79 HC)	A	Compliant, but business continuity plans not yet consistently embedded across the Council.
We will embed risk management across all aspects of the Council's work and	R	Overall the Council's score fell from 3 to 2

take all other measures necessary to raise our <i>Use of Resources</i> score from 3 to 4 (the highest possible). (101 HC)		The overall Use of Resources assessment is made up of 5 themes; <table border="1"> <thead> <tr> <th></th> <th>2006 score</th> <th>2007 score</th> </tr> </thead> <tbody> <tr> <td>financial reporting</td> <td>3</td> <td>3</td> </tr> <tr> <td>financial management,</td> <td>3</td> <td>3</td> </tr> <tr> <td>financial standing</td> <td>2</td> <td>2</td> </tr> <tr> <td>internal control</td> <td>2</td> <td>1</td> </tr> <tr> <td>value for money</td> <td>3</td> <td>2</td> </tr> </tbody> </table>		2006 score	2007 score	financial reporting	3	3	financial management,	3	3	financial standing	2	2	internal control	2	1	value for money	3	2
	2006 score	2007 score																		
financial reporting	3	3																		
financial management,	3	3																		
financial standing	2	2																		
internal control	2	1																		
value for money	3	2																		
To attain Level 3 of the <i>Local Authority Equality Standard</i> by March 2008. (80 HC)	G	Achieved (to be ratified by external assessors Summer 2008)																		
We will ensure that all directorates and Human Resources have Equality Impact Action plans that are realistic and achievable, and which are monitored and reported against every six months.	A	Partially achieved – programme to implement plans underway.																		
We will review and roll forward our statutory <i>Race Equality Scheme, by April 2008</i> , and our <i>Disability Equality Scheme by December 2009</i>	G	On track																		
Increase from 0.64% in 2006-07 to 0.8% in 2009-10 the percentage of employees from black and ethnic minorities (100a HC)	R	Progress to date – 0.61% (Figure from IPFR November 2007)																		
Increase from 1.89% in 2005-06 to 2.85% in 2009-10 the percentage of employees from black and ethnic minorities who are amongst the top 5% of wage earners (100b HC)	A	Progress to date – 2.73% (Figure from IPFR November 2007)																		
Increase from 0.39% in 2005-06 to 0.75% in 2009-10 the percentage of employees declaring a disability (100c HC)	R	Progress to date – 0.86% (Figure from IPFR November 2007)																		
Through the oversight of its independently chaired <i>Standards Committee</i> and the <i>Monitoring Officer</i> , uphold in its affairs the highest standards of corporate governance, propriety, integrity and impartiality	G	The Code of Conduct for members was reviewed and adopted by the Council in July 2007 in line with Standards Board for England guidance and changes in legislation																		
Through the work of the Audit and Corporate Governance Committee and the Finance Officer, discharge its financial and audit duties to ensure good financial management and governance	A	The Audit Commission has confirmed that the Audit and Corporate Governance Committee has shown real signs of improvement and challenge is good. Following a review of the supporting evidence the Committee approved the Council's Statement on Internal Control by the required legal deadline. However some significant weaknesses in the governance of ICT were identified by the Council, which commissioned an independent review. An action plan is being implemented to address the weaknesses.																		
Ensure it is accessible and responsive, seeking to avoid findings of maladministration against the Council being issued by the Local Government Ombudsman	A	Despite a 50% increase in complaints referred by the Ombudsman, improved the average response time from 40 days in 2005/06 to 29 days in 2006/07. This places the Council in the second quartile of																		

		performance. The Council hopes to achieve the top quartile for 07/08. This will be determined in the Ombudsman's report due in July 2008. There are currently two maladministration reports outstanding for which outcomes are still awaited.
Ensure that all members have the opportunity to receive full induction training on the responsibilities of being a Councillor, Cabinet Member, Committee Member and Scrutiny member	G	Following the elections in May 2007, all new members received full induction training
Ensure that all agendas for meetings are made available on our website at least five working days before meetings and that Council and Committee minutes, as well as Cabinet decision notices, are published on the Council website within two working days of being approved.	G	Achieved.
Work with the <i>Herefordshire Association of Local Councils (Halc)</i> , to provide training and support that enable the county's town and parish councils to demonstrate best practice and be at the forefront of national developments	G	Two training courses on the code of conduct provided for Halc. A training strategy regarding the code has been agreed with Halc for 2008/09 and the Council has assisted Halc with publishing the code and advising on its adoption for parish councillors. The Council is also reviewing its Parish Charter with Halc.
By April 2007, construct and communicate an interim high-level model that clearly identifies how the Council intends to assess and measure its level of performance and rate of improvement;	G	Achieved and incorporated in the revised performance improvement framework in March 2007.
From April 2007, develop and begin to implement a more consistent, strategic approach to embedding a performance management culture across the Council;	G	Achieved: performance improvement cycle revised and operated; all performance improvement managers in post, with the performance improvement network meeting regularly; training programme implemented.
Ensure the fullest possible integration between the Council's planning and performance management arrangements and those of the Herefordshire Partnership; with a detailed implementation plan to be in place by December 2007 and the new arrangements operating from April 2008	G	Achieved so far as is currently possible, focusing on the performance indicators and targets in the new Local Area Agreement (LAA), in respect of which an action plan will be in place by April 2008. Partners have agreed to include relevant targets and actions in their own business plans and performance management arrangements, also with effect from April 2008 (subject to the LAA being signed off). All will be monitored and reported by the Council.
Ensure that members are integrated into the Council's performance management arrangements, measured by an annual review of the operation of the performance management framework in October each year	G	Achieved, including better reporting in response to members' suggestions; regular progress reports on detailed improvement plans; member development, including visits to high-performing authorities; and annual reports by lead Cabinet members to subject scrutiny committees.

Produce regular, high-level strategic assessments of performance trends for senior management, Cabinet and scrutiny, identifying barriers and levers to raising performance and delivering the Council's priorities. A format for this will be agreed by CMB and Cabinet in April, and operate from June 2007.	G	Achieved in the bi-monthly integrated performance and financial reports submitted to Cabinet and Strategic Monitoring Committee.
Improve the quality of the staff review and development (SRD) process to ensure that all individuals' targets are linked to corporate and service targets	A	SRD training programme delivered. Quality assurance audit of 2007 SRDs showed that links between the Council's priorities, objectives and targets were not always made clear.
We will begin the performance improvement cycle in April, so as to provide a sound basis for systematically achieving value for money across all services	R	The performance improvement cycle has not yet secured a systematic approach to the achievement of value for money across all parts of the Council, although overall value for money has been confirmed by the Audit Commission to be good.
We will embed the performance management improvements being developed for children and young people's services and for adult social care and consider their potential value for the Council more generally	A	Two cohorts of managers in children's services have completed external performance management training; and some are working for an accredited certificate. Regular adult social care team performance appraisals and clinics. Case studies in successful performance management shared across the Council.
We will, as part of the <i>Herefordshire Connects</i> programme, develop a corporate ICT-based system to make much easier and faster the collection and analysis of all performance information for the Council and its strategic partners	R	The <i>Connects</i> programme generally is under review. <i>[To be updated in light of decisions on the programme]</i>
In recognition of its being fundamental to improved service delivery, the Council will reinforce its commitment to data quality by producing an action plan based on the standards set out in the Audit Commission's key lines of enquiry. The action plan will be developed by the end of May.	G	Data policy and action plan in place and being implemented. <i>[Note - Assumes that these will be approved before the end of March 2008]</i>
By means of our action plan to ensure robust auditable data, we aim to retain the unqualified status of our Best Value Performance Plan (78 HC) and ensure that none of our individual performance indicators is qualified (81 HC)	-	<i>To be confirmed by the Audit Commission before Easter</i>
The operation of the whole Performance Management Framework will be audited as part of Internal Audit's annual review of the Council's key processes, providing a sound basis for continuous improvement (82 HC)	G	Completed. <i>(Dn add headlines if required)</i>

## Appendix E Corporate Plan – Key Actions & timetables

Note – Key actions and completion dates still to be agreed are shaded in yellow

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Children and young people Our key commitments during 2008-09		KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>● Increase the percentage of initial assessments carried out within 7 working days of referral</li> </ul>	<ul style="list-style-type: none"> <li>● Implement action plan arising from audit</li> <li>● Implement service improvements identified from benchmarking exercise</li> <li>● Recruit and retain staff to target establishment</li> </ul>	<ul style="list-style-type: none"> <li>● Implement Primary Strategy</li> <li>● Implement support and intervention model</li> <li>● Annual cycle of target setting with schools</li> <li>● Analyse and interpret individual school and pupil-related performance data</li> <li>● Identify and provide targeted support for schools with low or declining performance</li> </ul>	April 2008 June 2008  March 2009	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>● Improve educational attainment at Key Stages 1 and 2</li> </ul>	<ul style="list-style-type: none"> <li>● Implement Primary Strategy</li> <li>● Implement support and intervention model</li> <li>● Annual cycle of target setting with schools</li> <li>● Analyse and interpret individual school and pupil-related performance data</li> <li>● Identify and provide targeted support for schools with low or declining performance</li> </ul>	<ul style="list-style-type: none"> <li>● Develop the 14-19 curriculum to include more vocational and applied learning, including the roll out of the Diploma strategy</li> <li>● Ensure impartial and appropriate information, advice and guidance is available to all learners at key transition points</li> <li>● Work effectively with the Learning and Skills Council in the transfer of funding for post-16 courses to the local authority</li> <li>● Ensure that the needs of all disaffected young people and learners are being met through engagement programmes and the not in education, employment or training (NEET) strategy</li> <li>● Engage employers effectively in 14-19 activity</li> </ul>	March 2009  March 2009 March 2009  September 2008 December 2008	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>● Implement an area-wide programme for 14-19 learning</li> </ul>	<ul style="list-style-type: none"> <li>● Develop TYS alongside CAFTAC (Common Assessment Framework – Team Around the Child)</li> <li>● Develop and promote positive activities</li> </ul>	<ul style="list-style-type: none"> <li>● Identify and provide for the training needs of all staff involved in the framework implementation</li> <li>● Prepare and implement a single information sharing protocol for practitioners across all agencies</li> <li>● Develop intensive family support services, including systems for early identification of children of all ages at risk</li> <li>● Ensure alignment with implementation of other national strategies</li> </ul>	March 2009	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>● Develop the Youth Service to meet the new Targeted Youth Support (TYS) and Positive Activities agenda</li> </ul>	<ul style="list-style-type: none"> <li>● Implement CAFTAC county-wide in tandem with other national strategies</li> </ul>	<ul style="list-style-type: none"> <li>● Review progress against the Temporary Accommodation Schedule.</li> </ul>	July 2008  September 2008 March 2009  March 2009	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>● Reduce the number of households in temporary accommodation</li> </ul>	<ul style="list-style-type: none"> <li>● Review progress against the Temporary Accommodation Schedule.</li> </ul>	Page 57 Quarterly Quarterly	Children & Young People	Director of Children's Services	

Our key commitments for future years, 2009-11	KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>Maintain and enhance educational standards at all Key Stages</li> </ul>	<ul style="list-style-type: none"> <li>Implement Primary Strategy</li> <li>Implement Secondary Strategy</li> <li>Analyse and interpret individual school and pupil related performance data</li> <li>Identify and provide targeted support for schools with low or declining performance</li> </ul>	March 2009	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>Implement the Primary Capital Strategy, Building Schools for the Future and the Academy</li> </ul>	<ul style="list-style-type: none"> <li>Implement vision and strategy for primary capital build</li> <li>Identify schools requiring refurbishment in line with the vision and strategy</li> <li>Carry out feasibility work</li> <li>Undertake works to identified schools</li> </ul>	March 2011	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>Implement the Primary Capital Strategy</li> </ul>	<ul style="list-style-type: none"> <li>Identify schools requiring refurbishment in line with the vision and strategy</li> <li>Carry out feasibility work</li> <li>Undertake works to identified schools</li> </ul>	March 2011	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>Conclude Children's Centres and Extended Schools roll out plans</li> </ul>	<ul style="list-style-type: none"> <li>Implement Children's Centres roll out plan</li> <li>Implement Extended Schools roll out plan</li> </ul>	March 2010 March 2010	Children & Young People	Director of Children's Services
<ul style="list-style-type: none"> <li>Embed Children's Trust arrangements, including commissioning and contract monitoring arrangements</li> </ul>	<ul style="list-style-type: none"> <li>Establish a joint commissioning unit as part of the arrangements with the PCT</li> <li>Monitor implementation of Children and Young People's Delivery Plan</li> </ul>	March 2009 March 2011	Children & Young People	Director of Children's Services



Health and well-being Our key commitments during 2008-09		KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>Joint health and social care commissioning plans to secure modern, more effective services for people with mental health problems, learning disabilities, physical disabilities</li> </ul>	<ul style="list-style-type: none"> <li>Commissioning plans in place and operating effectively</li> </ul>	March 2009	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Establish Integrated Intermediate care service. To increase the number of Intermediate Care places to prevent hospital admission and facilitate timely discharge</li> </ul>	<ul style="list-style-type: none"> <li>Establish single line-management of intermediate care.</li> <li>Re-design care pathways for intermediate care.</li> <li>Integrate community intermediate care teams across Herefordshire with single access point.</li> </ul>	April 2008 May 2008 Sept 2008	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Embed the Single Assessment Process across partner organisations.</li> </ul>	<ul style="list-style-type: none"> <li>Finalise a common and consistent approach to assessment and documentation.</li> <li>Deliver a training programme to all operational staff across relevant partner organisations.</li> <li>Consider options for developing an ICT interface between ASC and Health.</li> </ul>	July 2008 Sept 2008 Sept 2008	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Ensure equality of access to health services.</li> </ul>	<b>Targets and actions yet to be identified</b>	Sept 2008	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Develop and implement mental health rehabilitation and recovery Service.</li> </ul>	<b>Targets and actions yet to be identified</b>	April 2008 June 2008	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Ensure that users are appropriately assessed for continuing health care (CHC) eligibility.</li> </ul>	<ul style="list-style-type: none"> <li>Implement clear protocol with PCT.</li> <li>Hold workshop for key multi-agency staff.</li> <li>Review existing users where CHC may be appropriate.</li> <li>Implement Target Operating Model.</li> </ul>	April 2008 April 2008 June 2008 June 2008	Adult Social Care and Strategic Housing	Director Adult & Community	
<ul style="list-style-type: none"> <li>Ensure all users feel safe</li> </ul>	<ul style="list-style-type: none"> <li>All staff to be appropriately trained in protection of vulnerable adults (POVA) and dementia awareness.</li> <li>Ensure clear, easily accessible POVA policy and guidance.</li> </ul>	July 2008 July 2008	Adult Social Care and Strategic Housing	Director Adult & Community	

<ul style="list-style-type: none"> <li>Extend self-directed care (direct payments and individual budgets) to as many people as possible</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>Increase range and availability of support to carers.</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>Maximise the number of people accessing health care on a planned rather than an unplanned basis</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community

<b>Our key commitments for future years, 2009-11</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic lead</b>
<ul style="list-style-type: none"> <li>Ensure information, advice and advocacy is available to all</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>Ensure self-directed care and personalised budgets are offered to the majority of service users</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>Increase range and availability of support to carers</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>All services enable people to be treated with dignity and respect</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>Extend integration of health and social care across front-line services</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Adult Social Care and Strategic Housing	Director Adult & Community

<b>Older People</b> <b>Our key commitments during 2008-09</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic lead</b>
<ul style="list-style-type: none"> <li>• Increase options to provide support in people's homes.</li> </ul>	<ul style="list-style-type: none"> <li>• Expand telecare and community equipment Services.</li> <li>• Extend the <i>Just Checking</i> scheme</li> <li>• Expand Signposting scheme and other prevention/non-care-managed options.</li> </ul>	April 2008 April 2008 Sept 2008	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>• Increase the number, type and usage of supported housing options.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop Disraeli Court as 'Half-way House, Step-down' units.</li> <li>• Ensure smooth transition for residents moving from Elmhurst and Orchard House into Rose Gardens extra-care service</li> <li>• Ensure take up of Leadon Bank extra-care.</li> </ul>	Oct 2008 Aug 2008 April 2008	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>• Extend the delivery of person-centred services</li> </ul>	<ul style="list-style-type: none"> <li>• Review current assessment and care management practice and update.</li> <li>• Implement target operating model.</li> <li>• Develop a range of services to meet identified needs.</li> </ul>	April 2008 June 2008 April 2008	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>• Extend self-directed care and personalised budgets across all client groups.</li> </ul>	<ul style="list-style-type: none"> <li>• Review of internal business processes to deliver personalisation, including equality of access.</li> <li>• Appropriate resource allocation system agreed, ensuring equity across each of the client groups and carers.</li> <li>• Work with key providers to develop independent brokerage as part of a range of support options for personalisation</li> </ul>	April 2008 April 2008 Between April 08 and March 09	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>• Increase range and availability of support to carers.</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a carers' hub and forum.</li> <li>• Increase support for engagement with carers of people with learning difficulties or mental health services.</li> <li>• Re-commission short-breaks.</li> </ul>	April 2008 Oct 2008 April 2008	Adult Social Care and Strategic Housing	Director Adult & Community
<ul style="list-style-type: none"> <li>• Increase the take-up of benefits</li> </ul>	<ul style="list-style-type: none"> <li>• Promote service more widely on the web.</li> <li>• Identify people from hard-to-reach groups who may be entitled to benefits.</li> <li>• Hold information events in the city and the market towns.</li> </ul>	August 2008 Nov 2008 Jan 2009	Adult Social Care and Strategic Housing	Director Adult & Community

<ul style="list-style-type: none"> <li>• Increase the number of people remaining at home after an intermediate care service</li> </ul>	<p><b>Targets and actions yet to be identified</b></p>	<p><b>Dates TBC</b></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Ensure easier access to services by providing them closer to home, including more flexible GP surgery opening hours</li> </ul>	<ul style="list-style-type: none"> <li>• Develop community multi-disciplinary teams to deliver a wide range of health and care services from a single base.</li> <li><i>In addition we will work with the PCT to;</i></li> <li>• Increase GP surgery opening times by a minimum of three hours per week during evenings and or weekends.</li> <li>• Develop additional medical facilities in Hereford City</li> </ul>	<p><b>Dates TBC</b></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Tackling inequalities and causes of ill-health, by developing effective prevention strategies</li> </ul>	<p><b>Targets and actions yet to be identified</b></p>	<p><b>Dates TBC</b></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Implement the older persons strategy, <i>Growing Older in Herefordshire</i> to improve quality of life for older people</li> </ul>	<ul style="list-style-type: none"> <li>• Draw up and agree action plan</li> <li>• Implement plan, producing regular progress reports</li> </ul>	<p>July 2008 Quarterly reports</p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>

Our key commitments for future years, 2009-11	KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>• Ensure information, advice and advocacy is available to all</li> </ul>	<p><i>Targets and actions yet to be identified</i></p>	<p><i>Dates TBC</i></p>	<p>Adult Social Care &amp; Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Ensure self-directed care and personalised budgets are offered to the majority of service users</li> </ul>	<ul style="list-style-type: none"> <li>• Raise awareness of the self-directed care option and sustain support.</li> <li>• Continue to support independent brokerage</li> </ul>	<p><i>Dates TBC</i></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Increase range and availability of support to carers</li> </ul>	<p><i>Targets and actions yet to be identified</i></p>	<p><i>Dates TBC</i></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Use the Transformation Grant to support effective improvement in dementia services</li> </ul>	<p><i>Targets and actions yet to be identified</i></p>	<p><i>Dates TBC</i></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• All services enable older people to be treated with dignity and respect</li> </ul>	<p><i>Targets and actions yet to be identified</i></p>	<p><i>Dates TBC</i></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>
<ul style="list-style-type: none"> <li>• Extend integration of health and social care across front-line services</li> </ul>	<p><i>Targets and actions yet to be identified</i></p>	<p><i>Dates TBC</i></p>	<p>Adult Social Care and Strategic Housing</p>	<p>Director Adult &amp; Community</p>

<b>Economic development and enterprise -</b>				
<b>Our key commitments during 2008-09</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic lead</b>
<ul style="list-style-type: none"> <li>Retail Quarter started on Edgar Street Grid (ESG)</li> </ul>	<ul style="list-style-type: none"> <li>Flood mitigation planning application</li> <li>Development agreement signed</li> <li>Retail Quarter planning application submitted</li> <li>Planning application considered</li> </ul>	June 08 Sept 08 Dec 08 March 09	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>Edgar Street Grid Urban Village partner secured</li> </ul>	<ul style="list-style-type: none"> <li>Development partner selected</li> <li>Development agreement signed</li> </ul>	June 08 Dec 08	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>Increase the number of bus journeys made compared to 2006-07</li> </ul>	<ul style="list-style-type: none"> <li>Secure continued operation by extension or re-tendering of bus service contracts to provide high quality services with low floor buses to attract and retain passengers</li> <li>Provide comprehensive public transport information</li> </ul>	March 2009  March 2009	Highways & Transportation	Director of Environment
<ul style="list-style-type: none"> <li>Detailed planning permission secured for Model Farm, Live/Work developer appointed and Advantage West Midlands funding secured for infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Issue Pre-qualification questionnaire to prospective live/work developers</li> <li>Hold tender selection for live/work developer and appoint</li> <li>Agree infrastructure</li> <li>Disposal arrangements for plots agreed</li> </ul>	April 08  October 08  August 08 March 09	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>Completion of Rotherwas Relief Road</li> </ul>	<ul style="list-style-type: none"> <li>Road open</li> </ul>	April 08	Highways and Transportation	Director of Environment
<ul style="list-style-type: none"> <li>Rotherwas Futures Phase 2 (Southern Magazine employment units) commenced</li> </ul>	<ul style="list-style-type: none"> <li>Marketing started</li> <li>Planning application submitted</li> <li>Infrastructure contract awarded</li> <li>Infrastructure work started</li> </ul>	April 08 July 08 Nov. 08 Jan 09	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>Use Redundant Building Grant to complete projects and create jobs</li> </ul>	<ul style="list-style-type: none"> <li>Deliver programme targets for spend &amp; outputs according to profile</li> </ul>	March 09	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>Inward investment strategy completed</li> </ul>	<ul style="list-style-type: none"> <li>Draft strategy</li> </ul>	June 08	Economic	Director Adult

	<ul style="list-style-type: none"> <li>• Consultation</li> <li>• Finalised strategy</li> </ul>	Sept 08 Dec 08	Development & Community Services	& Community
<ul style="list-style-type: none"> <li>• Continued development of home-work business support</li> </ul>	<ul style="list-style-type: none"> <li>• Commencement of research into amount of home-working</li> <li>• Research project finished</li> <li>• Support programme drawn up and rolled out</li> </ul>	April 08 Sept 08 Dec 08	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>• Strategic aim for Hereford City to be produced</li> </ul>	<ul style="list-style-type: none"> <li>• Hold programme of stakeholder consultation events and public meeting, leading to agreement of strategic aim.</li> </ul>	June 08	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>• Engage 1,500 residents in adult and community learning courses</li> </ul>	<ul style="list-style-type: none"> <li>• Engage with the community and voluntary sector to identify opportunities for learners</li> <li>• Develop curriculum</li> <li>• Advertise courses in local media</li> </ul>	July 08 Aug-Sept 08 Sept 08	Economic Development & Community Services	Director Adult & Community

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Our key commitments for future years, 2009-11	KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>• Improve performance on processing major planning applications within 13 weeks</li> </ul>	<ul style="list-style-type: none"> <li>• Review progress and performance on a regular basis</li> </ul>	Monthly	Environment and Strategic Housing	Director of Environment
<ul style="list-style-type: none"> <li>• Increase the number of bus journeys made compared to 2006-07</li> </ul>	<ul style="list-style-type: none"> <li>• Secure planning permission for first permanent park and ride site and deliver it</li> <li>• Secure continued operation by extension or re-tendering of bus service contracts to provide high quality services, with low floor buses, to attract and retain passengers</li> <li>• Provide comprehensive public transport information</li> </ul>	Dec 09 March 2010 & 2011 March 2010 & 2011	Highways & Transportation	Director of Environment
<ul style="list-style-type: none"> <li>• Construction of Model Farm employment units commenced and first units completed</li> </ul>	<ul style="list-style-type: none"> <li>• Infrastructure servicing completed for first phase</li> </ul>	Dec 09	Economic Development	Director Adult & Community

			& Community Services	
<ul style="list-style-type: none"> <li>• Construction of Retail Quarter commenced; on and off-site infrastructure commenced</li> </ul>	<ul style="list-style-type: none"> <li>• Flood mitigation construction commenced.</li> <li>• Completion of new livestock market</li> <li>• Closure of old livestock market and transfer of market to new site</li> <li>• Delivery of vacant possession to developer</li> <li>• Link Road construction commenced</li> <li>• Commencement on site</li> <li>• Flood Mitigation constructed</li> <li>• Link Road constructed</li> <li>• Retail Quarter open</li> </ul>	<p>April 09 Sept 09 Dec 09</p> <p>Jan 10 March 10 March 10 April 10 April 11 2012</p>	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>• Units on Rotherwas Futures phase 2 completed and site infrastructure in place</li> </ul>	<ul style="list-style-type: none"> <li>• All units will be built by owner-occupiers or developers. First units complete</li> </ul>	Aug. 09	Economic Development & Community Services	Director Adult & Community
<ul style="list-style-type: none"> <li>• Inward investment strategy being implemented</li> </ul>	<ul style="list-style-type: none"> <li>• Strategy Launch</li> <li>• Marketing Campaign</li> <li>• Implementation of new initiatives</li> </ul>	Mar 09 Sept 09 Dec 09	Economic Development & Community Services	



<b>Safer and stronger communities</b>				
<b>Our key commitments during 2008-09</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member leads</b>	<b>Strategic leads</b>
<ul style="list-style-type: none"> <li>The number of adults killed or seriously injured in road accidents to be reduced</li> </ul>	<ul style="list-style-type: none"> <li>Delivery of programme of road safety education, training and publicity in accordance with the Local Transport Plan (LTP) strategy</li> <li>Work in partnership with Highways Agency to ensure they contribute to meeting Herefordshire casualty reduction targets by action on trunk roads within the county</li> </ul>	March 2009	Highways and Transportation	Director Environment
<ul style="list-style-type: none"> <li>All pedestrian crossings in the county to have facilities for the disabled</li> </ul>	<ul style="list-style-type: none"> <li>Identify crossings that are not up to standard</li> <li>Programme work for remainder of year</li> <li>Bring remaining crossing to standard</li> </ul>	June 2008 July 2008 March 2009	Highways & Transportation	Director of Environment
<ul style="list-style-type: none"> <li>Work with our partners to reduce the impact of crime, drugs and antisocial behaviour on the people who live work and visit Herefordshire through the implementation of <i>Herefordshire Community Safety and Drugs Partnership strategy 2008-11</i></li> </ul>	<ul style="list-style-type: none"> <li>Strategy to be launched</li> <li>Deliver against action plans (currently being developed)</li> </ul>	Apr 08 As in the Action Plan	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Reduce the impact of drug related harm to drug users and the wider community through the delivery of the <i>Harm Reduction Strategy</i> for Herefordshire</li> </ul>	<ul style="list-style-type: none"> <li>Roll out pharmacy needle exchange</li> <li>Improve workforce development through ensuring all staff working with drug users are adequately trained</li> <li>Implementation of user and carer action plans</li> </ul>	April 08 September 08  Throughout 08/9	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Reduce the impact of parental substance misuse on the children of users through the delivery of the <i>Hidden Harm Action Plan</i></li> </ul>	<ul style="list-style-type: none"> <li>Develop clear care pathways</li> <li>Promote and increase the take-up of related training</li> <li>Raise awareness of services available for parents and pregnant drug/alcohol service users</li> </ul>	October 2008 April 2008  October 2008	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Improve the public's perception of the levels of crime, drugs, anti-social behaviour and the safety of our roads.</li> </ul>	<ul style="list-style-type: none"> <li>Deliver communication campaigns throughout the year providing key crime prevention and harm minimisation messages. To include: <ul style="list-style-type: none"> <li>Garden crime campaign</li> <li>Road safety week</li> <li>White ribbon day</li> <li>Campaign to highlight anti-social behaviour</li> </ul> </li> </ul>	April 2008 Nov 08 Nov 08 Summer 08	Economic and Community	Director Adult & Community

<ul style="list-style-type: none"> <li>Development of codes of good practice to support the Herefordshire Compact</li> </ul>	<ul style="list-style-type: none"> <li>Consultation on volunteering code</li> <li>Code on volunteering agreed</li> <li>Consultation on funding and procurement code</li> </ul>	<p>July 2008 Nov 08 January 09</p>	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Secure external LEADER funding for social and community priorities in rural Herefordshire</li> </ul>	<ul style="list-style-type: none"> <li>Local Development Strategy approved by Advantage West Midlands</li> </ul>	August 08	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Secure external Rural Regeneration Zone funding to support multi-use centres in Herefordshire.</li> </ul>	<ul style="list-style-type: none"> <li>Funding secured for 2 multi-use centres</li> </ul>	Jan 09	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Deal positively with all complaints of a discriminatory nature submitted to the Council</li> </ul>	<ul style="list-style-type: none"> <li>All complaints of a discriminatory nature to result in further action</li> </ul>	Throughout 2008-09		Director Corporate & Customer
<ul style="list-style-type: none"> <li>Run a series of events and activities based on the National Year of Reading.</li> </ul>	<ul style="list-style-type: none"> <li>Monthly events to take place in libraries and other community venues</li> </ul>	December 2008	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Work with independent museums to achieve national accreditation that reflects their improvement as centres for local people and visitors</li> </ul>	<ul style="list-style-type: none"> <li>80% of museums eligible to more to accreditation.</li> </ul>	March 2009	Economic and Community	
<ul style="list-style-type: none"> <li>Build on the success of h.art (Herefordshire Art Week) and Hereford Contemporary Crafts Fair with increased visitor numbers / sales at both events.</li> </ul>	<ul style="list-style-type: none"> <li>H.art week each September</li> <li>Hereford Contemporary Crafts Fair each November</li> </ul>	Sep 2008 Nov 2008	Economic and Community	Director Adult & Community

<b>Our key commitments for future years, 2009-11</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic leads</b>
<ul style="list-style-type: none"> <li>The number of adults killed or seriously injured in road accidents to be reduced</li> </ul>	<ul style="list-style-type: none"> <li>Delivery of programme of road safety education, training and publicity in accordance with the Local Transport Plan (LTP) strategy</li> <li>Work in partnership with Highways Agency to ensure they contribute to meeting Herefordshire casualty reduction targets by action on trunk roads within the County</li> </ul>	March 2011	Highways & Transportation	Director Environment
<ul style="list-style-type: none"> <li>Ledbury Centre to be built to incorporate a range of services and functions in one facility</li> </ul>	<ul style="list-style-type: none"> <li>Establish local action group to take forward the scheme</li> <li>Access funding for the scheme</li> </ul>	2010 2010	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Continue to work with our partners to reduce the impact of crime, drugs and anti-social behaviour on the people who live work and visit Herefordshire</li> </ul>	<ul style="list-style-type: none"> <li>Deliver against action plans (currently being developed)</li> </ul>	Strategy to be completed by 2011	Economic and Community	Director Adult & Community

through the implementation of Herefordshire Community Safety and Drugs Partnership strategy 2008-11				
<ul style="list-style-type: none"> <li>Support Herefordshire's involvement in London 2012 Olympic Games.</li> </ul>	<ul style="list-style-type: none"> <li>Attract a country /sport team to use Hereford as a pre-game-training camp</li> <li>Promote opportunities for the county, its residents, organisations and businesses to benefit from London 2012</li> <li>Support 2010 Blind Football World Championships</li> </ul>	2010-2012	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Establish a talent identification programme in preparation for the 2012 Olympic Games.</li> </ul>	<ul style="list-style-type: none"> <li>Work with schools and clubs to identify talent leading up to the 2012 Olympic Games in London.</li> </ul>	September 2009	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Relocate the library in Hereford to a new multi-use customer and cultural centre on the Edgar Street Grid.</li> </ul>	<ul style="list-style-type: none"> <li>Establish best site for the Centre</li> <li>Raise funding for the scheme</li> <li>Relocate to new site</li> </ul>	2009-12	Economic and Community	Director Adult & Community
<ul style="list-style-type: none"> <li>Deal positively with all complaints alleging discriminatory treatment</li> </ul>	<ul style="list-style-type: none"> <li>All complaints of a discriminatory nature to result in further action</li> </ul>	Throughout 2009-11	Corporate Customer Services & HR	Director Corporate & Customer
<ul style="list-style-type: none"> <li>Development of phases 3, 4 &amp; 5 of Aylestone Park</li> </ul>	<ul style="list-style-type: none"> <li>Continue development of Aylestone Park – including playing areas, pitches and bowling green. Timing dependent on approval of planning applications</li> </ul>	Throughout 2009-11	Corporate Customer Services & HR	Director Corporate & Customer

<b>Sustainable communities</b>					
<b>Our key commitments during 2008-09</b>		<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic leads</b>
<ul style="list-style-type: none"> <li>• Improve the carbon footprint of operational buildings</li> </ul>	<ul style="list-style-type: none"> <li>• New crematorium to come on-stream in 2008</li> </ul>	Nov 2008	Environment and Strategic Housing	Director Environment	
<ul style="list-style-type: none"> <li>• Reduce the amount of residual waste per household and increase the proportion of waste recycled or composted</li> </ul>	<ul style="list-style-type: none"> <li>• Complete consultation on future arrangements for the collection and disposal of waste</li> <li>• Invite tenders for new waste collection contract</li> <li>• Let contract for waste collection contract</li> </ul>	April 2008 June 2008 Sept 2008	Environment and Strategic Housing	Director Environment	
<ul style="list-style-type: none"> <li>• Improve street cleanliness</li> </ul>	<ul style="list-style-type: none"> <li>• Complete review of service delivery arrangements and implement</li> </ul>	Starting July 2008	Environment and Strategic Housing	Director Environment	
<ul style="list-style-type: none"> <li>• Develop the Local Development Framework</li> </ul>	<ul style="list-style-type: none"> <li>• Contribute to partial reviews of the Regional spatial strategy (RSS).</li> <li>• Preparation of evidence base for the Local Development Framework, including management of continuing consultancy work and procurement of necessary additional studies.</li> <li>• Preparation of core strategy options paper and associated consultation exercise.</li> <li>• Preparation of core strategy preferred options and associated consultation.</li> <li>• Preparation of sustainability appraisals for Local Development documents (LDD)</li> <li>• Commencement of work on the Hereford Area Action Plan.</li> <li>• Annual Monitoring Report 2008/9</li> <li>• Planning policy advice</li> </ul>	Dec 2008 March 2009  March/April 2008 Sept/Oct 2008 As required by LDD timetables March 2009  Oct 2008 April/May/ Oct/ Dec 08	Environment and Strategic Housing	Director Environment	
<ul style="list-style-type: none"> <li>• 298 affordable homes to be built</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure affordable homes are included within plans and proposals</li> <li>• Work with developers to secure affordable homes</li> </ul>	By March 2009	Environment and Strategic Housing	Director Adult & Community & Director Environment	
<ul style="list-style-type: none"> <li>• Bring 38 properties back into use that have</li> </ul>	<ul style="list-style-type: none"> <li>• Complete a review of initiatives that bring empty</li> </ul>	End Sept 08	Environment	Director Adult	

been empty for more than 6 months	properties back into use <ul style="list-style-type: none"> <li>Implement new initiative programme</li> </ul>	March 09	and Strategic Housing	& Community & Director Environment
<ul style="list-style-type: none"> <li>Reduce the number of households in temporary accommodation</li> </ul>	<ul style="list-style-type: none"> <li>Review progress against the Temporary Accommodation Schedule target</li> </ul>	Quarterly	Environment and Strategic Housing	Director Adult & Community & Director Environment
<ul style="list-style-type: none"> <li>Maintain levels of planning performance</li> </ul>	<ul style="list-style-type: none"> <li>Introduction of national planning application form</li> <li>Development of local indicator set to recognise issues of local importance</li> </ul>	April 2008 October 2008	Environment and Strategic Housing	Director Environment
<ul style="list-style-type: none"> <li>Reduce carbon emissions</li> </ul>	<ul style="list-style-type: none"> <li>Establish baseline for new indicators to enable targets to be set for future years</li> <li>Agree targets for new national indicators</li> </ul>	March 2009 March 2009	Environment and Strategic Housing	Director Environment

Our key commitments for future years, 2009-11	KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>Increase the percentage of household waste recycled or composted</li> </ul>	<ul style="list-style-type: none"> <li>Implement new waste collection contract</li> <li>Implement the new Joint Municipal Waste Management Strategy</li> </ul>	August 2009 March 2011	Environment and Strategic Housing	Director Environment
<ul style="list-style-type: none"> <li>Reduce the amount of residual waste per household and increase the proportion of waste recycled or composted</li> </ul>	<ul style="list-style-type: none"> <li>Implement new waste collection contract</li> <li>Implement the new Joint Municipal Waste Management Strategy</li> </ul>	August 2009 March 2011	Environment and Strategic Housing	Director Environment
<ul style="list-style-type: none"> <li>Improve street cleanliness</li> </ul>	<b>Targets and actions yet to be identified</b>	<b>Dates TBC</b>	Environment and Strategic Housing	Director Environment
<ul style="list-style-type: none"> <li>Ensure continuing build of affordable houses</li> </ul>	<ul style="list-style-type: none"> <li>Ensure affordable homes are included within plans and proposals</li> <li>Work with developers to secure affordable homes</li> </ul>	On going to 2011	Environment and Strategic Housing	Director Environment
<ul style="list-style-type: none"> <li>Maintain levels of planning performance</li> </ul>	<ul style="list-style-type: none"> <li>Review on a regular basis to ensure levels of performance are maintained</li> </ul>	On going to March 2011	Environment and Strategic Housing	Director Environment

<b>Organisational improvement and greater efficiency</b> <b>Our key commitments during 2008-09</b>	<b>KEY ACTIONS</b>	<b>Completion date</b>	<b>Cabinet Member lead</b>	<b>Strategic lead</b>
<ul style="list-style-type: none"> <li>More effective, efficient and integrated business systems e.g. corporate and social care ICT-based systems</li> </ul>	<ul style="list-style-type: none"> <li>Phase One of the Adults and Children Social care ICT-based system to go live</li> <li>Phase Two to integrate this to the financial system</li> </ul>	October 08 Date TBC	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Implement information-sharing agreement between the Council and the PCT</li> </ul>	<ul style="list-style-type: none"> <li>Ensure effective implementation of the Council / PCT Information Sharing Agreement - including awareness raising and staff training</li> </ul>	Dec 2008	Children's Services; Social Care Adults and Health	Director of Children and Young People's Services; Director of Adult and Community Services
<ul style="list-style-type: none"> <li>Cash-releasing efficiency savings of £3m</li> </ul>	<ul style="list-style-type: none"> <li>Further improvements in procurement process</li> <li>Efficiencies generated through 1% vacancy factor, 1% supplies and services factor, no inflation on other non-pay budgets,</li> <li>All income budgets to generate 2.5% income increase</li> </ul>	March 2009	Resources	Director of Resources
<ul style="list-style-type: none"> <li>Review Accommodation Strategy for Council and PCT estates</li> </ul>	<ul style="list-style-type: none"> <li>Report on Accommodation strategy to be completed</li> <li>Base assessment on suitability of all Council-owned property to be carried out</li> </ul>	July 2008 March 2009	Resources	Director of Resources
<ul style="list-style-type: none"> <li>Continue to work towards <i>Investor in People</i> accreditation</li> </ul>	<ul style="list-style-type: none"> <li>To be determined</li> </ul>	March 2009	Corporate Customer Services & HR	Head of Human resources
<ul style="list-style-type: none"> <li>Remodelling of tourist information centre (TIC)</li> </ul>	<ul style="list-style-type: none"> <li>Ledbury TIC moving to the Masters House</li> <li>Assess further changes to the other TIC offices</li> </ul>	April 2008 Summer 2008	Economic Development & Community services;	Director of Adult and Community Services;

			Corporate Customer Services & HR	Director of Corporate & Customer Services
<ul style="list-style-type: none"> <li>Ensure that equality impact assessments are up to date and completed.</li> </ul>	<ul style="list-style-type: none"> <li>Impact assessments focusing on the Environment, Corporate and Customer services and Resources directorates.</li> <li>Findings of assessments included in directorate service plans, together with the actions / targets to implement them</li> </ul>	<p>January 2009</p> <p>March 2009</p>	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Joint Strategic Needs Assessment for health and social care carried out with the PCT and other partners</li> </ul>	<ul style="list-style-type: none"> <li>Initial analysis and prioritised programme for further assessment</li> </ul>	April 2008	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>A more general programme of needs assessment – including the economy, the environment and communities – carried out with <i>Herefordshire Partnership</i> partners</li> </ul>	<ul style="list-style-type: none"> <li>Initial analysis and prioritised programme for further assessment</li> </ul>	April 2008	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Joint Council and PCT health and social care commissioning plans for older people, mental health, physical disability and learning disabilities</li> </ul>	<ul style="list-style-type: none"> <li>Have joint commissioning plans in place and operating effectively</li> </ul>	March 2009	Social Care Adults and Health	Director of Adult and Community Services
<ul style="list-style-type: none"> <li>Appointment of a single director for commissioning</li> </ul>	<ul style="list-style-type: none"> <li>Appointee in post</li> </ul>	Oct 2008	Corporate Customer Services & HR	Chief Executive
<ul style="list-style-type: none"> <li>Implementation of new Council, PCT and <i>Herefordshire Partnership</i> organisation structures</li> </ul>	<p><i>[TBD in light of review, which is scheduled to be completed in March 2008]</i></p>		Corporate Strategy and Finance	Chief Executive
<ul style="list-style-type: none"> <li>Implement revised governance arrangements for the <i>Herefordshire Partnership</i></li> </ul>	<ul style="list-style-type: none"> <li>Review completed and action agreed</li> <li>New arrangements in place</li> </ul>	<p>June 2008</p> <p>Sept 2008</p>	Corporate Strategy and Finance	Chief Executive
<ul style="list-style-type: none"> <li>Achieving major improvements in data quality systems</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of data quality action plan with quarterly reports on progress - secure 2/4 scores &amp; show significant progress towards 3/4 score 3 in 2009/10</li> </ul>	Quarterly reports	Corporate Customer Services & HR	Director for Corporate & Customer

<ul style="list-style-type: none"> <li>Review and strengthen arrangements for consultation and engagement with the public and service users, focusing particularly on disadvantaged groups</li> </ul>	<ul style="list-style-type: none"> <li>Confirm with stakeholders appropriateness of electronic consultation arrangements</li> <li>Review effectiveness of PACTs arrangements by conducting a sample survey with 8 parishes</li> <li>Hold consultations with specific groups – for example; <ul style="list-style-type: none"> <li>older and disabled people and their carers (day opportunities consultation)</li> <li>school communities</li> <li>disabled people on the effectiveness of electronic consultations.</li> </ul> </li> <li>Hold staff training events on consultation arrangements</li> <li>Review constitution to ensure it reflects the requirements of the Local Government &amp; Public Involvement in Health Act 2007</li> </ul>	<p>May 2008</p> <p>May 2008</p> <p>April/May 2008; Dec 2008; By March 2009 Summer 2008</p> <p>To be completed by March 2009</p>	<p>Corporate Customer Services &amp; HR</p>	<p>Director for Corporate &amp; Customer</p>
<ul style="list-style-type: none"> <li>Satisfaction surveys and follow-up work to establish the reasons for dissatisfaction, so as to improve services and outcomes for people</li> </ul>	<ul style="list-style-type: none"> <li>Conduct New Place Survey in compliance with statutory requirements</li> <li>Publish basic results of New Place Survey</li> <li>Publish full report on results of New Place Survey - <i>The above subject to confirmation by CLG</i></li> <li>Conduct and report a minimum of two Herefordshire Voice surveys</li> </ul>	<p>Sept - Dec 2008</p> <p>Jan 2009</p> <p>Mar 2009</p> <p>Apr 2008 to Mar 2009</p>	<p>Corporate Customer Services &amp; HR</p>	<p>Director for Corporate &amp; Customer</p>
<ul style="list-style-type: none"> <li>Prepare effectively with partners for the new system of Comprehensive Area Assessment</li> </ul>	<ul style="list-style-type: none"> <li>Implement the Comprehensive Area Assessment preparation plan</li> </ul>	<p>Quarterly progress reports</p>	<p>Corporate Customer Services &amp; HR</p>	<p>Director for Corporate &amp; Customer</p>
<ul style="list-style-type: none"> <li>Strengthened scrutiny arrangements that make a major contribution to planning and performance management across the Council, the PCT and the <i>Herefordshire Partnership</i></li> </ul>	<ul style="list-style-type: none"> <li>Strengthened arrangements in place and operating effectively</li> </ul>	<p>Sept 2009</p>	<p>Corporate Customer Services &amp; HR</p>	<p>Director for Corporate &amp; Customer</p>



Our key commitments for future years, 2009-11	KEY ACTIONS	Completion date	Cabinet Member lead	Strategic lead
<ul style="list-style-type: none"> <li>Other joint goals/structures agreed between the Council and PCT</li> </ul>	<i>Actions to be confirmed</i>	<b>Dates TBC</b>	Corporate Strategy and Finance	Chief Executive
<ul style="list-style-type: none"> <li>Accommodation rationalisation of Council and PCT estates</li> </ul>	<ul style="list-style-type: none"> <li>Implement Accommodation Strategy</li> </ul>	March 2011	Resources	Director of Resources
<ul style="list-style-type: none"> <li>Ensure the Council is fully prepared to meet the challenges in the Local Government &amp; Public Involvement in Health Act 2007</li> </ul>	<ul style="list-style-type: none"> <li>Improved PACT and other consultation mechanisms in place</li> <li>Implement changes identified by review of constitution</li> </ul>	March 2009 March 2011	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Reach level 4 of the equality standard for local government</li> </ul>	<ul style="list-style-type: none"> <li>Continue to roll out EIA process</li> <li>Ensure up-to-date equality schemes in place;               <ul style="list-style-type: none"> <li>Disability scheme</li> <li>Gender scheme</li> </ul> </li> </ul>	Oct 2009 April 2010	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Complete roll out of impact assessment plans across all directorates</li> </ul>	<ul style="list-style-type: none"> <li>All directorate plans to include Impact Assessments and actions / targets to implement the findings</li> </ul>	March 2011	Corporate Customer Services & HR	Director for Corporate & Customer
<ul style="list-style-type: none"> <li>Joint Strategic Needs Analysis for health and social care carried out with the PCT</li> </ul>	<ul style="list-style-type: none"> <li>Completion of prioritised programme, leading to updated commissioning plans</li> </ul>	April 2009	Children's Services; Social Care Adults and Health	Director of Public Health; Director of Children and Young People's Services; Director of Adult and Community Services
<ul style="list-style-type: none"> <li>More general programme of needs assessment carried out with <i>Herefordshire Partnership</i> partners</li> </ul>	<ul style="list-style-type: none"> <li>Completion of prioritised programme, leading to updated commissioning plans</li> </ul>	April 2009	Corporate and Customer Services & HR	Director of Corporate & Customer Services
<ul style="list-style-type: none"> <li>Continue to achieve improvements in data quality</li> </ul>	<ul style="list-style-type: none"> <li>Continue to implement data quality action plan – score 3 in 2009/10</li> </ul>	March 2010	Corporate Customer Services & HR	Director for Corporate & Customer

## Appendix F Corporate Plan – Details of targets for 2008-11

Note – 1) All targets supplied thus far are provisional and likely to change

2) Targets for indicators proposed as part of the LAA will be the subject of external negotiation with GOWM prior to sign-off

3) Targets and figures still to be agreed are shaded in yellow

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Children and Young People	NI 59 Initial assessments for children's social care carried out within 7 working days of referral	55.2%	60%	65%	70%
	NI 64 Child protection plans lasting 2 years or more	0%	0%	0%	0%
	NI 65 Children becoming the subject of a Child Protection Plan for a second or subsequent time	14	14	13	13
	NI 66 Looked after children cases which were reviewed within required timescales	100%	100%	100%	100%
	NI 67 Child protection cases which were reviewed within required timescales	100%	100%	100%	100%
	NI 68 Referrals to children's social care going on to initial assessment	54.6%			
	NI 93 – Progression by 2 levels in English between KS1 and KS2	New	86%	88%	90%
	NI 94 – Progression by 2 levels in Maths between KS1 and KS2	New	83%	85%	87%

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Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Health and Well-being	NI 8 Adult participation in sport				
	NI 130 Social care users receiving self-directed support (direct payments and individual budgets) (propose using C51 as a proxy)	88.9	To be negotiated as part of LAA		
	C30 Number of adults with learning difficulties helped to live at home (74HC)	2.9	3	3.3	3.6
	C31 Number of adults with mental health difficulties helped to live at home (74HC)	4.3	4.4	4.7	5
	C29 Number of adults with physical difficulties helped to live at home (74HC)	3.3	6	6.5	7
	Local indicator to be agreed around safeguarding				
	D54 – delivery of equipment	96.3	96	96	96
	NI 135 – carers receiving needs assessment or review and a specific service or advice and information (C62 may be a proxy)	8.7	To be negotiated as part of LAA		
	Local indicator to be agreed around council tax / housing benefit				

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Older People	NI 125 Achieving independence for older people through rehabilitation/ intermediate care	No baseline; consider using relevant SAS indicator when guidance is available in April/May			
	NI 130 Social care users receiving self-directed support (direct payments and individual budgets) (propose using C51 as a proxy)	38	To be negotiated as part of LAA		
	NI 131 Delayed transfers of care from hospitals				
	The gap between the percentage of people 65 and over using home care services provided through Social Care, and people 65 and over who directly purchased services using Direct Payments, who report being satisfied with the help they received from Herefordshire Social Care and perfection (100%) <b>(This is the LPSA target that will be measured in the coming year)</b>	58% (2006 survey)	66%	N/a	N/a
	Local indicator to be agreed around number of people using Telecare	571	625	675	750
	Local indicator to be agreed around number of people remaining at home after an intermediate care service (Eleanor Brazil to advise)				
	Local indicator to be agreed around safeguarding				
	C72 – reduction in new admissions to residential care	70	65	60	50
	NI 136 – people supported to live independently through social services (Propose using C32 as a proxy)	55.2 (this figure increases @ year end)	To be negotiated as part of LAA		
	NI 135 – carers receiving needs assessment or review and a specific service or advice and information (C62 may be a proxy)	9	To be negotiated as part of LAA		
Indicator to be agreed around intensive homecare					

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Economic Development and Enterprise	NI 161 Learners achieving a Level 1 qualification in literacy	58			
	NI 162 Learners achieving an Entry Level 3 qualification in numeracy				
	NI 167 Congestion – average journey time per mile during the morning peak		To be negotiated as part of LAA		
	NI 168 Principal roads where maintenance should be considered	6	To be negotiated as part of LAA		
	NI 169 Non-principal roads where maintenance should be considered	11	To be negotiated as part of LAA		
	NI 171 VAT registration rate		To be negotiated as part of LAA		
	NI 172 VAT registered businesses in the area showing growth				

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Safer and Stronger Communities	NI 1 Percentage of people who believe people from different backgrounds get on well together in their local area		To be negotiated as part of LAA		
	NI 3 Civic participation in the local area				
	NI 4 % of people who feel they can influence decisions in their locality		To be negotiated as part of LAA		
	NI 9 Use of public libraries		To be negotiated as part of LAA		
	NI 17 Perceptions of anti-social behaviour		To be negotiated as part of LAA		
	NI 21 Dealing with local concerns about anti-social behaviour and crime by the local council and police				
	NI 47 People killed or seriously injured in road traffic accidents	133	To be negotiated as part of LAA		

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Sustainable Communities	NI 155 Number of affordable homes delivered (gross)		To be negotiated as part of LAA		
	NI 156 Number of households living in temporary accommodation		To be negotiated as part of LAA		
	NI 175 Access to services and facilities by public transport, walking and cycling		To be negotiated as part of LAA		
	NI 185 CO2 reduction from Local Authority operations				
	NI 187 Tackling fuel poverty – people receiving income based benefits living in homes with a low energy efficiency rating		To be negotiated as part of LAA		
	NI 191 Residual household waste per head		To be negotiated as part of LAA		
	NI 195 Improved street and environmental cleanliness (levels of graffiti, litter, detritus and fly posting)				
	NI 197 Improved local biodiversity – active management of local sites		To be negotiated as part of LAA		

Theme	Indicator	Provisional outturns	Targets		
		2007-08	2008-09	2009-10	2010-11
Organisational improvement and greater efficiency	Direction of Travel assessment	Adequate	Well		
	101 HC Use of Resources score	2	3		
	NI 179 Value for money – total net value of ongoing cash-releasing value for money gains that have impacted since the start of the financial year				
	73 HC Investors in people accreditation	Not accredited	Accredited		
	VFM HR SI 1 - Average days per full-time employee per year invested in learning and development				
	BVPI 11b Percentage of the top 5% of local authority staff who are from an ethnic minority	2.73%			
	BVPI 11c Percentage of the top paid 5% of staff who have a disability (excluding those in maintained schools)	0.91%			
	VFM HR PI 5 Average working days per employee (full time equivalent) per year lost through sickness absence	8.07 days			
	VFM HR SI 10 Percentage of leadership posts occupied by women	42%			
	VFM HR SI 11 Percentage of employees who consider themselves to have a disability	0.83%			
	VFM HR SI 12 Percentage of Black and Minority Ethnic (BME) employees in the workforce	0.59%			
	NI 14 Avoidable contact: the average number of customer contacts per received customer request				
	[Data quality measured in terms of the Audit Commission's four-point scale – agree with TG.]	2	2	3	3
	[Agree with DP an overall KPI for the maintenance of essential assets]				
	VFM PROC SI 5 The percentage of total non-pay channelled directly through collaborative procurement arrangements with other buying organisations				
	VFM ICT PI 7 – Commissioner and user satisfaction index				
	VFM ICT SI 3 – Unavailability of ICT services to users				



## BUDGET MONITORING 2007/08

### PORTFOLIO RESPONSIBILITY:RESOURCES

CABINET

27 MARCH 2008

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#### Wards Affected

County-wide

#### Purpose

To report on the Council's performance against revenue and capital budgets as at 29 February 2008 and provide an update of the corporate risk register. The report provides details of the remedial action being taken to address areas of underperformance.

#### Key Decision

This is not a Key Decision.

#### Recommendation(s)

**THAT Financial performance to the end of February 2008 be considered.**

#### Reasons

The Council's revenue, capital and risk management position is reported to Cabinet every second month. The information provides an indication of the Council's performance against budgets.

#### Considerations

1. Details of the revenue budget, capital budget and risk management position are attached in summary and then further detail is given by directorate.
2. The overall position shows a projected overspend of £578k compared with the projected overspend of £698k at the end of January 2008. This total is 0.5% of the Council's £122.371m net revenue budget (excluding Dedicated Schools Grant). The projected position is after allowing for the use of the £1.3m Social Care contingency, an estimated £2.8m underspend on modernisation funding for social care services, additional Local Authority Business Growth Incentive (LABGI) grant of £600k and additional interest from cash transactions.
3. The key areas of concern are the Adult & Community Services Directorate, with a projected £3.866m overspend; the Children & Young People's Directorate, with a £832k projected overspend; and the Corporate & Customer Services Directorate where a £1.100m overspend is projected. Underspends of £77k and £30k are projected for the Environment Directorate and Resources Directorates respectively. It

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Further information on the subject of this report is available from  
David Powell, Head of Financial Services on (01432) 373173

should be noted that the Adult & Community Services Directorate and Children & Young People's Services Directorate overspends are before the application of the centrally held social care contingency and unused spend to save allocations.

4. Appendix A includes a section on the July floods that caused significant damage to council assets. The Council has received £1.983m from central government to cover costs incurred by the works to repair flood damage.
5. The capital programme budget monitoring is at Appendix B. The overall position is forecast expenditure of £53.418m compared with the original budget of £65.462m. This slight increase on November's position is caused by the purchase of property for the Edgar Street Grid.
6. The latest corporate risk register is included at Appendix C.

## **Financial Implications**

These are contained in the report.

## **Risk Management**

Effective financial reports and their follow up are an essential element in the management of risks and the delivery of the Council's and Herefordshire Partnership's priorities.

## **Alternative Options**

None.

## **Consultees**

None.

## **Appendices**

Financial Report for January 2008.

## **Background Papers**

None.



## 2007/08 REVENUE BUDGET MONITORING

### Summary

1. The following table summarises the 2007/08 projected outturn as at the end of February 2008. It also includes figures from the previous Integrated Performance Report (IPR) report to permit comparison between current and previously reported figures.

	<b>2007/08 Budget £000</b>	<b>January 2008 Net over or (-) Underspending £000</b>	<b>February 2008- Net over or (-) Underspending £000</b>	<b>Change since last report £000</b>
Adult & Community	44,684	3,920	3,866	-54
Children & Young People	23,219	1,032	832	-200
Corporate & Customer	8,069	1,195	1,100	-95
Environment	24,734	-357	-77	280
Central Services	2,648	24	-1	-25
Resources	6,473	-16	-30	-14
Human Resources	1,421	0	0	0
<i>Directorate Position</i>	<i>111,248</i>	<i>5,798</i>	<i>5,690</i>	<i>-108</i>
Flood Damage Repairs	0	859	450	-409
Capital Financing Costs	10,753			
Interest Received	-1,220	-859	-859	0
Invest to Save	3,524	-2,800	-2,406	394
Transfers to Reserves	1,800			
Herefordshire Connects	1,893	-398	-395	3
Social Care Contingency	1,302	-1,302	-1,302	0
LABGI	-1,000	-600	-600	0
WMS Profit Share	-300	0	0	0
Transfer from Reserves	-4,472	0	0	0
Transfer from Revenue Balances	-1,157	0	0	0
<b>Net Position</b>	<b><u>122,371</u></b>	<b><u>698</u></b>	<b><u>578</u></b>	<b><u>-120</u></b>

2. The overall position shows projected £0.578 million overspend. This is 0.5% of the Council's £122.37 million revenue budget (excluding Dedicated Schools Grant funding).
3. As part of the overall 2007/08 budget there is contingency funding of £1.3m available to mitigate social care pressures. However the use of the contingency and the level applied to meet the overspend can only be sanctioned after a review of the causes for the overspend and assurances that mitigating action was taken.
4. The projected year-end outturn figures include an estimated £2.4m projected underspend against the allocations in the 2007/08 budget for modernising social care services. The majority of the total relates to the allocation to modernise social care and community services for older people.
5. The February projected outturn shows an improvement over the position reported at the end of February. This is largely due to a reduction in the projected overspend for directorates.

### **Revenue Reserves Position as at 29<sup>th</sup> February 2008**

#### **General Reserves**

6. As at 1st April 2007 the balance on the General Reserve was £8.0 million. This included releasing £100k contribution to the Partnership Fund with the PCT for developing the proposed PST arrangements.
7. The Council's Medium Term Financial Management Strategy sets out the Council's approach to managing General Fund balances and Specific Reserves and ensuring a balanced budget. A key message is a move away from a higher level of General Fund balances to specific Reserves to deal with key corporate financial risks. In 2006/07 this was achieved as the general fund balance had been £14.525m at 1st April 2006. The estimated General reserve balance at the end of this financial year is £6.0m after allowing for a planned use of reserve (£1.4m) and the £578k projected overspend.

#### **Earmarked Reserves**

8. At 1st April 2007 the Council held £19.8million of earmarked reserves. This includes school balances reserves of £8.137m that are ring fenced.

#### **July Floods and the Bellwin Claim**

9. Under the Government's Bellwin claim scheme £2.392m was submitted for reimbursement to meet flood related damage. The Council has received £1.983m after the deduction of the £409k "Threshold" that cannot be funded under current rules.
10. The projections now reflect the costs to be met by directorates after receipt of the £1.983m from central government. There remains £450k of costs currently held centrally pending insurance related discussions.

## ADULT AND COMMUNITY SERVICES DIRECTORATE

### Directorate Summary as at 29<sup>th</sup> February 2008

	January 2008 Net over or (-) underspending £000	February 2008 Net over or (-) underspending £000
Adult Services	+4,430	+4,233
Strategic Housing	+15	-9
Community Services	109	+306
Commissioning and Improvement	-134	-164
Less needs analysis monies	-500	-500
Total	3,920	3,866

#### Adult Services

11. The projected outturn for Adult Services is an overspend of £4.23 million which represents a decrease on the January position, this is mainly due to the allocation of preserved rights grant funding. Details of the major variances are as follows:
  - a. Learning Disabilities - £2.79 million overspend
  - b. Physical Disabilities - £0.496 million overspend
  - c. Mental Health - £1.182 million overspend
  - d. Older People - £0.203 million underspend
12. The position within Learning Disabilities has begun to stabilise, no new residential placements have been made, two home support packages have terminated and two new supported accommodation packages have been made. The final allocation of preserved rights grant has reduced the forecast overspend.
13. There has been one new residential package made in Mental Health, however the overall forecast overspend has reduced due to preserved rights grant allocations.
14. The position within Older People has improved further due to LPSA2 grant being applied to fund some staff costs. Dialogue continues with Shaw with a view to reducing the whole life costs of the overall scheme.
15. Work continues to bring expenditure back in line with budget, but as this requires a change to the model of service delivery this is a lengthy process. The Adult and Community Services Transformation Programme Board oversees a range of projects designed to change the way in which services are provided. This will see a move

away from residential care towards more cost effective community based solutions. As well as reducing costs, income generation schemes including fairer charging are being implemented and a more stringent assessment process introduced. Further mitigation is from Supporting People funding where agreement in principle has been reached to identify cases where such funding would be appropriate. A review of all existing clients is being carried out in conjunction with the PCT.

16. In recognition of the demographic pressures in social care (both adults and children's) a centrally held contingency of £1.3m has been set aside but has not been allocated at this stage. It is likely £650k of this will be used to offset the overspend.
17. Invest to save monies of £2.7m have been ring-fenced to address issues highlighted in the Older People's Needs Analysis completed in the autumn of 2006. As this funding will be underspent at the year end, £500k has been used to fund specific short term packages, pending redesign of service provision. Once these packages have ceased, the funding will not be used for further residential care but will revert to its original purpose of supporting the operational change agenda.
18. The final presentation of accounts for 2007/08 will include any underspend against spend to save against service areas. This will mean that the final reported figures are likely to be less than the headline figures in this report for both Adult Services and Children and Young Peoples Services.

#### **Strategic Housing**

19. The projected outturn for Strategic Housing is likely to be a small underspend, however homelessness remains an area where financial projection can change quickly as a result of service pressure.

#### **Community Services**

20. The budget recovery plan is on course to achieve the planned savings however there is no capacity to meet the annual ICT charges for public access points within County Libraries that will shortly be allocated. This is likely to result in an overspend of £75k. Discussions are being held between ICT and Community Services.
21. Negotiations with HALO regarding costs for the implementation of single status and job evaluation have concluded. Detailed challenge of the calculations has resulted in a reduction of approximately £40k, however the final position will result in an overspend of £160k for 2007-08 and a further £67k relating to backdated amounts.
22. The outcome of the 'Article 10' audit by Government Office of the ARCH (Actively Regenerating Communities in Herefordshire) programme will not be known until 2008-09 and any grant clawback will be applied within the next financial year.

#### **Commissioning & Improvement**

23. This area is expected to underspend by £164k as a result of delayed recruitment following a restructuring and economies derived from carrying out a data cleansing exercise in-house rather than using external resources. Some ICT expenditure will be funded by grant funding which further improves the position.

### **Efficiency Savings**

24. All the Adult Services efficiency savings have been allocated out to client groups.
25. The Community Services efficiency savings were implemented into the base budget at the start of the year and savings are being achieved on an on-going basis.

## CHILDREN AND YOUNG PEOPLE'S SERVICES DIRECTORATE

### Directorate Summary as at 29<sup>th</sup> February 2008

	January 2008 Net over or (-) underspending £000	February 2008 Net over or(-) Underspending £'000
Central directorate Budgets	+72	-28
Safeguarding and Assessment	+960	+860
Total	+1,032	+832

26. The current position is a projected overspend of £832k compared to a projected overspend of £1.032m in January 2008. The forecast spend includes an assessment of expenditure to be covered by the funding allocation for modernising social care services. The projection does not include any allocation from the social care contingency. These will be applied during the closure of accounts and their impact is likely to see these budgets balance at year end.
27. The reduction in the Children's and Young Peoples services overspend is caused by a reduction in spend on school transport and early years expenditure due to grant underspends.

#### **Dedicated Schools Grant**

28. Current estimates are that Dedicated Schools Grant (DSG) is expected to under spend in total by £244k which comprises of an additional £416k extra grant from higher than expected pupil numbers.
29. However, there is a projected overspend of £498k on Nursery Education Funding to Private, Voluntary and Independent providers arising from an additional week's payment in this financial year and a temporary rise in numbers.
30. Special Needs Banded Funding is projected to overspend by £192k due to higher numbers of allocations at funding panel. This is offset by savings on fees to Independent Schools for SEN placements due to leavers and delayed new placements.
31. Legislation means that Dedicated Schools Grant is ring-fenced and must be spent on schools and specific services to schools. Any under or over spend must be carried forward. The Schools Forum has agreed that half the under spend (£122k) will be used to support school budgets in 2008/09.

#### **Directorate Central Budget**

32. The Dedicated Schools Grant does not fund the remaining education services such as strategic management, SEN assessment, asset management and transport.

33. The Council is required to meet any redundancy costs arising from within schools. The position will not be fully known until the end of March 2008 however all the signs are of increasing costs. The key pressure in this area is falling rolls and this budget was overspent by £285k last year.
34. School transport route reviews continue to deliver welcome savings and this year savings of £254k are projected. One off savings are also likely at a level of £229k largely due to the windfall arising from the transfer from Standards Fund academic year funding to financial year funding in the LAA.

#### **Children's Social Care/ Safeguarding and Assessment Services**

35. Analysis of the number of placements shows a rise from 24 in April 2006 to 33 in December 2007. Similarly fostering placements have risen from 102 in April 2007 to 114. The Council has a statutory responsibility to meet the needs of individual children if such placements are necessary. These placements can be expensive and typically each one costs in excess of £150k. This is a key pressure for 2008/09 financial year and unless placements can be reduced there will be a continuing cost pressure.

#### **Summary**

36. Overall, the Children and Young People's budget is currently expected to overspend but after the application of the central contingency and spend to save funding a balanced year end position is expected. This will continue to be monitored closely throughout the rest of the financial year.

#### **Efficiency Savings**

37. The efficiency savings required for 2007/08 have been based upon the social care modernisation proposals approved by Cabinet last year and additional transport savings identified from route reviews effective from September 2007.

## CORPORATE AND CUSTOMER SERVICES DIRECTORATE

### Directorate Summary as at 29<sup>TH</sup> February 2008

	January 2008 Net over or (-) underspend £000	February 2008 Net over or (-) underspend £000
Herefordshire Partnership	0	0
Communications	0	20
Director and Administration	0	0
Emergency Planning	0	5
Legal and Democratic Services	100	100
Info by Phone	0	-100
Policy& Performance	0	-30
Information Services	0	5
Corporate ICT Projects	-427	-205
ICT Trading Account	217	0
Corporate Programmes	205	205
Community Network Costs	1,100	1,100
<b>CCSD TOTAL</b>	<b>1,195</b>	<b>1,100</b>

38. The Budget review of ICT removed several posts from the establishment, reduced contractors from 27 to 5, and put all vacancies on hold. Internal charging between ICT projects and the Trading Account has been stopped, allowing visibility of spending. Spending and income is now matched with the correct budget ensuring that in 07/08 the trading account will balance.
39. Corporate Programmes in the early part of 07/08 was structured included 7 consultants, this has been reduced during the year to 2. For 08/09 the structure in place has been developed to ensure that only 2 consultants remain.
40. The ICT Trading Account and Corporate ICT projects are performing in line with revised budgeted projections.



41. Info by Phone is anticipated to under spend due to staff vacancies. Work is continuing with directorates to identify those services which will become part of the Customer Services function during the next year. Until the end of 2008/09 there is £500k of additional funding for Customer Services and securing base budget provision from the transferred services beyond 2008/09 is a priority for the Directorate. To date budget projections indicate that 50% is secure in 08/09.
42. Within Legal and Democratic Services further work continues to reduce overspends. There is an over spend on members' expenses because of the purchase of new computers and training for all members after the election. These will balance out over the next three years. Operating costs in Members' Services continue to rise in support of increasing numbers of meetings. In Legal Services the outstanding invoices have now been paid. However there is a continuing legacy of some unachievable income targets which need to be resolved.
43. Investigations into the planned funding for the community network upgrade have established that the annual revenue cost is £1.6m, reduced to £1.1m after contributions from school funding. However, work is in progress to challenge elements of the Siemens contract in order to reduce the cost. The overall position is offset by areas identified to date that see a reduction in costs for line rental and call charges. This will help to reduce the full year overspend. The detail is still awaited for end of year charges.

## ENVIRONMENT DIRECTORATE

### Directorate Summary as at 29<sup>th</sup> February 2008

	January 2008 Net over or (-) underspending £000	February 2008 Net over or (-) underspending £000
Environmental Health and Trading Standards	-700	-700
Planning	293	293
Highways and Transportation	50	330
Directorate Management & Support	0	0
TOTAL	-357	-77

#### Environmental Health and Trading Standards

44. There is a projected underspend of £600k relating to the Waste Disposal budget. This projection is mainly based on forecasts from Worcestershire County Council in relation to the joint Waste Disposal contract. In previous years there has been significant underspend and until the new contract variations are agreed this position will continue. However, the cost of the new contract will be considerably higher than at present. The final position will be reflected in the overall revenue account. In previous years, any underspend against the contract has been transferred to reserves to meet future waste management pressures.
45. One area of risk is current waste contract volume percentages between Herefordshire Council and Worcestershire County Council. These are close to a potential 1% increase for Herefordshire Council. If this happens this would mean an additional cost of £300k which is not reflected in the outturn.
46. There is a projected underspend in relation to Commercial Environmental Services of £50k. This is the additional income received in the current year in relation to the Cadbury's case compensation for expenditure incurred and loss of inspection income in the previous year.
47. There is also a projected underspend of £50k in relation to licensing, due to income exceeding budgets. This increase in income was intended to fund additional staff but the directorate has not been able to recruit.

#### Planning

48. There is likely to be an overspend in relation to IT SLA charges in Planning of £100k. This is being reviewed to check the impact on the ICT trading account. In the previous year, on a one-off basis, this pressure was met by Planning Delivery Grant however there is no capacity to do this in the current year.
49. There is also an additional projected overspend of £43k in relation to a revenue contribution to capital for the purchase of land at Belmont.

50. There is also a predicted overspend over £150k in relation to IT contract fees for scanning and legal costs, again in the previous year these pressure were met by Planning Delivery Grant however there is no capacity to do this in the current year.

### **Highways & Transportation**

51. Concessionary travel is expected to overspend by £50k. This projection is based on inflationary increases during the year on fares of 10% and an increase of patronage of 5%, based on increases already seen so far this year.
52. Winter Maintenance budget is forecast to overspend by £210k. This reflects the costs for an average winter and July flood works.
53. Income on Car Parking has been less than was anticipated and is likely to fall short of target by £70,000.

### **Efficiency Savings**

54. The efficiency savings have all been taken into account in the Directorate's budget. Action is being taken to ensure the savings are made.

## CORPORATE BUDGETS

### Summary as at 29th February 2008

	<b>January 2008 Net over or (-) underspending £000</b>	<b>February 2008 Net over or (-) underspending £000</b>
Corporate Budget	24	-1

55. At the end of February 2008 a net underspend of £1k is expected on corporate budgets. Additional one off payments this year exceed the anticipated savings on corporate subscriptions, insurance, audit commission fees and Environment Agency levies.
56. The remaining corporate capacity budget and agency staff efficiency savings will be allocated in the 2008/09 base budget to directorates.

## RESOURCES DIRECTORATE

### Summary as at 29th February 2008

	<b>January 2008 Net over or (-) underspending £000</b>	<b>February 2008 Net over or (-) underspending £000</b>
Asset Management & Property Services	0	0
Audit, Benefit and Exchequer and Financial Services	-16	-30
Total	-16	-30

### **Asset Management & Property Services**

57. At this stage of the year there is an estimated break even financial position at year end.
58. Additional expenses for office accommodation are causing an increased risk of an overspend.

### **Audit Services, Benefit and Exchequer Services and Financial Services**

59. Overall there is a projected underspend of £30k. This is largely due to savings around rent rebates.

## HUMAN RESOURCES DIRECTORATE

Summary as at 29<sup>th</sup> February 2008

	January 2008 Net over or (-) underspending £000	February 2008 Net over or (-) underspending £000
Human Resources	0	0

### Human Resources

60. At this stage of the year there is an estimated break even.
61. However due to vacancies being filled using interim agency staff it is possible this area could overspend.

### Efficiency Savings

62. The efficiency savings have all been taken into account in the Directorate's budget. Action is being taken to ensure the savings are made.



### 2007/08 CAPITAL PROGRAMME BUDGET MONITORING

#### OVERALL SUMMARY POSITION

1. The capital programme forecast outturn for 2007/08 as at 29<sup>th</sup> February totals £52,821k, which is a decrease of £597k from the previous capital programme forecast outturn for 2007/08 as at 31<sup>st</sup> January. This is a net change from review of larger capital expenditure forecasts detailed in the body of this report; no funding resources are expected to be lost.
2. The revised forecast excludes devolved formula capital spend at schools. This is grant funded capital spend determined by schools. This will fall within future years capital programme monitoring. Spend to be transferred from revenue to capital at the 2007/08 year end in relation to the devolved formula capital spend in 2007/08 is expected to total approximately £2,898k.
3. A summary of the overall capital programme position for 2007/08 is provided in table D1. Detailed capital programmes for directorates are reported to the relevant scrutiny committees.
4. Details of total capital scheme costs, their funding, spend to date and any potential issues for capital schemes with a revised forecast spend for 2007/08 exceeding £500k are provided in table D2.

#### CHILDREN AND YOUNG PEOPLE'S SERVICES DIRECTORATE

5. The forecast spend on the Minster school replacement and Riverside amalgamation before the end March have decreased representing slippage in the cashflow with no impact on the capital funding or total scheme costs. The Council will benefit from the funding remaining in the Councils bank account over the year end.

#### HEREFORDSHIRE CONNECTS

6. The Core Logic social care solution capital spend has slipped by £602k into 2008/09, the prudential borrowing funding allocation has been carried forward.

#### RESOURCES

7. The capital programme forecast for this directorate has increased representing corporation accommodation costs to be incurred in moves to Plough Lane, funded by the capital receipt reserve and spend on smallholdings to enable property sales.

#### CAPITAL DE-MINIMUS

8. The Council has a capital de-minimus level of £10,000, which means that capital expenditure of less than £10,000 remains in the Councils revenue account, however with the introduction of devolved formula capital spend, it has been noticed that this capital grant permits the capitalisation of costs of less than £10,000 therefore it should be noted that there will be instances where the de-minimus level may not be

reached where capital grant conditions provide a lower threshold.

#### **VAT**

9. The position in relation to 2008/09 VAT Partial Exemption calculation has not been announced. As soon as this information is available the impact on the authority will be communicated in this report.

#### **Prudential Borrowing Position as at 29<sup>th</sup> February 2008**

10. A summary of the Prudential Borrowing position for 2007/08 is set out below.

2007/08 Original Prudential Borrowing Allocation		£16,995,000
Add: Subsequent Allocation (Rotherwas Enterprise)		£90,000
Add: Slippage from 2006/07		£16,288,000
Less: Slippage into future years	(£23,499,000)	
No longer required	(£1,074,000)	
Funded by available SCE(R)	(£125,000)	(£24,698,000)
Forecast use of Prudential Borrowing in 2007/08		<u>£8,675,000</u>

#### **Capital Receipts Reserves Position as at 29<sup>th</sup> February 2008**

11. The capital receipts reserve totalled £22,426m as at 1<sup>st</sup> April 2007. Capital receipts of £1,850k have been received to date, mainly in relation to the sale of small holdings. £7,451k is expected to be used to fund 2007/08 capital programme. The remaining balance will be used to fund future year's capital programme including strategic housing, Rotherwas futures and the provision of a cattle market.



TABLE D1

## FUNDING OF REVISED 2007/08 CAPITAL PROGRAMME

Capital Programme Area	2007/08 Revised Forecast 29/02/08	SCE(R)	Prudential Borrowing	Grant	Revenue Contribution	Capital Receipts Reserves
	£'000	£'000	£'000	£'000	£'000	£'000
Children & Young People's Services	11,151	2,163	2,275	4,573	-	2,140
Resources	2,825	-	254	2,146	60	365
Corporate and Customer Services	322	-	322	-	-	-
Social Care Solution	342	-	342	-	-	-
Environment Services	27,585	7,582	4,088	15,822	45	48
Adult and Community Services	10,596	218	1,394	4,030	56	4,898
<b>Total Revised Forecast</b>	<b>52,821</b>	<b>9,963</b>	<b>8,675</b>	<b>26,571</b>	<b>161</b>	<b>7,451</b>
<i>January Forecast</i>	<i>53,418</i>	<i>9,963</i>	<i>9,277</i>	<i>26,880</i>	<i>161</i>	<i>7,137</i>
<i>Change from January</i>	<i>(597)</i>	<i>-</i>	<i>(602)</i>	<i>(309)</i>	<i>-</i>	<i>314</i>

<b><u>Reported to date</u></b>						
<i>Original Budget</i>	<i>65,462</i>	<i>9,963</i>	<i>28,256</i>	<i>18,358</i>	<i>170</i>	<i>8,715</i>
<i>July 2007 Forecast</i>	<i>62,433</i>	<i>9,963</i>	<i>15,926</i>	<i>25,781</i>	<i>54</i>	<i>10,709</i>
<i>Sept 2007 Forecast</i>	<i>61,602</i>	<i>9,963</i>	<i>16,503</i>	<i>25,291</i>	<i>54</i>	<i>9,791</i>
<i>Nov 2007 Forecast</i>	<i>53,168</i>	<i>9,963</i>	<i>9,296</i>	<i>26,645</i>	<i>161</i>	<i>7,103</i>
<i>Jan 2008 Forecast</i>	<i>53,418</i>	<i>9,963</i>	<i>9,277</i>	<i>26,880</i>	<i>161</i>	<i>7,137</i>
<b><i>Feb 2008 Forecast</i></b>	<b><i>52,821</i></b>	<b><i>9,963</i></b>	<b><i>8,675</i></b>	<b><i>26,571</i></b>	<b><i>161</i></b>	<b><i>7,451</i></b>

TABLE D2

Schemes with a forecast spend exceeding £500k in 2007-08

Scheme Detail By Directorate	Whole Scheme Cost £'000	Funded by	Current 2007-08 expenditure forecast £'000	Actual spend to 29-02-08	Comments
<b>Children &amp; Young People's Services</b>					
Sutton Primary Replacement School	2,811	Grant, Parish Council & capital receipts	2,144	1,475	Scheme running behind schedule due to weather, expected completion in May
Riverside Amalgamation	8,505	Grant & capital receipts	4,040	2,723	£1,200k expected spend in March, scheme anticipated to complete in September
Condition property works	n/a	SCE®	900	736	Annual programme of works at various sites committed on a highest need first basis
<b>Resources</b>					
Property Purchase	1,446	Grant	1,446	1,422	Purchase under Edgar St Grid development
<b>Environment Services</b>					
Rotherwas Access Road	11,697	Grant, LTP & prudential borrowing	7,459	6,814	Construction to complete in April, compensation events yet to be agreed
Crematorium	3,150	Prudential borrowing	810	501	Work on site currently three weeks behind but this time is expected to be regained
Road Maintenance	n/a	LTP allocation	5,863	3,922	Flood work has delayed programme works however total budget spend is still anticipated
Hereford Flood Defences	2,172	Private developer	2,172	-	Payment to complete in March
Footways	n/a	LTP allocation	1,065	507	Total budget spend still anticipated
Ross on Wye Flood Alleviation	6,974	Grant	5,000	3,035	Scheme in progress, completion (excluding retention) expected in September

Scheme Detail By Directorate	Whole Scheme Cost £'000	Funded by	Current 2007-08 expenditure forecast £'000	Actual spend to 31-01-08	Comments
Assessment Strength of Bridges	n/a	LTP allocation	750	558	Annual programme of works fully committed
<b>Adult &amp; Community Services</b>					
Cattle Market	5,022	Capital receipts	1,650	288	Land purchase and release of restrictive covenant to complete in March
Affordable Housing Grants	n/a	Capital receipts	2,000	2,013	Annual allocation of grants
Private Sector Housing	n/a	Grant & capital receipts	833	529	A tightening of the eligibility criteria has resulted in the slowing of grant approvals
Friar St Museum and Resource Centre	2,040	Grant, borrowing & capital receipts	1,364	809	Negotiations with the contractor are ongoing which may result in slippage
Rotherwas Futures Est. Dev. Work	4,358	Grant & capital receipts	668	405	Total scope of scheme and costs thereof to be finalised
Disabled Facilities Grant	n/a	60% grant & 40% capital receipts	920	586	Grants committed can be rolled forward; continued increasing demand on this budget
Aylestone Hill Park	627	Prudential borrowing & private developer	507	533	Phase complete, future phases will commence upon receipt of developer funding
<b>Total</b>			<b>39,591</b>	<b>26,856</b>	
<b>Schemes with a forecast spend in 2007/08 of less than £500,000</b>			<b>13,230</b>	<b>7,286</b>	
<b>Total</b>			<b>52,821</b>	<b>34,142</b>	



**MONTH ELEVEN – 2007/08**

**CORPORATE RISK REGISTER**

1. The Corporate Risk Register, which accompanies this report, includes actions that need to be taken to mitigate the risks, the responsible officer for the action is named and a target date for completion or review of actions is included.

**Current Position**

2. The main issues arising from the register are as follows:
  - a. The number of Corporate Risks has decreased to 15 (from 21) due to the integration of some and the removal of others due to the risk either being of a time barred nature or accountability being divulged to Directorate level.
  - b. There are six risks that continue to score 'high' even after the mitigating actions have been taken into account. These risks are:
    - i) CR2 – 'Corporate Spending pressures outweigh the level of resources available to meet them. Particular pressures prevalent in Adult Social Care, Childrens Social Care and ICT Services and Customer Services.'
    - ii) CR5 – 'The inability to provide critical services due to the failure of the ICT networks'.
    - iii) CR17 – 'Reduction in the Use of Resources overall assessment'.
    - iv) CR28 – 'Deliverable benefits from Herefordshire Connects not realised'.
    - v) CR29 – 'Both Data Centres are in leased accommodation, are near capacity, plus there are environment issues such as power and fire suppression that need to be addressed. Loss of data centres will affect delivery of all services. This is linked with accommodation strategy risk CR13.'
    - vi) CR32 – 'Currently the Council's websites use the Star internet feed which is becoming increasingly unreliable. The TOM target is to move the internet feed to the 16 Mbytes pipe as soon as possible, however feedback from Networks is that this is already reaching capacity usage at peak times from School traffic which already uses this feed. In addition the MLE/VLE hosted externally

will place additional demands on this bandwidth but the level of additional traffic is not known.'

- c. Further note should be made concerning the following matters:
- i) Risk CR2 - Review dates for end of March 2008 have been entered for actions 1 and 2. The remaining four actions require updating, removing or new review dates provided.
  - ii) Risk CR4 – A new risk description has been entered here to replace that in connection with maintaining a CPA 3 start rating. The new risk focuses attention on the Council's ability to prepare adequately for the CAA.
  - iii) Risk CR5 – Although this is indeed a corporate risk part of the mitigation actions lies with each directorate and service area ensuring that they have up to date and tested service continuity plans and that the ICT requirements, in the need to implement the plan, have been communicated to ICT. The Audit Commission's comments in the Use of Resources report for 2008, regarding the need for a consolidated continuity plan, have also been added.
3. It should be noted that there are clear links between CR13 and CR29 and therefore there should be synergy between the respective management teams when considering the relevant mitigating actions.
  4. In addition CR5, 29, 30 and 32 all have a common theme relating to the provision and or failure of ICT systems. This therefore highlights the need for the Council to ensure that any mitigating strategies and projects are coalesced.
  5. The next review of the Corporate Risks will be undertaken in connection with the month 12 IPR to be reported in April 2008. It will bring together the highest rated risks from the Council's Corporate Risk Register, PCT Board Assurance Framework and the HPS risk register.



## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three					
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix	Impact	Likelihood	Priority Rating	Director Responsible	Potential Mitigation Strategy Summary	Assessment of Risk (with control measures implemented)	Action/Owner	Target Review Date	
		Impact									Impact
CR4	Failure to prepare adequately for CAA and raise our DoT score from improving adequately.	4	2	Medium	ALL/ CB	The key mitigation actions for the next 12 months are: 1) sustaining our current rate of improvement in key performance indicators through the introduction of the NIS 2) action to fundamentally improve data quality 3) preparing adequately for audits / inspections in 2008 and avoiding negative reports 4) properly explaining the reduction in our overall score from February 2008 to staff, the public and partners and 5) a project managed programme of key preparatory projects through 2008/09 including joint planning and performance management across Herefordshire.	Use of Resources Improvement Plan for 2006 has been implemented.	SR	Use of Resources assessment for 2007 expected shortly. SR to lead on development of an improvement plan.	a) JJ & c) relevant Hos/Director, Herfordshire Connects Board/ TG d) TG e) TG f) TG	a & b) March 08 c) Sep 08 d) & e) April 08 f) March 08



## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three				
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)		Action Description	Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Residual Priority Rating			
CR5	The inability to provide critical services due to the failure of the ICT networks	4	4	High					ALL	Ongoing
					CB/ JJ			Action plans resulting from internal audit reviews implemented to agreed timescales		Nov 07 - Mar 08
					JEJ			The service continuity plans developed by directorates are reviewed on an annual basis following service continuity week held in September. The current plans are reviewed to create an authority wide response to any critical incident. Mapping of key ICT systems is complete. No corporate testing of plans, only at service level. In the process of identifying the critical services that would need to continue - and any spare capacity.		01/10/2008

## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three				
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)		Action Description	Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Impact			
CR7	Corporate Capacity to deliver a range of changes the Council has embarked upon.	4	3	with Siemens to ensure it provides value for money. The Audit Commission's Use of Resources report 2008 notes that the Council lacks a consolidated business continuity plan. This is an issue that needs urgent attention to improve to at least minimum acceptable standards by 31/03/08 Programme Management, Clear Leadership and Senior Management Restructuring. Capacity issues identified within CPA inspection and were part of Improvement Plan. A minimum of 20% of corporate directors' time will be spent on corporate issues. Discussed by CMB as part of 2007 PIC and adjustments proposed for the budget. New CMB/SMT joint working has also been launched.	CB	4	2			

## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three			
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Director Responsible	Potential Mitigation Strategy Summary	Assessment of Risk (with control measures implemented)		Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Residual Priority Rating		
CR8	Achievement of LPSA 2 targets and hence the Performance Reward Grant (PRG). Failure to manage future PRG will have a significant and detrimental impact on the Council's ability to invest in future performance gains in services.	3	3	JEJ	Herefordshire Partnership Manager and the Head of Policy & Performance now meet regularly with the assigned project manager and have agreed responsibilities for chasing progress and ensuring action. In addition performance indicators are received every 2 months, in line with the Council's performance management arrangements, enabling proactive management through this management group.	3	2	JW/TG	a) BCG convened in August, thereafter meeting at least monthly (b) HCPB convened and meeting monthly c) As (b)
CR9	Non delivery of Local Area Agreement	3	2	JEJ	Financial and performance management process in place and working. Herefordshire Partnership Performance Management Group (PMG) to monitor Pl's and LAA Single Pot and agree detailed actions.	3	2	JW	Ongoing - PMG to meet at least 6 times/year
CR11	Failure to recruit and retain staff where there are national skills shortages and including the impact of Job Evaluation. Ensuring consistent treatment of Equal Pay Claims.	3	3	ALL/ GC	Succession planning as part of management development provision	2	2		

## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three				
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix	Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)			Action Description	Action/Owner	Target Review Date
		Impact			Likelihood	Priority Rating	Impact			
			Utilise SRDs / implement career development posts and conclude job evaluation. 94% SRDs completed by the end of May. HR to support Directorates deliver to identified training needs, to work to Investor in People standard.							
			Focused recruitment activity to support identified shortages e.g. Social Work (Childrens) and more recently difficulties in recruiting to Asset Management & Property Services posts, plus development of a workforce plan, and work to implement national data sets. Actions to address ICT shortages are in place. and progressing in Building Control.					Looking at traineeships in building control, overseas recruitment for social workers. Council's establishment to be reviewed quarterly.		Mar-08
			Promote professional development support through training agreements and payment of professional fees. Develop secondment opportunities internally and with partners. Implement Market Forces Supplement.					Market Forces Supplement in place. Numbers in receipt of MFS included in quarterly directorate performance reports.		

## Managing Risk – Corporate Risk – January 2008

Stage One			Stage Two			Stage Three					
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)					
		Impact	Likelihood			Priority Rating	Impact	Likelihood	Residual Priority Rating		
				Improving leadership and management through revised management development provision.							
				Implement software to review new pay structure to ensure that it is equality proofed.							Jan-08
				Pride in Herefordshire approach to be implemented.						GC	
	Lack of development in the Adult's Workforce Strategy			Adult Strategy being developed first phase focusing on Learning Disabilities	GH					GC	
	Lack of development in the Children's Workforce Strategy			Children's draft workforce strategy agreed in principle and implementation plans being developed	SM					Shaun McLurg	
CR13	Review of Accommodation Strategy.	4	4	An Accommodation Strategy Group has been established to review future options. Cabinet are considering officer recommendations.	SR	3	2	Med		SR	31/03/08
				An emerging risk is the move towards flexible working. An initial observation/data analysis study has been commissioned to identify potential flexible working solutions.	MH	3	3	High			

## Managing Risk – Corporate Risk – January 2008

Stage One		Stage Two			Stage Three					
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)		Action Description	Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Residual Priority Rating			
CR16	Failure of Waste Management Contract leading to failure to meet diversion targets and the potential for the Authority to be paying £150 per tonne extra on our missed target tonnages. Failure of the contract would also lead to the loss of PFI credits	4	3	"Ongoing commitment from Herefordshire and Worcestershire (H&W) to retaining the existing contract. The incorporation of subcontractors into the existing contract as a variation should enable adequate waste to be diverted to ensure the authority does not become subject to penalties under the Landfill Allowance Trading Scheme (LATS).	MH	4	2	"H&W have an agreement to Trade LATS between the two authorities at "no cost" to offset risks - this risk needs to be formalised. The failure of negotiations with ReEnergy means that the issue of MWM identifying and introducing a new sub-contractor will need to be monitored to ensure early warning can be given of likely timescales for the negotiations and implementation of a varied contract. Because of the timescales involved in delivering a variation to the Contract it will be necessary to offset our risks of LATS penalties by maximising our recycling performance, through Waste Collection, to deliver increased diversion from landfill. In addition the two authorities are now also negotiating a contract to secure capacity at an Energy from Waste Plant to ensure we collectively meet our diversion targets.	MH	

## Managing Risk – Corporate Risk – January 2008

Stage One		Stage Two			Stage Three					
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)		Action Description	Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Residual Priority Rating			
CR17	Reduction in the Use of Resources overall assessment	4	2	Adverse opinion on Value for Money in Annual Governance letter, due to the financial governance issues in ICT & Customer Services highlighted in the Section 151 Officer report dated 20.09.07 and the Crookall report, will impact on the 2007 Use of Resources score for Internal Control and Value for Money.	SR	3	4	High	ALL	Ongoing
CR27	CRB process not carried out to an appropriate and reliable level	4	3	Officers agreed areas of concern and an action plan to be drawn up to redress the issues as quickly as possible.	AMc	4	3	High	AMc	Action plan to be developed that will address the 7 areas of concern as raised by the Director of C&YP. Appropriate financial support to be allocated so that the recommendations of the plan can be actioned speedily and readily. Report to Members.

## Managing Risk – Corporate Risk – January 2008

Stage One		Stage Two			Stage Three					
Risk Ref No	Identified Risk Area	Assessment of Risk (Assume NO controls in place) using risk matrix		Potential Mitigation Strategy Summary	Director Responsible	Assessment of Risk (with control measures implemented)		Action Description	Action/Owner	Target Review Date
		Impact	Likelihood			Priority Rating	Residual Priority Rating			
CR28	Deliverable benefits from Herefordshire Connects not realised	4	3	MTFS updated for 08/09 to include modernisation fund to allow for review of Herefordshire Connects programme to be integrated with accommodation strategy for future organisation arrangements between Herefordshire Council and the PCT.	JEU	3	3	a) BCG in place and meeting regularly, benefits envisaged to be assessed at each meeting; b) Programme Board receive regular exception reports; c) Actual investment and savings monitored against the MTFs. To be completed by risk owner	a) DP b) AK c) DP	Monthly , next review January 2008
CR29	Both Data Centres are in leased accommodation, are near capacity, plus there are environment issues such as power and fire suppression that need to be addressed. Loss of data centres will affect delivery of all services. This is linked with accommodation strategy CR13	4	4	Decisions required form accommodation strategy to establish were future data centres should be located. Project to be established to relocate data centres to these locations. Investment required, server virtualisation will reduce risk in part.	JEU	4	4		Rob Knowles	
CR30	Legacy systems out of support with vendors, and on old hardware. Compounded by CR28 Benefits from Connects eg Cedar	4	4	Establish which systems are deemed critical and make good the systems. Any expenditure may need to be deducted from connects benefits.	JEU	1	1	To be completed by risk owner	Geoff Cole	







## ANNUAL GOVERNANCE STATEMENT 2008

### PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

27 MARCH 2008

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#### Wards Affected

County-wide.

#### Purpose

1. To consider and agree, in the light of comments made by the Audit & Corporate Governance Committee, the proposed framework for preparing an Annual Governance Statement as set out in the appendices to this report.

#### Key Decision

2. This is not a Key Decision.

#### Recommendation(s)

- THAT (a) Cabinet considers and agrees the proposed framework for preparing an Annual Governance Statement as set out in the appendices to this report; and**
- (b) Cabinet requires the Monitoring Officer to carry out a review of the Council's Code of Corporate Governance to ensure it meets the new regulations and guidance on the delivery of good governance in local government.**

#### Reasons

3. To ensure the Council complies with the latest regulations and guidance on the delivery of good governance within local government.

#### Considerations

4. Regulation 4 of the Accounts and Audit Regulations 2003 require the Council to conduct a review, at least once a year, of the effectiveness of its system of internal control and publish a Statement on Internal Control with its annual statement of accounts.
5. The Department for Communities & Local Government Circular 03/2006 and the Use of Resources 2008 assessment require a change in approach with the Council replacing the Statement on Internal Control with an Annual Governance Statement (AGS).
6. The Society of Local Authority Chief Executives and Senior Managers (SOLACE) and the Chartered Institute of Public Finance & Accountancy (CIPFA) have jointly

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Further information on the subject of this report is available from  
Mrs Sonia Rees, Director of Resources on tel (01432) 383519

published guidance on delivering good governance in local government in line with the latest regulations.

7. The key lines of enquiry for the Use of Resources assessment for 2008 highlight the need for the Council to have arrangements in place to maintain a sound system of internal control. The criteria are as follows:
  - (a) An appropriate member group has responsibility for review and approval of the governance statement, and considers it separately from the accounts statement (Level 2 – only at minimum requirement, adequate performance).
  - (b) The Council has conducted an annual review of the effectiveness of its governance framework, including the system of internal control, and reported on this in the governance statement (Level 2 – only at minimum requirement, adequate performance).
  - (c) The sources to support the governance statement have been identified and are reviewed by senior officers and members (Level 2 – only at minimum requirement, adequate performance).
  - (d) There are action plans in place to address any significant governance issues reported in the governance statement (Level 2 – only at minimum requirement, adequate performance).
  - (e) The Council has put in place an assurance framework that maps the Council's strategic objectives to risks, controls and assurances (Level 3 – consistently above minimum requirements, performing well).
  - (f) The assurance framework provides members with information to support the governance statement (Level 3 – consistently above minimum requirements, performing well).
  - (g) The assurance framework is fully embedded in the Council's business process (Level 4 – well above the minimum requirement, performing strongly).
  - (h) The Council can demonstrate corporate involvement in/ownership of the process for preparing the governance statement (Level 4 – well above the minimum requirement, performing strongly).
8. The Audit & Corporate Governance Committee considered a suggested framework for complying with the new regulations and guidance on 25th January 2008 and on 29th February 2008. The appendices to this report incorporate the comments made by the Audit & Corporate Governance Committee on both occasions.
9. The Audit & Corporate Governance Committee suggests that Cabinet arranges for the review of the Council's Code of Corporate Governance in the light of the new requirements for an Annual Governance Statement.
10. The Director of Resources, the Council's Section 151 Officer is responsible for the efficiency and effectiveness with regards to financial probity, performance and risk elements of the Statement.
11. The Head of Legal & Democratic Services, the Council's Monitoring Officer, together with the Standards Committee, is responsible for the efficiency, effectiveness and compliance with regards to legal probity and the ethical framework elements of the Statement.

## **Financial Implications**

12. None arising as a direct result of this report.

## **Risk Management**

13. The Council has a legal obligation to produce an Annual Governance Statement; this is also a requirement of the Use of Resources assessment. The risk is that the Council does not comply. Approval of Appendices 1 to 3 will aid compliance. In addition, the Council has nominated a Member of the Council's Corporate Management Board to oversee compliance.

## **Alternative Options**

14. There are no Alternative Options.

## **Consultees**

15. The Audit & Corporate Governance Committee has been consulted on a new proposed framework for preparing the Annual Governance Statement

## **Appendices**

16. Appendices 1 – 3 outline the principles, framework and sources of evidence for the Annual Governance Statement.

## **Background Papers**

None identified.



## Delivering Good Governance In Local Government

### **PRINCIPLE 1 – Focusing on the purpose of the authority, on outcomes for the community and creating and implementing a vision for the local area**

<b>The code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
1.1 Develop and promote the authority's purpose and vision	1.1.1 Local area or performance agreements 1.1.2 Community strategy 1.1.3 Corporate and service planning
1.2 Review on a regular basis the authority's vision for the local area and its impact on the authority's governance arrangements	1.2.1 Code of Governance
1.3 Ensure that partnerships are underpinned by a common vision of their work that is understood and agreed by all parties	1.3.1 Partnership protocol 1.3.2 Code of Governance
1.4 Publish an annual report on a timely basis to communicate the authority's activities and achievements, its financial position and performance	1.4.1 Annual financial statements 1.4.2 Annual business plan 1.4.3 Annual report 1.4.4 A timetable for completing the above
1.5 Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available	1.5.1 This information is reflected in the authority's: a) Corporate plan b) Annual operating plan c) Medium Term Financial Strategy d) Integrated Performance Reports e) Customer Surveys f) Equality Impact Assessments
1.6 Put in place effective arrangements to identify and deal with failure in service delivery	1.6.1 Complaints procedure 1.6.2 Scrutiny process
1.7 Decide how value for money is to be measured and make sure that the authority or partnership has the information needed to review value for money and performance effectively. Measure the environmental impact of policies, plans and decisions.	1.7.1 The results are reflected in authority's performance plans and in reviewing the work of the authority. 1.7.2 Scrutiny process

## Delivering Good Governance In Local Government

### **PRINCIPLE 2 – Members and officers working together to achieve a common purpose with clearly defined functions and roles**

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
2.1 Set out a clear statement of the respective roles and responsibilities of the executive and of the executive members individually and the authority's approach towards putting this into practice	2.1.1 Constitution 2.1.2 Record of decisions and supporting materials
2.2 Set out a clear statement of the respective roles and responsibilities of other authority members, members generally and senior officers	2.2.1 Constitution
2.3 Determine a scheme of delegation and reserve powers within the constitution, including a formal schedule of those matters specifically reserved for collective decision of the authority, taking account of relevant legislation, and ensure that it is monitored and updated when required	2.3.1 Constitution
2.4 Make a chief executive or equivalent responsible and accountable to the authority for all aspects of operational management	2.4.1 Conditions of employment 2.4.2 Scheme of delegation 2.4.3 Statutory provisions 2.4.4 Job descriptions/specification 2.4.5 Performance management system and report to Cabinet.
2.5 Develop protocols to ensure that the leader and chief executive (or equivalent) negotiate their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained	2.5.1 New chief executive and leader pairing consider how best to establish and maintain effective communication
2.6 Make a senior officer (the S151 officer) responsible to the authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control	2.6.1 Section 151 responsibilities 2.6.2 Statutory provision 2.6.3 Statutory reports 2.6.4 Budget documentation 2.6.5 Job description/specification
2.7 Make a senior officer (usually the monitoring officer) responsible to the authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with	2.7.1 Monitoring officer provisions 2.7.2 Statutory provision 2.7.3 Job description/specification 2.7.4 Scrutiny process



## Delivering Good Governance In Local Government

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
2.8 Develop protocols to ensure effective communication between members and officers in their respective roles	2.8.1 Member/officer protocol
2.9 Set out the terms and conditions for remuneration of members and officers and an effective structure for managing the process, including an effective remuneration panel (if applicable)	2.9.1 Pay and conditions policies and practices 2.9.2 Scrutiny process
2.10 Ensure that effective mechanisms exist to monitor service delivery	2.10.1 Scrutiny process
2.11 Ensure that the organisation's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated	2.11.1 Community Strategy 2.11.2 Corporate plans 2.11.3 Budgets 2.11.4 Performance plan/regime 2.11.5 Scrutiny process
2.12 a) When working in partnership ensure that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the authority  b) Ensure that there is clarity about the legal status of the partnership  c) Ensure that representatives of the partner organisations both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions	2.12.1 For each partnership there must be a partnership agreement that: a) Sets out each partner's role within the partnership. b) Clearly states the principles and objectives of the partnership. c) Defines the role of partnership board members. d) Sets out the line management responsibilities for staff who support the partnership. e) Includes a statement of funding sources for joint projects and clear accountability for proper financial administration. f) Includes a protocol for dispute resolution within the partnership.  NB: from special report <i>Local Partnerships and Citizen Redress</i> , Local Government Ombudsman (2007)

## Delivering Good Governance In Local Government

### **PRINCIPLE 3- Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour**

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
3.1 Ensure that the authority's leadership sets a tone for the organisation by creating a climate of openness, support and respect	3.1.1 Scrutiny process 3.1.2 Organisational values
3.2 Ensure that standards of conduct and personal behaviour expected of members and staff, of work between members and staff and between the authority, its partners and the community are defined and communicated through codes of conduct and protocols	3.2.1 Members'/officers' code of conduct 3.2.2 Performance appraisal 3.2.3 Complaints procedures 3.2.4 Anti-fraud and anti-corruption policy 3.2.5 Member/officer protocols 3.2.6 Whistleblowing policies
3.3 Put in place arrangements to ensure that members and employees of the authority are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice	3.3.1 Codes of conduct 3.3.2 Financial Procedure Rules 3.3.3 Contract Procedure Rules
3.4 Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations and communicate these with members, staff, the community and partners	3.4.1 Codes of conduct 3.4.2 Scrutiny process
3.5 Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice	3.5.1 Codes of conduct 3.5.2 Scrutiny process
3.6 Develop and maintain an effective standards committee	3.6.1 Terms of reference 3.6.2 Regular reporting to the council
3.7 Use the organisation's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the authority	3.7.1 Decision-making practices 3.7.2 Values Statement
3.8 In pursuing the vision of a partnership, agree a set of values against which decision making and actions can be judged. Such values must be demonstrated by partners' behaviour both individually and collectively	3.8.1 Protocols for partnership working

## Delivering Good Governance In Local Government

### **PRINCIPLE 4 – Taking informed and transparent decisions which are subject to effective scrutiny and managing risk**

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
4.1 Develop and maintain an effective scrutiny function that encourages constructive challenge and enhances the authority's performance overall and that of any organisation for which it is responsible	4.1.1 Scrutiny is supported by robust evidence and data analysis
4.2 Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based	4.2.1 Decision-making protocols 4.2.2 Record of decisions and supporting materials
4.3 Put in place arrangements to safeguard members and employees against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice	4.3.1 Members' code of conduct 4.3.2 Officers' code of conduct
4.4 Develop and maintain an effective audit committee (or equivalent) which is independent of the executive and scrutiny functions or make other appropriate arrangements for the discharge of the functions of such a committee	4.4.1 Terms of reference Membership 4.4.2 Training for committee chairs/members
4.5 Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints	4.5.1 Complaints procedure
4.6 Ensure that those making decisions whether for the authority or a partnership are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications	4.6.1 Members' induction scheme 4.6.2 Training for committee chairs 4.6.3 Report writing protocols
4.7 Ensure that professional advice on matters that have legal or financial implications is available and recorded well in advance of decision making and used appropriately	4.7.1 Record of decision making and supporting materials
4.8 Ensure that risk management is embedded into the culture of the authority, with members and managers at all levels recognising that risk management is part of their jobs	4.8.1 Risk management protocol 4.8.2 Financial Procedure Rules

### Delivering Good Governance In Local Government

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
4.9 Ensure that arrangements are in place for whistle-blowing to which staff and all those contracting with the authority have access	4.9.1 Whistle-blowing policy
4.10 Actively recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine but also strive to utilise powers to the full benefit of their communities	4.10.1 Constitution 4.10.2 Monitoring officer provisions 4.10.3 Statutory provision
4.11 Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on local authorities by public law	4.11.1 Monitoring officer provisions
4.12 Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice – into their procedures and decision-making processes	4.12.1 Monitoring officer provisions 4.12.2 Job description/specification 4.12.3 Statutory provision

## Delivering Good Governance In Local Government

### **PRINCIPLE 5- Developing the capacity and capability of members and officers to be effective**

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
5.1 Provide induction programmes tailored to individual needs and opportunities for members and officers to update their knowledge on a regular basis	5.1.1 Training and development plan. 5.1.2 Evidence of feedback and action 5.1.3 Induction programme 5.1.4 Update courses/information
5.2 Ensure that the statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority, with proper management and supervision by top management	5.2.1 Job description/personal specifications 5.2.2 Membership/access to top management team 5.2.3 Staff review and development interviews
5.3 Assess the skills required by members and officers and make a commitment to develop those skills to enable roles to be carried out effectively	5.3.1 Training development plan for officers 5.3.2 Members Development Working Group
5.4 Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed	5.4.1 Training and development plan reflecting the skills a modern councillor needs including: a) The ability to scrutinise and challenge. b) The ability to recognise when outside advice is required. c) Advice on how to act as an ambassador for the community. d) Leadership and influencing skills.
5.5 Ensure that effective arrangements are in place for reviewing the performance of the executive as a whole and of individual members and agreeing an action plan which might, for example, aim to address any training or development needs	5.5.1 Performance management system 5.5.2 Scrutiny process 5.5.3 Members Development Working Group.
5.6 Ensure that effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority, and improve publicity regarding the right of the public to attend committee meetings	5.6.1 Strategic partnership framework 5.6.2 Terms of reference for stakeholder groups. 5.6.3 Area fora roles and responsibilities 5.6.4 Residents' panel structure 5.6.5 Public information protocols
5.7 Ensure that career structures are in place for members and officers to encourage participation and development	5.7.1 Succession planning

## Delivering Good Governance In Local Government

### **PRINCIPLE 6- Engaging with local people and other stakeholders to ensure robust public accountability**

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
6.1 Make clear to themselves, all staff and the community to whom they are accountable and for what	6.1.1 Community strategy
6.2 Consider those institutional stakeholders to whom the authority is accountable and assess the effectiveness of the relationships and any changes required	6.2.1 Strategy Partnerships
6.3 Produce an annual report on the activity of the scrutiny function	6.3.1 Annual scrutiny report
6.4 Ensure that clear channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements to ensure that they operate effectively	6.4.1 Community strategy 6.4.2 Processes for dealing with competing demands within the community 6.4.3 Annual survey
6.5 Hold meetings in public unless there are good reasons for confidentiality	6.5.1 Compliance with legislation
6.6 Ensure that arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands	6.6.1 Communications Strategy 6.6.2 Involvement and partnership Strategy 6.6.3 Parish Council protocol
6.7 Establish a clear policy of the types of issues they will meaningfully consult on or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result	6.7.1 Partnership framework 6.7.2 Communication strategy 6.7.3 Scrutiny process
6.8 On an annual basis, publish a performance plan giving information on the authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period	6.8.1 Annual report 6.8.2 Annual financial statements 6.6.3 Corporate plan 6.6.4 Annual operating plan

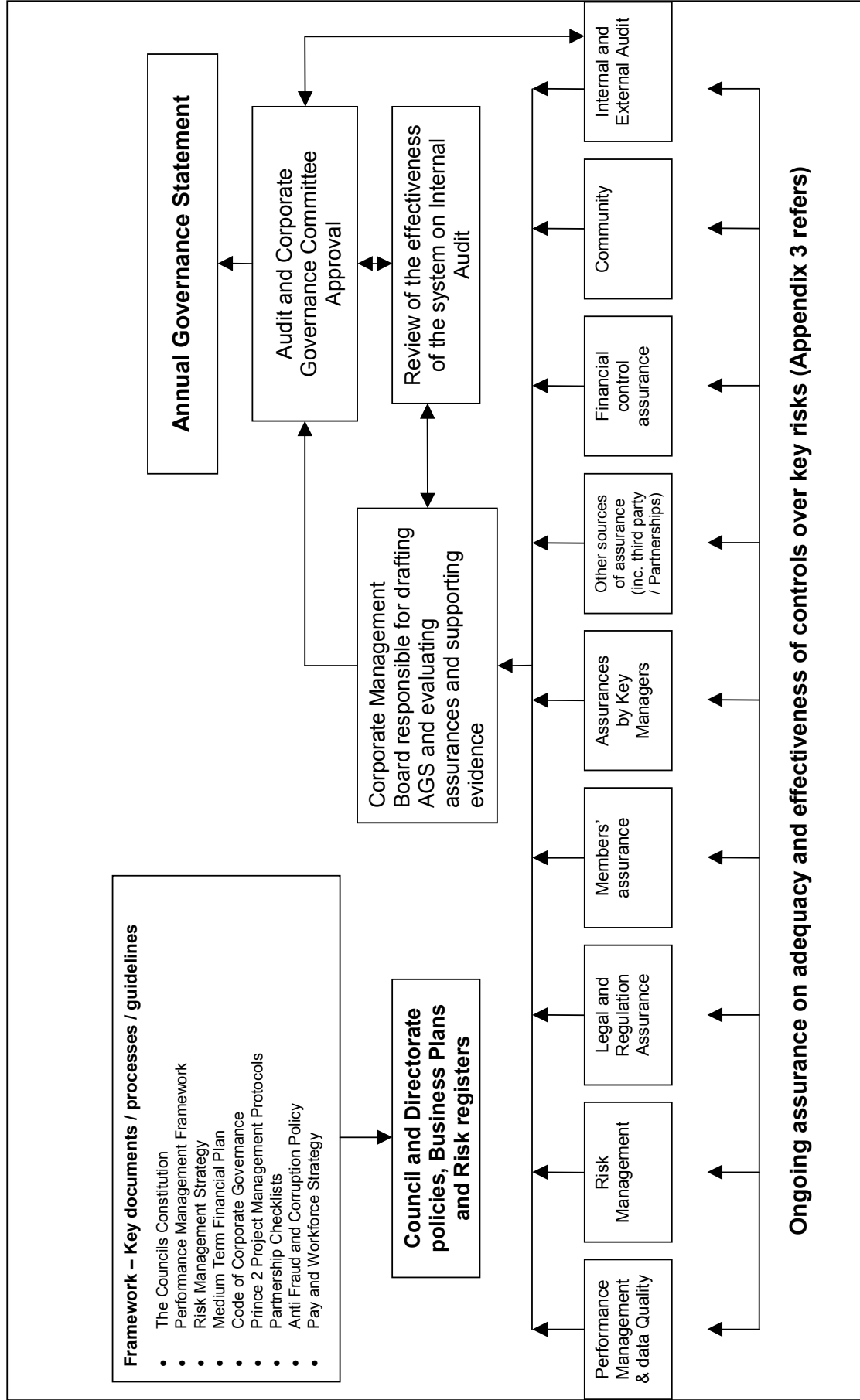
## Delivering Good Governance In Local Government

<b>The local code should reflect the requirement for local authorities to:</b>	<b>Source documents/good practice/other means that may be used to demonstrate compliance:</b>
6.9 Ensure that the authority as a whole is open and accessible to the community, service users and its staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so	6.9.1 Constitution
6.10 Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making	6.10.1 Constitution





ANNUAL GOVERNANCE STATEMENT FRAMEWORK 2007/08



**APPENDIX 2**

**ANNUAL GOVERNANCE STATEMENT FRAMEWORK 2007/08**

Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring

AREA	Document/Report	Responsible Officer	Committee
Performance Management and Data Quality	Corporate Plan and Annual Operating Plan	Tony Geeson	Cabinet and Strategic Monitoring
	Directorate Service Plans	Gi Cheesman Michael Hainge Geoff Hughes Jane Jones Sharon Menghini Sonia Rees	Relevant Scrutiny Committees (as per Alan McLaughlin)
	Service Area Plans	Directorate Management Team Members	Relevant Scrutiny Committees (as per Alan McLaughlin)
	Integrated Performance and Finance Reports	Tony Geeson/David Powell	Strategic Monitoring Committee and Cabinet
	Performance Framework Review by Audit Services	Tony Ford	Audit and Corporate Governance Committee
	Review of High Risk Performance Indicators by Audit Services	Tony Ford	Audit and Corporate Governance Committee
	JAR Improvement Plan	Sharon Menghini	Cabinet
	Annual review of Children and Young People Plan and Annual Performance Assessment submission	Sharon Menghini	Children's Services Scrutiny Committee and Cabinet
	Annual self assessment survey for Adult Social Care	Geoff Hughes	Cabinet
	Commission for Social Care Inspection Report on Services for People with Learning Disabilities and the Council's Action plan	Steve Martin	Adult Social Care and Strategic Housing Scrutiny Committee and Cabinet
	Security Review - Modernisation of day Opportunities For Older People	Eleanor Brazil	Adult Social Care and Strategic Housing Scrutiny Committee

**Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring**

<b>AREA</b>	<b>Document/Report</b>	<b>Responsible Officer</b>	<b>Committee</b>	
<b>Performance Management and Data Quality Cont.</b>	Cultural Services Comprehensive Performance Assessment Report	Natalia Silver	Community Services Scrutiny Committee and Cabinet	
	Children and Young People's Directorate Plan	Sharon Menghini	Children's Services Scrutiny Committee	
	Performance Monitoring Reports	All Directors	Scrutiny Committees	
	Progress on Improvement in Children and Young People's Services	Sharon Menghini	Cabinet	
	Children and Young People's Plan Annual Review 2007 and Annual Performance assessment	Sharon Menghini	Cabinet	
<b>Risk Management</b>	Monthly reviews of the Corporate Risk Register	Chris Bull	N/a	
	Monthly Reviews of Directorate Risk Registers	Gi Cheesman Michael Hainge Geoff Hughes Jane Jones Sharon Menghini Sonia Rees	N/a	
	Monthly review of service level risk registers by Service Management Teams	Directorate Management Team Members	N/a	
	Annual Review of the Council's Risk Management Process by Audit Services	Tony Ford	Cabinet and Audit and Corporate Governance Committee	
	Integrated Performance and Finance Reports	Tony Geeson/David Powell	Strategic Monitoring Committee and Cabinet	
	Monthly reviews of service level risk registers by Senior Management Team Members	All Heads of Service	N/a	

**Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring**

<b>AREA</b>	<b>Document/Report</b>	<b>Responsible Officer</b>	<b>Committee</b>
<b>Legal and Regulation Assurance</b>	Biannual Monitoring Officer Report	Alan McLaughlin	Audit and Corporate Governance Committee
<b>Members Assurance</b>	Annual Scrutiny Report	Tim Brown	Cabinet
	Annual Declaration of Interests	All Members	Audit and Corporate Governance Committee.
	Annual Review of Member expenses	Tony Ford	Audit and Corporate Governance Committee.
	Strategic Monitoring Reports	Tim Brown	Cabinet
<b>Assurances by Directors and Heads of Service</b>	Annual Declaration of Interests	Chief Executive, Directors and Heads of Service	Exception reports to the Audit and Corporate Governance Committee
	Quarterly Assurance Statements	All Directors and Heads of Service	Exception reports to the Audit and Corporate Governance Committee
	Quarterly Returns reporting any frauds	All Directors and Heads of Service	Exception reports to the Audit and Corporate Governance Committee
<b>Assurances by Other Key Managers</b>	Quarterly Assurance Statements	Key Managers	Exception reports to the Audit and Corporate Governance Committee
<b>Other Sources of Assurance</b>	Partnership Checklist completed for Key Partnerships	Relevant Heads of Service	Exception reports to the Audit and Corporate Governance Committee
	Corporate ICT Strategy	Relevant Head of Service	Cabinet
	Procurement Strategy	Dean Hogan	Strategic Monitoring Committee
	Herefordshire Jarvis	Michael Hainge	Cabinet
	Amey Wye Valley Report	Michael Hainge	Cabinet
	Scrutiny Review of ICT Services - Executive Action Plan Progress Report	Relevant Head of Service	Strategic Monitoring Committee and Cabinet
	Special Report from the Director of Resources	Sonia Rees	Cabinet and Audit and Corporate Governance Committee

Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring

AREA	Document/Report	Responsible Officer	Committee
Other Sources of Assurance Cont.	Herefordshire Connects Progress	Jane Jones	Strategic Monitoring Committee and Cabinet
	External Inspections	As appropriate	Cabinet
Financial Control Assurances	Financial Control of Capital Schemes in Property Services	Sonia Rees	Strategic Monitoring Committee
	Funding arrangements for Riverside Primary School and Sutton St. Nicholas Primary School	Sonia Rees	Cabinet
	Treasury Management Activities	David Powell	Cabinet
	Annual Efficiency Statement	David Powell	Strategic Monitoring Committee and Cabinet
	Capital Programme	Sonia Rees	Cabinet
	Statement of Accounts	Sonia Rees	Audit and Corporate Governance Committee
	Council's Budget	Sonia Rees	Cabinet
	Medium Term Financial Plan	Sonia Rees	Cabinet
	The Financial Position arising from July 2007 Floods	David Powell	Cabinet
	Integrated Performance and Finance Report	Tony Geeson/David Powell	Strategic Monitoring Committee and Cabinet
	Comprehensive Spending Review and pre budget 2007	Sonia Rees	Cabinet
	Budget Monitoring Reports	David Powell	Scrutiny Committees
	Capital Investment in Schools in Herefordshire: A Way Forward	George Salmon	Cabinet
	Community	Community Forum Reports	Hazel Lavelle
Annual Report on the Strategic Service Delivery Partnership		Michael Hainge	Environment Scrutiny Committee and Cabinet
Herefordshire Community Strategy Plan		Jennifer Watkins	Strategic Monitoring Committee

**Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring**

<b>AREA</b>	<b>Document/Report</b>	<b>Responsible Officer</b>	<b>Committee</b>
<b>Community Cont.</b>	Ombudsman Letter and Complaints and Compliments Monitoring 2006/07	Jane Jones	Strategic Monitoring Committee and Cabinet
	Review of Behaviour and Discipline Management in Herefordshire Schools	Sharon Menghini	Children's Services Scrutiny Committee
	Principles on Future Provision of School Places	George Salmon	Children's Services Scrutiny Committee
	The Council's Policy for Management of the Smallholdings Estate	Sonia Rees	Strategic Monitoring Committee
	Herefordshire Satisfaction Survey	Tony Geeson	Community Services Scrutiny Committee and Cabinet
	Household Waste Recycling in Herefordshire	Richard Wood	Environment Scrutiny Committee
	Travellers Policy	Andy Tector	Environment Scrutiny Committee
	Public Service Trust For Herefordshire	Russell Hamilton	Health Scrutiny Committee and Cabinet
	Reconfiguration of Mental Health Services	Sara Siloko	Health Scrutiny Committee
	Memorandum of Understanding between the Council and the Health Protection Agency	Philip Wilson	Health Scrutiny Committee
	Annual Report of the Director of Health 2007	Dr. Frances Howie	Health Scrutiny Committee
	Changes in the Management of Mental Health Services	Sara Siloko	Health Scrutiny Committee
	Brilley CE Primary School	George Salmon	Cabinet
	Homelessness Update	Derek Allen	Cabinet
	Fairer Charging	Andrew Tanner	Cabinet
	Review of School Provision	George Salmon	Cabinet

**Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring**

<b>AREA</b>	<b>Document/Report</b>	<b>Responsible Officer</b>	<b>Committee</b>
<b>Community Cont.</b>	Youth Justice Plan	Neil Pringle and Sharon Menghini	Cabinet
	Local development Framework	Kevin Singleton	Cabinet
	Core Strategy Issues Consultation		
	Concessionary Travel Scheme for older People and those with a Disability	Jim Davies	Cabinet
	Policy Statement for the Use of the rivers Wye and Lugg	Bill Bloxsome	Cabinet
	Review of Herefordshire City Partnership	Natalia Silver	Community Services Scrutiny Committee
	The 18 – 35 Review	Natalia Silver	Community Services Scrutiny Committee
	Comprehensive Equality policy and Equality Schemes	Carol Trachonitis	Cabinet
	Hereford Children Centre	Stephanie Canham	Cabinet
	Local Area Agreement priority setting	Chris Bucknell	Cabinet
	Modernisation of Registration Service	Fiona Nicholls	Cabinet
	Herefordshire Housing post transfer improvement programme	Richard Gabb	Cabinet
	Affordable Housing development programme 2007/08	Richard Gabb	Cabinet
	<b>Internal and External Audit</b>	Audit Plan	Tony Ford
Interim Assurance Reports		Tony Ford	Audit and Corporate Governance Committee
Annual Assurance Report		Tony Ford	Audit and Corporate Governance Committee
Draft Annual Governance Statement		Sonia Rees	Audit and Corporate Governance Committee



**Appendix 3**

**Delivering Good Governance in Local Government  
2007/08 Sources of Evidence and Monitoring**

<b>AREA</b>	<b>Document/Report</b>	<b>Responsible Officer</b>	<b>Committee</b>
<b>Internal and External Audit Cont.</b>	Annual Governance Letter	Audit Commission	Cabinet and Audit and Corporate Governance Committee
	Annual Audit and Inspection Report	Audit Commission	Cabinet and Audit and Corporate Governance Committee
	Use of Resources Assessment	Audit Commission	Cabinet and Audit and Corporate Governance Committee
	Direction of Travel Assessment	Audit Commission	Cabinet





## SUPPORTING GOVERNANCE IMPROVEMENT

### PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY & FINANCE

**CABINET**

**27 MARCH 2008**

#### **Wards Affected**

County-wide

#### **Purpose**

To note progress made in implementing actions agreed following the Special Report by the Director of Resources and the subsequent Independent Review of Herefordshire Council's ICT Financial and Contractual Governance Arrangements (Crookall Review); and to approve future reporting arrangements.

#### **Key Decision**

This is not a Key Decision.

#### **Recommendations**

- THAT (a) progress made against the agreed actions be noted; and**
- (b) future monitoring and reporting be included within the Integrated Performance Report.**

#### **Reasons**

To provide Cabinet with assurance that work on the issues identified in the two action plans has been progressed and to ensure that in future progress is monitored within the overall performance and risk reporting framework provided by the Integrated Performance Report (IPR).

#### **Considerations**

1. Cabinet, at its meeting on 20<sup>th</sup> September 2007, endorsed the action plan developed to address the issues identified within the Special Report from the Director of Resources. It also agreed that an independent external officer be appointed to carry out a financial and technical appraisal of ICT and Customer Services and to identify any lessons learned. On 15<sup>th</sup> November 2007 Cabinet received the report of the independent review and endorsed an action plan in response to the issues raised. Both plans, updated to include progress, are attached at Appendix 1 and Appendix 2 respectively.

2. The issues identified within the two reports can broadly be summarised as:
  - Compliance/internal control issues within a particular service (Information, Technology & Customer Services).
  - Ensuring that the council's constitution, policies and procedures are fit for purpose, understandable and accessible to all.
  - The culture of the organisation including: ensuring policies and procedures are embedded within the organisation, developing and maintaining trust, openness and constructive challenge within the organisation, and training & development for officers, managers and members.
  - Value for money of the Community Network Upgrade Project (CNU).
  - A further disciplinary investigation.
3. *Compliance/Internal Control* – those actions to address weaknesses within Information, Technology and Customer Services have been implemented. Whilst Audit Services maintain an ongoing overview of actions as they relate to this service, it is pleasing to note that the audit opinion in relation to the ICT Financial Management System, classed as a fundamental system, has progressed from 'unsatisfactory' in 2006/07 to 'satisfactory' in 2007/08. In addition the Audit Commission, in its Annual Audit & Inspection Letter (reported elsewhere on your agenda), notes there is no evidence "...to suggest that the abuse was more widespread and indeed our work and that of Internal Audit suggests it is not. There is also no evidence to suggest fraud or corruption."
4. *Constitution, Policies and Procedures* – Elements requiring immediate attention have been progressed. Financial & Contracting Regulations have been reviewed and amended, as agreed at Council on 7<sup>th</sup> March; a revised Financial Management course will commence in April. There has been further council-wide promotion of the Whistleblowing Policy, and a seminar for staff, to include Whistleblowing, Member Officer Protocols and Code of Conduct, has been scheduled for 31<sup>st</sup> March. The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims.
5. A twelve month programme of policy and procedures reviews is being established, in line with the recommendation of the Crookall Review, to ensure that all corporate policies and procedures are fit for purpose and accessible. A procedure has been drafted, and is currently being consulted on, to ensure these reviews and any new policies coming forward in the future, are undertaken consistently and in a way which supports the achievement of corporate objectives. Those policies that relate to the HR function have been prioritised and work has begun on the development of a new policy relating to close (family and other) relationships at work. Where possible the policy development over the next nine months will also seek to achieve harmonisation with the PCT.
6. *Organisational Culture* – The various strands that relate to the culture of the organisation are being drawn together within an Organisational Development programme that will define the way in which officers and members, together with PCT colleagues, work together in the future to achieve corporate objectives and improve outcomes for the people of the county. External support for this process is being secured. The main elements of the initial phase of work will include:

- Creation of a strategic framework for a comprehensive organisational development programme, recognising that the process of development and change will extend over the medium term.
  - Initiation of some major change programmes to provide a visible demonstration of the benefits of change and maintain momentum. It is recognised that it is important that staff directly experience support in managing the change processes ahead
  - Support for the process of top team development, resulting in clearer managerial leadership underpinned by a corporate approach and more effective planning and delivery of services. The revised team structure will initiate changes in respect of members of the existing management teams working together whilst simultaneously supporting the Chief Executive in leading and delivering change.
  - Building further on existing management development provision through a joint Council/PCT Human Resources task and finish group. This work will be built into the strategic Organisational Development agenda to reflect the recommendations related to the need for comprehensive management development across the Council.
7. As a first step, the new, joint senior management structure is being announced the week commencing 17<sup>th</sup> March, and should be fully implemented by the end of July 2008. In the interim period the existing council Corporate Management Board now works with the PCT Management Team as a joint management team.
  8. Concurrently discussions are underway with the Leadership Centre for Local Government regarding the identification and delivery of a member development and support programme linked to the organisational development framework.
  9. *Community Network Upgrade* – Independent consultants SOCITM have undertaken a review and benchmarking of this contract, which will be presented to a future Cabinet. The benchmarking exercise concludes that:
    - The contract is comparable to others.
    - There is no evidence that it is overpriced.
    - It has delivered what it set out to and at a lower cost than some others close to the median.
  10. The SOCITM review also identifies that there is scope for improving the efficiency of the contract overall, and makes a number of suggestions to inform future renegotiation of the contract which are being considered by senior management. A further report will be brought to Cabinet on this issue.
  11. *Disciplinary Investigation* – The recommendation of the Crookall Review has been followed in full. An independent Human Resources expert was appointed to conduct the investigation, which was completed in February. His finding was that there was no cause for further action, and relevant officers have been advised accordingly.

**Future reporting arrangements.**

12. Ongoing actions are being incorporated into relevant service plans fro 2008/09, and progress will be monitored through existing performance management arrangements. However, to provide members with assurance that the key issues

are being addressed, a summary report will be included as an appendix within the bi-monthly IPR. Audit & Corporate Governance Committee will continue to receive reports on progress against critical actions.

### **Financial Considerations**

13. The CNU contract review did not incur any additional costs arising from the recommendations of either the Special Report or the Crookall Review. The costs of the review have been met from within existing budgets.
14. Additional HR professional costs of £7,773 have been incurred, and have been met from within existing Chief Executive's budgets.
15. The organisational development programme being developed to further improve partnership working with the PCT will address the relevant activity at no additional cost. This work is being financed from a jointly resourced modernisation budget.

### **Risk Management**

The action plans were developed to enhance the Council's existing corporate governance framework in the light of the issues identified. Bringing future monitoring and reporting arrangements within the IPR framework supports the delivery of a coherent and consistent approach to common themes within both the existing action plans.

### **Alternative Options**

There are no Alternative Options.

### **Consultees**

None

### **Appendices**

Appendix 1 – Special Report Action Plan.

Appendix 2 – Crookall Review Action Plan.

### **Background Papers**

None identified.

Action	Lead	Progress
1. The disciplinary investigation by instituted.	Alan McLaughlin/Gi Cheesman	Completed. The recommendation made by the Crookall Review has been followed through. The investigation was led by an independent, external HR specialist. His report, finding there was no cause for further action, was presented to the Chief Executive as Head of Paid Service, who has accepted the findings and advised relevant officers accordingly.
2. Member Development Policy Group be asked to give consideration to the suggested actions in respect of member training, support and development, and bring forward an action plan to Cabinet.	Chris Bull/Alan McLaughlin	In liaison with the Member Development Policy Group negotiations are underway with the Leadership Centre for Local Government to provide facilitation of this work, to be linked with the overall organisational development programme. There will be elements of joint activity with the PCT Non Executive Directors to support a shared understanding of the priorities and opportunities for improved outcomes across both organisations.
3. Consideration be given to the suggested actions in respect of: <ul style="list-style-type: none"> <li>• The structure for management and effective deployment of the key corporate resources.</li> <li>• The development and team building of the senior management teams of the council.</li> </ul>	Chris Bull	<ul style="list-style-type: none"> <li>• A unified senior management structure has been developed – full implementation is expected by the end of July 2008.</li> <li>• In the interim, existing senior management teams of council and PCT are working together as a Joint Management Team.</li> <li>• Further organisational development work in support of this, and other recommendations, will be progressed with facilitation from an external partner (currently out to tender).</li> </ul>
4. Consideration be given to how best to re-establish trust and confidence between members and officers, and between officers and officers, based on an approach which encourages appropriate challenge, resolves issues with a way forward that is supported by all, and creates the discipline to follow through and abide by decisions taken.	Chris Bull	To be progressed through organisational development and member development work mentioned above, ensuring both dovetail throughout the respective processes.
5. Consideration be given to the suggested actions in respect	Sonia Rees	<ul style="list-style-type: none"> <li>• Restructuring proposals for Audit Services have been</li> </ul>

Action	Lead	Progress
<p>of:</p> <ul style="list-style-type: none"> <li>• The need for additional specialist audit ICT resource</li> <li>• Proposals for strengthening the strategic procurement function</li> <li>• Proposals for appropriate financing models for corporate services and bring forward an action plan to CMB.</li> </ul>		<p>agreed; change management process and staff recruitment to be completed by the end of April 2008 – temporary staff arrangements have been put in place in the interim to increase capacity, with support from Audit colleagues in the PCT.</p> <ul style="list-style-type: none"> <li>• Procurement posts across the authority have been identified. Working with the West Midlands Centre of Excellence, proposals are being developed to make better use of existing resource and to increase contract procedure monitoring. This work will also seek to establish benefits to be gained from creating a unified council/PCT procurement function.</li> <li>• Revised service level agreement for corporate services is currently being piloted in Environment Directorate before roll-out for 2008/09. Further consideration is to be given to financing models as part of the overall council/PCT shared services agenda.</li> </ul>
<p>6. The relevant professional officers (Monitoring Officer, Section 151 Officer, Interim Head of Human Resources) be asked to lead reviews of the Council's procedures and protocols, and the corporate rules, standards and processes to ensure they are fit for purpose, proportionate and workable. Review programmes to be reported to CMB.</p>	<p>Chris Bull</p>	<ul style="list-style-type: none"> <li>• An action plan has been drafted and lead officers identified.</li> <li>• A policy approval procedure has been drafted to support consistency in policy and procedure development, communication and embedding.</li> <li>• With the support of a project manager, lead officers are developing review programmes, prioritised in relation to risk, to be implemented over a 12 month period.</li> <li>• A report on amendments to the Financial and Contracting procedures within the constitution was approved by Council at its meeting of 7<sup>th</sup> March. A Financial Management Training programme will begin in April.</li> <li>• Clear guidance on claiming/authorisation of expenses and of overseas trips has been issued.</li> </ul>
<p>7. Consideration be given to the suggested actions in respect of refreshing and embedding an effective performance management culture, and an action plan brought forward</p>	<p>Gi Cheesman</p>	<p>Being progressed through the review of policies and procedures, and the organisational development activity outlined above.</p>



Action	Lead	Progress
to CMB.		
8. CMB be asked to review the membership/chairmanship of the Information Policy Group (IPG).	Chris Bull	Completed. Membership has been amended to increase representation from service areas and to include legal and policy specialists. Revised chairmanship arrangements have been agreed.
9. The refreshed IPG be asked to consider the suggested actions in respect of group governance arrangements and to report back on action taken to CMB.	Chris Bull	Completed. Terms of Reference have been reviewed, and Audit Services have been asked to build into their work programme a periodic review of IPG assessment and approval processes to provide continuing quality assurance.
10. Consideration be given to the suggested action in respect of establishing value for money in relation to the community network, and an action plan taken to CMB. (NB Action to progress a value for money study, to be undertaken by SOCITM, has now been agreed with the Director of Resources)	Geoff Cole	<p>The value for money and benchmarking study has been completed by SOCITM, and is currently with the Audit Commission. The overall findings are that:</p> <ul style="list-style-type: none"> <li>• The contract is comparable to others</li> <li>• There is no evidence that it is overpriced</li> <li>• It has delivered what it set out to</li> <li>• The unit costs in 2006/07 are lower cost than some others and close to the median.</li> </ul> <p>Consideration is being given to next steps to ensure continuing value for money is maintained, and the contract is used to secure maximum efficiency.</p>
11. Clear guidelines be established and embedded in respect of close personal line management relationships.	Gi Cheesman	Policy being developed – to follow approval procedure outlined in 6 above
12. Consideration be given to the suggested actions in relation to officer training and development needs, and an action plan be brought to CMB.	Gi Cheesman	Requirements are being considered both as part of the policy review process, and within the organisational development process.
13. A programme of awareness-raising and training across the council be implemented to ensure the Whistleblowing Policy is clearly understood, accessible and implemented consistently throughout the organisation.	Alan McLaughlin	<ul style="list-style-type: none"> <li>• Further print run of leaflets undertaken.</li> <li>• Officer seminar/briefing has been arranged for key managers.</li> </ul>



	<b>Issue to address</b>	<b>Agreed corporate response</b>	<b>Responsible officer(s)</b>	<b>Agreed date</b>	<b>Progress</b>
1.	Regular review on the progress implementing this corporate response.	CMB to monitor on a monthly basis and report to Cabinet. Report to each Audit & Corporate Governance Committee meeting.	CMB DoR	Ongoing.	The Audit & Corporate Governance Committee has received a monthly update.  This plan to be integrated with that in response to the Crookall report for future monitoring/reporting via the IPR.  See Appendix 2b.
2.	Ensure the corporate response to the travel and expenses audit review is implemented effectively and to timescale.	CMB to consolidate the corporate responses to the travel and subsistence review and the corporate response to this report into one action plan.	DoR MO	See Appendix 2b.	See Appendix 2b.
3.	Establish the cost of existing ICT and Customer Services operations and future investment needs to be urgently concluded to inform the Performance Improvement Cycle.	Director of C&CS to lead with support from Financial Services.	DC&CS HoFS	30.09.07	<ul style="list-style-type: none"> <li>• Zero base budgeting exercise undertaken and budgets aligned with service streams.</li> <li>• ICT budget for 08/09 to be largely derived from annual Service Level Agreements with directorates in compliance with corporate partnership agreement pilot.</li> <li>• Corporate ICT Strategy identifies 10 critical projects, some are already funded, others are being considered as future capital proposals</li> <li>• Customer Services budgeting exercise undertaken in order to balance the 2007/08 budget</li> </ul> Interim managerial arrangements have been in place since April 2007. Permanent managerial arrangements are being established as part of the revised senior management structure.
4.	Establish permanent managerial arrangements for ICT and Customer Services.	CMB to discuss and agree proposals from DC&CS.	DC&CS CMB	October 2007	Interim managerial arrangements have been in place since April 2007. Permanent managerial arrangements are being established as part of the revised senior management structure.

5.	Review approach to and arrangements for the delivery of project management services. All post implementation reviews must include a technical and financial appraisal.	CMB to discuss and agree proposals from DC&CS.	DC&CS CMB	October 2007	Permanent managerial arrangements are being established as part of the revised senior management structure.
6.	Review of the financial and legal elements of the Council's constitution to ensure clarity and consistency.	Working group to carry out a review and make recommendations in the first instance to CMB. Need to report to Audit and Corporate Governance Committee and other appropriate decision-making and scrutiny functions prior to being agreed at Council.	DoR HoLDS HoFS CIA HoBES HoHT	Council in November 2007	Revised elements approved by Council on 7 <sup>th</sup> March 2008.
7.	Council's Constitution and Financial Regulations to be reviewed to ensure the requirement to secure financial and legal advice on all formal reports is explicit.	CMB to insist on the highest standard in all aspects of report writing, including financial and legal implications. CMB to ensure there are no exceptions to the policy of all formal reports being cleared by the Head of Paid Services, the Monitoring Officer and the Section 151 Officer.	All report authors	Council in November 2007	Revised elements approved by Council on 7 <sup>th</sup> March 2008.  Revised report template drafted and user guide being developed prior to implementation in April.

8.	Audit Services and the Monitoring Officer need to be granted access to staff, records and feeder systems if required to fulfil their statutory obligations.	Incorporate into the review of the Constitution. Re-affirm current provision in the Council's Constitution on audit access.	DoR HoLDS HoFS CIA HoBES HoHT	Council in November 2007	The revised elements of the Constitution presented to Council make officers' responsibilities for granting access to external and internal audit explicit.
9.	Improve the quality of working papers/files recording business activity.	Guidance on the standards of record keeping needs to be devised.	Information Manager CIA	December 2007	Head of Financial Services in discussion with the Audit Commission about 'excellent' final accounts working papers as part of the Use of Resources improvements.
10.	Improve standards of internal control for fundamental systems.	Minimum acceptable standard is satisfactory – this is a non-negotiable.	CMB HoHR CIA	Allow 3 months' notice	Effective date is 1 <sup>st</sup> January 2008. All members of CMB know the required standard for fundamental systems.
11.	Improving financial governance in ICT and Customer Services.	DC&CS to implement agreed action plans for the FMS system in ICT, travel and expenses and use of contractors audit reviews.	DC&CS DoR	January 2008	Actions have been completed to time. Internal Audit will be completing an 'Audit of Audits' during the first quarter of 2008/09.
12.	Complete work in progress on internal recharging mechanisms to the agreed timetable.	Actions identified and agreed in a report to CMB on 16th August from the SMT SLA working group.	Anne Heath, Chair of SMT SLA Working Group, reporting to CMB.	March 2008	Partnership Agreement piloted in Environment Directorate. To be rolled out across the council for 2008/09
13.	All financial administration and financial management resources transfer to the Resources Directorate as soon as practical.	Identification and planning for transfer of resources to be considered by the ISS Board with exceptions reported to the Herefordshire Connects Programme Board for decision.	HoFS HoBES	March 2008	Financial administration and financial management support has now been transferred to the Resources Directorate.  The Audit & Corporate Governance Committee has asked to be kept informed of any transfers of financial administration or financial management resources within the Council.

14	Ensuring members receive complete advice from the Monitoring Officer and S.151 Officer on the legal implications and financial implications of all policy proposals.	Liaison meetings with the Leader to include the Monitoring Officer and S.151 Officer to be diarised at no more than quarterly intervals.	Chief Executive DoR MO / HoLDS	Immediate effect	The revised elements of the Constitution presented to Council make officers' responsibilities for securing the advice of the three Statutory Officers explicit.  The requirement for report authors to consult with the Statutory Officers in good time is being enforced with reports being delayed if appropriate.  Members of the Corporate Management Board have been advised and reminded to review their arrangements to ensure compliance with agreed policies and procedures in advance of planned internal audit review, to be completed by end of September 08.
15	Promote compliance with corporate financial governance arrangements by reviewing management practices and accountabilities.	Make compliance with corporate financial arrangements a non-negotiable. CMB to carry out immediate checks on contracting arrangements and authorised signatory lists.	CMB HoHR	Immediate effect	Financial Services delivers a corporate training programme consisting of two courses. The first course held following the Director of Resources' special report took place on 30 <sup>th</sup> October 2007 and it covered the key concerns identified in that report. A three tier revised financial Management programme will begin in April following adoption of the revised elements of the constitution. ICT & Customer Services have requested a specially tailored training event.
16	Enhance Key Manager's financial skills and knowledge of the Council's approved corporate governance framework, ensuring the message is constantly reinforced through effective training.	Make attendance on training courses a pre-requisite to getting a "licence to practise" as a manager. Attendance at refresher training courses will also be mandatory.	HoHR HoFS MO CIA	Immediate effect	

17	Ensure all capital and revenue budget proposals are identified through agreed service and financial planning processes.	Ensure in-year budget proposals are only brought forward in exceptional circumstances.	CMB	Immediate effect	<p>All revenue budget proposals for 2008/09 and beyond have been identified through the Performance Improvement Cycle.</p> <p>All capital budget proposals for 2008/09 and beyond are being identified through the agreed capital planning process.</p> <p>All revenue and capital proposals that arise outside these planning processes are to be prepared and agreed in line with the Council's financial procedures.</p>
18	Enhance Audit Services' capacity.	CMB to agree restructure proposals identified during the PIC process costing £45k. This can be met from the existing base budget for the Resources Directorate.	CMB DoR	Immediate effect	<p>Employees and employee representatives have been consulted on the restructuring proposals. No significant issues have been raised. Job Descriptions / Person Specifications are being redrafted with a view to completing the change management process and recruiting staff by April 2008. Interim staff arrangements have been put in place in the interim to increase capacity, with support from Audit colleagues in the PCT.</p>
19	Enhance strategic procurement capacity to ensure compliance with the Council's contracting policies and procedures.	CMB to agree additional resources to centralise monitoring of contract procedures within Resources. This can be met from the existing base budget for the Resources Directorate.	CMB DoR	Immediate effect	<p>Procurement posts across the authority have been identified with a view to bringing their line management arrangements within the remit of the Resources Directorate. Working with the West Midlands Centre of Excellence, proposals are being developed to make better use of existing resource and to increase contract procedure monitoring. This work will also seek to establish benefits to be gained from creating a unified council/PCT procurement function.</p>

20	Check that issues highlighted in ICT and Customer Services are not repeated elsewhere.	CMB needs to be prepared to respond quickly to Audit Services.	CMB	Immediate effect	The audit plan for 2007/08 was revised to take account of unplanned time on ICT issues. Audit Services is continuing to check financial governance arrangements in other parts of the Council. The Audit Commissions Annual Audit & Inspection Letter identifies that <i>'...there is no evidence to suggest the abuse was more widespread and indeed our work and that of Internal Audit suggests it is not.'</i>
21	Ensure budget is in place before committing expenditure.	CMB to reinforce the message that Key Managers need to work closely with Financial Services colleagues to ensure all appropriate permissions to spend are in place before letting a contract.	All	Immediate effect	There is some evidence that managers are more aware of the need to work closely with Financial Services before they enter into commitments.  The revisions to the financial governance elements of the Council's Constitution will reinforce this message, as will the extended financial management training provision.



	<b>Agreed action</b>	<b>Responsible officer(s)</b>	<b>Agreed target date</b>	<b>Progress</b>
1	Review the Code of Conduct for Employees to ensure the Council's expectations on the required standard of conduct on giving hospitality are clear.	Head of HR	Sept 2007	Code of Conduct has been reviewed and revisions drafted. The revised Code will be presented to the Constitution Review Working Group prior to adoption by Council at its next scheduled ordinary meeting (25 <sup>th</sup> July 08).
2	Review the Code of Conduct for Employees to ensure the Council's expectations on the required standard of behaviour in relation to consumption of alcohol during office hours and whilst representing the Council after office hours is clear.	Head of HR	Sept 2007	As above
3	Review the Code of Conduct for Employees to ensure the Council's expectations on the standard of behaviour regarding working under the influence of alcohol is clear.	Head of HR	Sept 2007	As above

4	<p>Revise guidance on travelling claims to require separate confirmation by attaching a signed memorandum that the line manager certifies overnight stays within the Council's area.</p> <p>Payroll to reject all claims for overnight stays in the Council's areas that are not accompanied by separate written authorisation by Head of Service and Director.</p> <p>Payroll to reject all claims that do not have the correct supporting documentation.</p>	Head of HR	Sept 2007	<p>The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims</p>
5	<p>Payroll to reject all claims that do not have the correct supporting documentation.</p>	Payroll Manager	Immediate	<p>The Payroll Manager issued an e-mail to all staff as a reminder on the need to ensure all travel and subsistence claims are supported by VAT receipts, that they need to be submitted in a timely fashion and that exceptional items need to be approved by the Head of Service and the Director.</p>
6	<p>Revise guidance on travelling claims to require monthly submission of travel and expenses claims within a month of the period they relate to.</p> <p>Payroll to reject claims that are received after the deadline indicated in the Councils' Travel &amp; Subsistence Policy.</p>	Head of HR	Sept 2007	<p>The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims</p> <p>All staff have been advised accordingly.</p>

7	<p>Payroll to reject claims that are incomplete and in contravention of the Council's policies unless all exceptions are individually certified by the relevant Head of Service and Director in writing.</p> <p>Travel &amp; Subsistence Claim Form to be reviewed to ensure the disclaimer the claimant and authorising officer make on signing the form is clear that failure to comply with the Council's policies on travel &amp; subsistence could lead to disciplinary action.</p>	Head of HR  Head of Benefit & Exchequer Services	Sept 2007	<p>The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims</p> <p>The Head of Benefit &amp; Exchequer Services has reviewed the declaration both claimant and authorising officer are required to make on the travel and subsistence claim form. No changes were deemed necessary.</p>
8	<p>Reminders from the Head of Legal &amp; Democratic Services to all Key Managers to be issued biannually. Head of Legal &amp; Democratic Services to confirm 100% return rate to include nil returns.</p> <p>Biannual assurance statements to be extended to all Key Managers and to include confirmation that systems are in place to promote compliance with the Council's policies on the declaration of gifts and hospitality offered whether accepted or not.</p>	Head of Legal & Democratic Services  Audit Services Manager	Sept 2007  Sept 2007	<p>The Head of Legal &amp; Democratic Services has arranged to remind officers twice a year for the future on the need to comply with the Council's rules on declaring gifts and hospitality. He will report to Joint Management Team if officers fail to make a return.</p> <p>The Audit Services Manager has arranged for the assurance statements to be completed on a quarterly basis for the future, and for them to be completed by members of the Corporate Management Board, Heads of Service and all other Key Managers. The quarterly assurance statements for the period July 2007 – September 2007 were sent to all Key Managers and this will now happen as a matter of routine. The Audit Services Manager will report to the Joint Management Team if officers fail to make a return.</p>

9	Audit Services Manager to ensure test checks are carried out as part of planned audit work on travel & subsistence.	Audit Services Manager	Sept 2007	The Audit Services Manager has arranged for the travel and subsistence audit programme to include a crosscheck of claims paid to the register of gifts and hospitality.
10	Travel & Subsistence policy to be revised to so that all overseas trips are authorised at Director level.	Head of HR.	Sept 2007	Council agreed on 2 <sup>nd</sup> November 2007 to adopt the Audit & Corporate Governance Committee's recommendation that 'all overseas trips be authorised in advance and are cash limited and that the appropriate Cabinet Member be informed'.  The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims
11	Contractors should support charges for travel and subsistence included in their invoices with a completed travel and subsistence claim form where the contract allows for reimbursement of costs as incurred.	Head of HR advice to Key Managers.	Sept 2007	The revised Travel and Subsistence Policy is near completion; in the meantime staff have been reminded of the requirements for travel and subsistence claims, and payments staff are rejecting any non-compliant claims. Additional guidance in relation to contractors will be included.

CIA = Chief Internal Auditor  
DoR = Director of Resources  
HoLDS = Head of Legal and Democratic Services  
HoHR = Head of Human Resources  
HoPS = Head of Paid Services  
MO = Monitoring Officer

DC&CS = Director of Corporate & Customer Services  
HoFS = Head of Financial Services  
HoBES = Head of Benefit and Exchequer Services  
HoHT = Head of Highways & Transportation

## ANNUAL AUDIT AND INSPECTION LETTER 2008

### PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

27 MARCH 2008

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#### Wards Affected

County-wide

#### Purpose

1. To note the Audit Commission's Annual Audit & Inspection Letter for 2008 and the comments made by the Audit & Corporate Governance Committee.
2. For Cabinet to approve the response to each of the action points in paragraph 9 of the Annual Audit & Inspection Letter for 2008.

#### Key Decision

3. This is not a Key Decision.

#### Recommendation(s)

- THAT (a) **Cabinet notes the Audit Commission's Annual Audit & Inspection Letter for 2008 and the comments made by the Audit & Corporate Governance Committee; and**
- (b) **Cabinet approves the response to the action points in paragraph 9 of the Annual Audit and Inspection Letter for 2008 in the light of the comments made by the Audit & Corporate Governance Committee.**

#### Reasons

4. The Council needs to respond appropriately and promptly to the action points identified by the Audit Commission in order to demonstrate improvements that will be reflected in their subsequent reports on audit, inspection and performance assessment.

#### Considerations

5. The Annual Audit & Inspection Letter provides an overall summary of the Audit Commission's assessment of the Council. It draws on their audit, inspection and performance assessment work over the last year. Many of the comments will therefore be familiar as this report summarises the key points of, for example, the Annual Governance Letter for 2007 and the Use of Resources report 2008.
6. The Audit Commission has identified eight issues that it feels need action. These are set out in paragraph 9 of the Letter as follows:

Further information on the subject of this report is available from  
Mrs Sonia Rees, Director of Resources, tel (01432) 383519

- (a) Re-focus and clarify the purpose, outcomes and actions of Herefordshire Connects. This should include formally considering in a short paper what other options are still open to the Council including the costs, benefits and risks of each option. It should also set out how the programme fits with the new joint working arrangements with the PCT.
  - (b) Set out a clear vision of what are the scope, timing and benefits of the new joint working arrangements with the PCT.
  - (c) Ensure that the necessary changes to the waste management contract are resolved promptly.
  - (d) Implement successfully the recommendations from the Section 151 and Crookall reports and in so doing further develop the ethical governance and anti-fraud culture within the Council.
  - (e) Revise the corporate performance management framework to include a systematic review of value for money (VFM) which will measure and manage improvement in value for money in a consistent way across the Council. This will involve benchmarking costs and performance in a consistent way and setting targets for efficiency and VFM.
  - (f) Monitor the development of corporate approaches to procurement.
  - (g) Ensure that actions recommended by our recent culture inspection report are delivered.
  - (h) Clarify the arrangement for improvement planning and increase the impact of the reporting.
7. The Audit Commission presented their Annual Audit & Inspection Letter for 2008 to the Audit and Corporate Governance Committee on 29th February 2008 as the Council body charged with responsibility for financial governance. The Audit and Corporate Governance Committee asked questions and their views can be summarised as follows:
- (a) The need for ensuring that the quality of the Council's written documentation was of the highest standards, timely, clear, correct and with the appropriate amount of detail.
  - (b) The Internal Audit and Inspection letter to be corrected at paragraph 91 (page 73 of the agenda), so that the word 'two' in the penultimate sentence is changed to 'one'.
  - (c) A need for an improved strategy for follow up on resolutions made at meetings and the need for a single system to be applied Council-wide to ensure consistency.
  - (d) The Chairman informed the Committee that as a step towards joint working with the Primary Care Trust (PCT) he has invited the Chair of the PCT's Audit Committee to future meetings and conversely he would be attending future PCT's Audit Committee meetings.
  - (e) The Committee was assured that the Council's business continuity plan would be completed by 31st March 2008.

- (f) The Cabinet Member for Environment and Strategic Housing apprised the Committee of progress with the Council's Waste Management Private Finance Initiative Contract.
- 8. The Chief Executive has drafted a response to each of the action points in the Annual Audit and Inspection Letter (Appendix 2 to this report refers). The Audit and Corporate Governance Committee noted the Chief Executive's response and approved the action plan subject to any comments from Cabinet.
- 9. The Audit Commission commented positively on the draft response to each of the action points in their Annual Audit and Inspection Letter for 2008, suggesting Council review progress after six months.

### **Financial Implications**

- 10. None arising as a direct result of this report.

### **Risk Management**

- 11. The Chief Executive's response to the issues identified by the Audit Commission in their Annual Audit and Inspection Letter 2008 will underpin an improvement in the Council's audit, inspection and performance assessments over the next 12 months. The responses described in Appendix 2 will be incorporated into the appropriate Directorate and service plans for 2008/09.

### **Alternative Options**

- 12. There are no Alternative Options.

### **Consultees**

- 13. The Audit & Corporate Governance Committee has been consulted on the Annual Audit & Inspection Letter for 2008.

### **Appendices**

- 14. Appendix 1 – The Annual Audit & Inspection Letter 2008.
- 15. Appendix 2 – The Chief Executive's response to each of the action points in the Annual Audit & Inspection Letter.

### **Background Papers**

None identified.





# Annual Audit and Inspection Letter

**Herefordshire Council**

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles.

- Auditors are appointed independently from the bodies being audited.
- The scope of auditors' work is extended to cover not only the audit of financial statements but also value for money and the conduct of public business.
- Auditors may report aspects of their work widely to the public and other key stakeholders.

The duties and powers of auditors appointed by the Audit Commission are set out in the Audit Commission Act 1998, the Local Government Act 1999 and the Commission's statutory Code of Audit Practice. Under the Code of Audit Practice, appointed auditors are also required to comply with the current professional standards issued by the independent Auditing Practices Board.

Appointed auditors act quite separately from the Commission and in meeting their statutory responsibilities are required to exercise their professional judgement independently of both the Commission and the audited body.

### **Status of our reports**

This report provides an overall summary of the Audit Commission's assessment of the Council, drawing on audit, inspection and performance assessment work and is prepared by your Relationship Manager.

In this report, the Commission summarises findings and conclusions from the statutory audit, which have previously been reported to you by your appointed auditor. Appointed auditors act separately from the Commission and, in meeting their statutory responsibilities, are required to exercise their professional judgement independently of the Commission (and the audited body). The findings and conclusions therefore remain those of the appointed auditor and should be considered within the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission.

Reports prepared by appointed auditors are:

- prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission; and
- addressed to members or officers and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

### **Copies of this report**

If you require further copies of this report, or a copy in large print, in Braille, on tape, or in a language other than English, please call 0844 798 7070.

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## Key messages

### Performance Issues

- 1 Our direction of travel assessment found that Herefordshire Council is improving adequately. Performance has improved in most priority areas. Children's services remain adequate overall with some improvement in exam results and arrangements for looked after children. Progress in adult social care has been steady with more vulnerable people helped to live at home. Tax collection and benefits administration have improved, along with the speed of planning applications, street cleanliness and recycling levels. However, it costs more to collect waste and there has been limited progress on the Council's business transformation programme.
- 2 The Council continues to contribute to improvements in road safety, regeneration initiatives and better health for children and vulnerable adults through working in partnerships. Value for money is reasonable but is not measured consistently. Progress is being made on most improvement plans but the overall picture is not being reported clearly. Further improvements are expected to result from the new managers of adult social care and a joint head of Human Resources with the PCT. Some significant weaknesses in the governance of ICT have been recognised by the Council and plans agreed to address them.
- 3 The Council, alongside the local Primary Care Trust (PCT) have demonstrated good community leadership by recently appointing a joint Chief Executive. This offers significant opportunities to improve joint working, obtain efficiencies and break down artificial barriers in the delivery of local services to the public. The new Chief Executive is currently revising plans relating to the scope and timetable for future joint working relationships. We are pleased that these plans are now intended to clarify the intended benefits to service users of such an approach and how this will be achieved.

### Other accounts and governance issues

- 4 The Section 151 (Director of Resources) Officer's report in September described serious flaws in ICT procurement and in governance arrangements such as expense claim reimbursement and the registering of gifts and hospitality. We are satisfied that the subsequent external investigation carried out by the former Chief Executive of Buckinghamshire County Council, Ian Crookall, was thorough, transparent and independent and the Council has started to respond to the recommendations in both these reports.
- 5 Accounts production was good and timely. We were able to issue an unqualified audit opinion by the deadline of 30 September 2007.

- 6 Changes to the waste management PFI agreement, which is being negotiated in partnership with Worcestershire County Council, are slow and still not agreed. There continues to be a risk of contract termination.
- 7 The overall financial position of the Council was sound at the 31 March 2007, with the accounts showing a £2.5m under spend and £27.8m of overall balances. The Council has a good track record of keeping expenditure within budget. The Council's pension fund deficit reduced significantly to £88m, but as with most other councils, is still a cause for concern.
- 8 The ambitious business transformation programme Herefordshire Connects continues to be developed. Our work earlier in the year has highlighted strengths in terms of project and risk management arrangements. It also emphasised the need for more clarity in how the project will deal with new joint working arrangements with the PCT and highlighted the short timescale for the successful implementation of the business-critical social care system. The project has subsequently been put on hold for some time and the social care system element has now been called in for scrutiny. This could impact on the Council's ability to deliver improvements.

## Action needed by the Council

- 9 Members need to take the following actions.
  - Re-focus and clarify the purpose, outcomes and actions of Herefordshire Connects. This should include formally considering in a short paper what other options are still open to the Council including the costs, benefits and risks of each option. It should also set out how the programme fits with the new joint working arrangements with the PCT.
  - Set out a clear vision of what are the scope, timing and benefits of the new joint working arrangements with the PCT.
  - Implement successfully the recommendations from the Section 151 and Crookall reports and in so doing further develop the ethical governance and anti-fraud culture within the Council.
  - Monitor the development of corporate approaches to procurement.
  - Ensure that the necessary changes to the waste management contract are resolved promptly.
  - Revise the corporate performance management framework to include a systematic review of value for money (VFM) which will measure and manage improvement in value for money in a consistent way across the Council. This will involve benchmarking costs and performance in a consistent way and setting targets for efficiency and VFM.
  - Ensure that actions recommended by our recent culture inspection report are delivered.
  - Clarify the arrangements for improvement planning and increase the impact of the reporting.

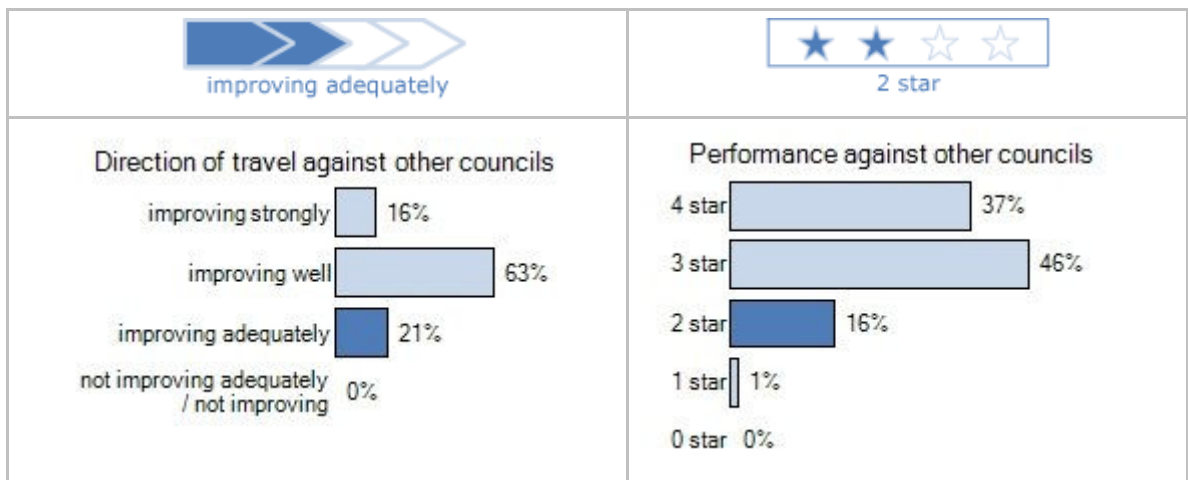
## Purpose, responsibilities and scope

- 10 This report provides an overall summary of the Audit Commission's assessment of the Council. It draws on the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2006/07 and from any inspections undertaken since the last Annual Audit and Inspection Letter.
- 11 We have addressed this letter to members as it is the responsibility of the Council to ensure that proper arrangements are in place for the conduct of its business and that it safeguards and properly accounts for public money. We have made recommendations to assist the Council in meeting its responsibilities.
- 12 This letter also communicates the significant issues to key external stakeholders, including members of the public. We will publish this letter on the Audit Commission website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk). [In addition the Council is planning to publish it on its website].
- 13 As your appointed auditor I am responsible for planning and carrying out an audit that meets the requirements of the Audit Commission's Code of Audit Practice (the Code). Under the Code, I review and report on:
  - the Council's accounts;
  - whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources (value for money conclusion); and
  - whether the Council's best value performance plan has been prepared and published in line with legislation and statutory guidance.
- 14 This letter includes the latest assessment on the Council's performance under the CPA framework, including our Direction of Travel report and the results of any inspections carried out by the Audit Commission under section 10 of the Local Government Act 1999. It summarises the key issues arising from the CPA and any such inspections. Inspection reports are issued in accordance with the Audit Commission's duty under section 13 of the 1999 Act.
- 15 We have listed the reports issued to the Council relating to 2006/07 audit and inspection work at the end of this letter.

## How is Herefordshire Council performing?

- 16 The Audit Commission's overall judgement is that Herefordshire Council is improving adequately and we have classified Herefordshire Council as two-star in its current level of performance under the Comprehensive Performance Assessment. These assessments have been completed in all single tier and county councils with the following results.

**Figure 1**



*Councils with a CPA star rating under review or with a direction of travel judgement that is subject to review are excluded from this analysis*

Source: Audit Commission

- 17 The detailed assessment for Herefordshire Council is as follows.

### Our overall assessment - the CPA scorecard

**Table 1 CPA scorecard**

Element	Assessment
Direction of Travel judgement	Improving adequately
Overall	2 star
Corporate assessment/capacity to improve	2 out of 4
Previous corporate assessment/capacity to improve, as included in overall CPA judgement in 2007	3 out of 4
Current performance	
Children and young people*	2 out of 4
Social care (adults)*	2 out of 4
Use of resources*	2 out of 4
Housing	1 out of 4
Environment	3 out of 4
Culture	3 out of 4
Benefits	3 out of 4

(Note: \* these aspects have a greater influence on the overall CPA score)  
(1 = lowest, 4 = highest)

## The improvement since last year - our Direction of Travel report

### What evidence is there of the Council improving outcomes?

- 18 Overall improvement of outcomes across the Council for the year 2006/07, when measured by a basket of performance indicators, has been strong, with 73 per cent of indicators improving – well above average when compared to other authorities. There has also been an increase, from 18 per cent to 26 per cent, in the number of performance indicators in the best quartile, bringing the Council closer to the national average.



- 19** Performance has improved in most of the Council's priority areas. In children's services, the annual performance rating by OFSTED remained at 'adequate' although there was an increase in the attainment score. This was due to some good exam results in most areas in 2006, except Key Stage (KS)2 where three of the four results worsened. Unratified data for 2007 indicates that KS2 results have improved along with most KS3, but GCSE scores have dipped. The Council has made progress in further strengthening safeguarding arrangements and outcomes for looked after children have improved with better placement stability and a higher number of children achieving GCSEs.
- 20** The health of young people is improving with the Council leading on programmes to tackle obesity, substance misuse and sexual health. In addition, good progress has been made on the provision of a comprehensive Child and Adolescent Mental Health Service. Some good initiatives in homelessness have resulted in a reduction in the number of families with children who were in both B&B and in hostels for long periods. However, the impact of this has been to worsen some of the performance indicators measuring length of stay in temporary accommodation resulting in a drop in the star rating for housing from two to one (leading, more significantly, to a drop in the Council's overall star rating from three to two).
- 21** Improvements in the provision of services to vulnerable and older adults have been steady but sustained in 2007. The annual assessment score from CSCI remained the same but there was recognition of improvements in helping more people live at home rather than in residential centres and in signposting and information schemes across the client groups. In addition the Council has increased the speed at which new assessments are carried out and the speed of delivering equipment into people's homes. The Council has also done some good work on analysing the future needs of vulnerable and older adults in the County and is improving its systems and processes to deal with service demand.
- 22** Progress in the Council's priority of securing efficiencies and streamlining processes has been generally good. Rates of collection for Council Tax and non-domestic rates have improved, along with the speed of processing benefits claims which was recognised by the increased score from the BFI this year. One of the big targets for the Council this year, delivering the Herefordshire Connects programme, has been put on hold to enable priorities and affordability to be reassessed. However, progress has been made in procuring a system for adult social care, where a preferred supplier has been identified.
- 23** Improvements have been made in the Council's priorities covering communities and the environment. The speed of planning applications has increased along with improvements in environmental health, trading standards, recycling and street cleanliness. The Council is succeeding in reducing the amount of waste collected from households, but the cost of this has increased.

- 24 The Council has been working well in partnership to improve wider community outcomes. It has set up robust arrangements with partners to deliver the LAA targets and the LSP received a green rating from Government Office for the 2006/07 year. The Council's own data suggests that most of the 89 targets in the LAA are on track for 2007/08, with 15 assessed as likely to fall short. Key partnership outcomes include a reduction in the long-term rate of people killed or seriously injured on the roads, helped by the Council working in partnership with the police in the road safety group. The community safety and drugs partnership has been successful in implementing most of the recommendations in its action plan and there has been an increase in the number of joint projects with the PCT, particularly in the area of adult social care. Finally, the Council is making steady progress in its two key community regeneration projects. In the Rotherwas project the link road is being constructed and a number of industrial units are being planned. However concerns about the Unitary Development Plan have led to it being subject to a judicial review. No application for planning permission has been made. Selection of a preferred partner for the retail quarter of the Edgar Street Grid project is currently underway.
- 25 The Council has continued to improve access to its services, both by telephone and in person. The key event in the past year has been the opening of the Garrick Centre in Hereford which is a multi-agency information point where residents can access both a range of Council services, including viewing planning applications, and a number of voluntary sector agencies including the Citizens Advice Bureau. The Council's telephone information service has continued to receive an increasing number of calls, as have the contact centres located in the market towns. The Council has improved its approach to equality and has now achieved level two of the Local Government Equality Standard. It has improved its overall approach to promoting race equality and dealing with racial incidents. There is a good awareness at the Council of the increasing number of eastern European people arriving in the County seeking work although the approach to assessing the impact of this is at an early stage and the Council has employed a specialist to assist in doing this. In contrast to the steady improvements in most service areas, satisfaction with most parts of the Council is not improving with the overall satisfaction rating worsening, putting the Council in the worst quartile. The Council has been slow in responding to these findings, but work is in hand to better understand the reasons for poor user satisfaction.
- 26 The Council's overall performance on providing and managing value for money has been adequate. Most of the Council's services are relatively low cost and there has been good progress at taking further costs out and improving performance. However, not enough is yet being done to measure and manage improvement in value for money in a consistent way across the Council. Progress is being made in the area of procurement, with some savings being made in the way the Council engages temporary staff and in its telephone and postage operations. The Council has had good success in the past year in meeting its Gershon efficiency targets and reductions in sickness absence are also helping to improve value for money.

## How much progress is being made to implement improvement plans to sustain future improvement?

- 27 The Council's approach to improvement planning has been steadily improving during the past year. The previous high-level improvement plan has given way to a number of service specific improvement plans, which are monitored by various boards and groups. The Council addressed this transition well with a robust risk analysis of the new plans to ensure that progress would be made. The result of this is a series of plans covering adult social care, cultural services, lifelong learning, the CYP forward delivery plan, a high-level environment improvement plan and a plan to improve performance management. These plans are monitored individually but there is no overall summary of progress to enable the Council to see what has been achieved. In addition, the Council has a set of broad plans with the PCT for joint service provision over the coming years, which has already started with the appointment of a number of joint posts including the new Chief Executive. Awareness of, and monitoring arrangements for this new suite of plans is, however, not fully developed, but the most recent information indicates that progress is being made in most areas. Improvements in performance management include the appointment of the performance improvement managers and changes to the corporate performance report which provide a sharper assessment of progress against priorities. In addition, most of the targets in the adult social care and cultural services improvement programmes are being met by the agreed dates.
- 28 The Council is making reasonable progress across a number of areas in developing its capacity to further improve. The annual assessments in children's and adults assessed capacity as adequate and uncertain, respectively, but much has been done in the past six months to improve this situation. New managers have been appointed in adult social care, including an interim head of service and a change manager. In children's the Council appointed a new director in April 2007 and most of the social work vacancies are being filled. The Council has produced a Pay and Workforce Development Strategy which adequately addresses some of the key issues and is being improved by the interim head of HR. Staff morale at the Council is improving, with results from the latest employee opinion survey showing increased scores in nearly all areas. Finally, the Council is progressing its corporate approach to staff accommodation. A review has taken place of current accommodation needs and there has also been work carried out on identifying possible sites for back-office functions. Cabinet has been briefed on this but is waiting for the new Chief Executive to become established before making a decision.

- 29 Some significant governance weaknesses were identified by the Council in 2007 following an investigation into certain ICT procurement exercises. The Council's own investigation highlighted specific failings in its procurement processes and an external review, carried out at the Council's request, identified a series of wider weaknesses in cultural and organisational issues at the Council. These weaknesses included a culture that was too consensual and lacking in challenge. In addition, although the Council has a number of processes in place, the review concluded that there was insufficient sanction for non-compliance with these processes. The Council responded well to the initial discovery of the procurement problems and has accepted the wider weaknesses and put in place an action plan to address them. Given this situation, it is unlikely that the issues highlighted in the report will prevent improvement levels being sustained. The other significant issue around governance for the Council has been the need to improve the quality of overview and scrutiny. Steady improvement is being made in this area, with a new set of scrutiny chairs being appointed following the May 2007 elections. Work programmes have been developed and training and information provision has been improved. This has resulted in a better level of challenge and scrutiny around performance issues and a broader approach to the agenda of overview and scrutiny, exemplified by a number of external bodies, including RSLs and the ambulance trust, being called to give evidence to the committees.

## Culture inspection

- 30 Herefordshire Council provides 'fair' cultural services that have 'promising' prospects for improvement.
- 31 The Council offers a broad range of cultural services including libraries, sports, tourism and arts development/activities, creative industries, leisure facilities, parks and open spaces, conservation, archives, heritage and museums and tourist information centres. It also supports delivery of the Courtyard Centre for the Arts in Hereford. It spends approximately £7.3m annually on these services which equates to £40.82 per head of population.
- 32 The Council recognises the potential of cultural services in contributing towards many of its priorities but has not transformed this into clear high level outcome targets. It is developing good intelligence about the cultural needs of the community and ongoing consultation is strong. This is influencing the way cultural services are delivered.
- 33 The Council delivers and enables some positive initiatives to promote access in cultural services but the Council does not always know whether they are effective. Services are good at providing and enabling a range of opportunities aimed at improving quality of life, particularly for children and young people and communities delivering cultural projects. Because local indicators and measures have not been fully developed, it is not always clear how effective cultural services are in enabling access. For example, the Council does not know how successful its concessionary pricing schemes are within cultural services.

- 34 Integration of diversity into cultural services is developing. The Council achieved level two of the Equality Standard in 2006/07. It has undertaken a programme of equality impact assessments within cultural services which has led to some service improvements. However, the Council does not have a robust overall needs assessment of minority groups in the County to inform its approach.
- 35 Quality of cultural services is variable. Quality assurance and service specific standards are not in place in all areas and the standard of cultural buildings is mixed. This is reflected by national indicators which show varied perceptions and reported usage from residents. Value for money is not fully integrated into the delivery of cultural services.
- 36 During the last four years a number of cultural services facilities have significantly improved. Improvements include a new and innovative shared facility at Bromyard which integrates a library, leisure facility, tourist information centre and general access point. However, satisfaction and reported usage for cultural services is not improving significantly when compared to other authorities and the Council cannot demonstrate consistent improvements to value for money across its cultural services.
- 37 The Council has significant future plans to improve cultural services. These include a commitment to implementing its strategy towards developing shared services incorporating new library facilities at Hereford and Ledbury. Other planned improvements include a new country park visitors' centre; a £2.4m heritage lottery award to develop the Wye Valley as an area of outstanding natural beauty; and investment in local sports and play facilities.
- 38 Cultural services benefit from an experienced, motivated and well trained work force and have a good track record of delivering improvements through partnership working. Commitment and leadership are also positive.
- 39 Some weaknesses exist in performance management within cultural services. Improvement plans are fragmented and not prioritised and outcome measurements and targets not fully developed. This extends to the two trusts delivering the operational management of leisure facilities and the Courtyard arts venue.
- 40 The Council has started to respond to the recommendations from this inspection. There has been recent progress in key projects that will improve access to and quality services for residents and visitors of the County such as the Museum Resource and Learning Centre which was completed in November 2007. The Council has established a set of outcome measures to be included in the Household Survey in response to the report. These outcomes, along with the new indicators from the performance framework and value for money indicators, will be incorporated into commissioning agreements for Halo Leisure and the Courtyard. These will be three year, rolling agreements to give the organisations that deliver the leisure and arts programmes longer term stability.

- 41 The Economic and Community Services Division, in which Cultural Services sits, has produced a Medium Term Financial and Asset Management Plan to address the management of resources. This also takes a long view (to 2017) on the use of assets. This was designed to address the fragmentation of improvement plans. Value for money is assessed in the service plan for the division and value for money indicators include tracking cost for users and residents. Specific service standards are being presented to the Cabinet Member for introduction in March 2008 in libraries, heritage centres and tourist information centres.

## Performance information

- 42 We reviewed your overall management arrangements to develop the quality of data and tested a limited number of performance indicators. There were five themes for us to consider as part of our work on Data Quality; Governance and Leadership, Policies, Systems and Processes, People and Skills and Data Use.
- 43 The Council continues to develop and improve its management arrangements for ensuring the quality of data. The Integrated Performance Reporting methodology has improved the focus of performance indicators within the Council, as the collection and reporting of performance information across the Council has led to more attention being paid to all indicators. Overall the Council has maintained an 'adequate' assessment.
- 44 There are, however, areas for further improvement. In particular there should be a formal strategy for data quality put in place which should be agreed to by Members. Specific data quality policies should be put in place to support the current ad hoc guidance and regular formalised training for relevant staff would support the Data Quality process. Of the four indicators we looked at, two were significantly misstated. To help with further improvement, we have recently produced a more detailed report containing detailed recommendations which the Council needs to address. We are planning to review more indicators next year.

## The audit of the accounts and value for money

- 45 As your appointed auditor, I have reported separately to the Audit and Governance committee on the issues arising from our 2006/07 audit and have issued:
- my audit report, providing an unqualified opinion on your accounts and a qualified conclusion on your vfm arrangements; and
  - my report on the Best Value Performance Plan confirming that the Plan has been audited.

### Use of Resources

- 46 The findings of the auditor are an important component of the CPA framework described above. In particular the Use of Resources score is derived from the assessments made by the auditor in the following areas.
- Financial reporting (including the preparation of the accounts of the Council and the way these are presented to the public).
  - Financial management (including how the financial management is integrated with strategy to support council priorities).
  - Financial standing (including the strength of the Council's financial position).
  - Internal control (including how effectively the Council maintains proper stewardship and control of its finances).
  - Value for money (including an assessment of how well the Council balances the costs and quality of its services).
- 47 For the purposes of the CPA we have assessed the Council's arrangements for use of resources in these five areas as follows.

**Table 2**

Element	Assessment
Financial reporting	3 out of 4
Financial management	3 out of 4
Financial standing	2 out of 4
Internal control	1 out of 4
Value for money	2 out of 4
Overall assessment of the Audit Commission	2 out of 4

(Note: 1 = lowest, 4 = highest)

- 48 The key issues arising from the audit, as reflected in the above judgements where appropriate, are as follows.

## Financial reporting - audit of 2006/07 accounts

- 49 We assessed the Council's production of accounts as good. The accounts were produced by 30 June and were well supported with working papers. The Council also produced a good summary annual review of the accounts for the public. To achieve further improvement the accounts presented for audit should have no non-trivial errors and analytical review needs to be further developed. We have provided further detail to your officers to help this improvement.
- 50 We are required by professional standards to report to those charged with governance (in this case the Audit and Corporate Governance Committee) certain matters before we give an opinion on the financial statements. We reported three matters.
- 51 There was still some difficulty in reconciling end of year balances with the PCT and there have been delays in the PCT settling invoices with the Council. The Section 75 agreement has still not been updated for the learning disabilities pooled budget agreement. This has not been updated since 2002.
- 52 We found three significant errors in the statement of accounts which the Council subsequently corrected for. The first related to a primary school incorrectly taken out of the balance sheet, the second revenue expenditure incorrectly classified as capital and third incorrect apportionment of overheads to services.
- 53 We also discussed matters arising from Internal Audit work in the ICT section and the subsequent Ian Crookall report which are referred to in the section on systems of internal control.
- 54 The Council has completed an action plan to address all the recommendations in our report.

## Financial management

- 55 Our overall conclusion on financial management is that there are good arrangements in place but these now need to be fully embedded.
- 56 The Council has made good progress over the last year in improving the quality and reliability of financial management arrangements although there were issues in ICT which are being addressed. Particularly significant is the robust Medium Term Financial Plan which is focussed on the achievement of the Council's objectives and is updated regularly. The Council needs to continue this improvement and fully embed the new financial management arrangements. Training needs to be continued for Members and Officers. The budget reported to Members does not include a positive assurance statement and responsibility for capital and revenue budgets is not up to date.



- 57 The Integrated Performance Report (IPR) has continued to embed into the culture of the Council and the financial information supplied shows the Council's financial position. However the quality of some of the non-financial data supplied is questionable eg homelessness.
- 58 We also considered how the Council manages its asset base. The Council demonstrates some good practice in this area. The Council, in general, makes investment decisions based on a thorough and robust appraisal, however as reported previously there was not a full options appraisal on IT projects such as the IT Connects Project. The Council will need to consider all investment decisions to ensure that they comply with its own procurement processes.
- 59 The Council has taken action to improve the capacity of the Asset Management and Property Services team including recruiting a permanent head of this service. This is important given the level of input required in key areas such as the reconsideration of the Council's Accommodation strategy.

## Financial standing

- 60 We concluded that the Council's financial standing meets the minimum requirements for the Use of Resources assessment.
- 61 Achieving financial balance is an important element of financial standing and historically the Council has been successful at this. Good financial standing is also about effectively managing activities and their associated budgets to avoid significant under-spending and the non-achievement of objectives. It is also about setting aside prudent but not excessive levels of reserves in relation to risks. For the first time in a number of years the Council has not made a significant contribution to reserves. In 2006/07 revenue reserves reduced by approximately £700k. Capital reserves have increased by just over £2m to £22.4m. There is now a clear strategy in relation to the use of revenue reserves which forms a part of the medium term financial plan. Much of the revenue reserves previously held are now earmarked against specific risks.
- 62 The Council's financial position reported in the 2006/07 accounts shows revenue balances (earmarked and general) of £27.8m and a net under spend of £2.5m against budget. There were overspends in two areas, Adult and Community services overspent by £1,023k and the Corporate and Customer Services overspent by £1,415k. These overspends were mitigated by under spending in children's and young people's services (£139k), Environment (£274k), Resources (£589k) and Central Services (£374k). The most recent forecast from the Council is highlighting an overspend of £700k for 2007/08.
- 63 Schools balances remain high at £8.1m, a reduction from £8.7m at the end of 2005/06 and although this is a small drop from the previous year, it is recognised that this level of balances is high. The Council continues to suggest that it is seeking to reduce this.

- 64 The Council's pension liability (the amount liabilities exceeded assets) at the 31 March 2007 was £88.8m. This represents a significant reduction from £100m in 2005/06. The Council is not currently in a position to meet its future pension liabilities for its workforce.
- 65 Debt monitoring has continued to improve but there is still scope for further progress.

## Systems of internal financial control

- 66 The Council's systems of internal control fail to meet the minimum requirements for the Use of Resources assessment.
- 67 The Council has not progressed as quickly as they would have liked in relation to internal control issues. Although there have been improvements, the serious nature of the issues noted within the ICT section have overshadowed these leading to a reduction in the overall assessment.
- 68 Risk management has improved. The Council has a risk management strategy which has been approved by Members. The register is maintained and ownership for each risk within the register is assigned. The Member responsible for risk does not have specific terms of reference and some of the links between service areas in regards to the Departmental Risk Register and the Corporate Risk Register are unclear.
- 69 Internal Control arrangements had been progressing relatively well. The Audit and Corporate Governance Committee has shown real signs of improvement, there is positive interaction with the Chief Internal Auditor and challenge is good. We carried out a review of Internal Audit during 2006/07 and found that Internal Audit conformed with the CIPFA code of practice. We found that we could place reliance upon their work. There were only three issues to address:
- ensuring all agency staff employed have a signed declaration of interest.
  - updating the quality assurance framework; and
  - improve the process for the follow up of audit recommendations.
- 70 There have, however, been serious flaws within the application of your internal control arrangements within ICT that have been uncovered by Internal Audit during 2007 which we will refer to later.
- 71 In 2005/06 we reported that there were weaknesses within the gifts and hospitality arrangements within the Council. Further work has indicated that the issues found previously have improved but other weaknesses have emerged such as the receipt and giving of hospitality within ICT which was not declared. The Council has improved whistle-blowing arrangements by communicating with those parties being contracted with but it is also important to ensure an open culture where Officers, Members and contractors feel that their concerns will be dealt with without fear of recrimination.
- 72 We plan to assist the Council in developing these arrangements shortly by delivering training to Officers and Members.

- 73** There is no consolidated Business Continuity Plan. Reconciliations of significant feeder system have not occurred throughout the year but were satisfactorily reconciled at year end.

## **Value for money**

- 74** We considered both the Council's achievement of value for money and the arrangements to manage and improve value for money. Overall we concluded that both adequate achievement and adequate arrangements are demonstrated.
- 75** The Council is generally a low cost authority with a mix of performance levels. In Education, attainment is good, costs are low and in both social care areas (children's and adults) costs are low and performance is broadly average, In Environment, Planning and Transport areas value for money is reasonable. There is a mixed picture of value for money in benefits and local taxation. Costs in benefits are low but performance, although improving, is below average, There is good performance in Council Tax collection which, combined with low costs, is providing good value for money.
- 76** The Council has information on its own and comparable data, however this information is not combined with cost data to either measure value for money internally or with other authorities. There is no requirement on managers to report on value for money within the Council's performance monitoring framework. The Council is delivering on its efficiency plan and in the last nine months the Council has started to make savings as a result of improved central procurement practices. Reductions in sickness absence have also benefited the value for money profile.

## Herefordshire Connects Programme

- 77 The Herefordshire Connects project, a fundamental part of the Herefordshire Transformation Programme, is key to the delivery of the Council's medium term financial strategy. We carried out a short risk assessment in October 2006 which identified a number of issues and made associated recommendations. These included:
- further consideration of the proposed technical solution to ensure that it met organisation needs;
  - reviewing the requirements of the Public Service Trust (PST) to ensure they were sufficiently clear and robust to inform the contract; and
  - outlining the other options which were still open to the Council when presenting the preferred bid to members for consideration, with the risks, costs and benefits of each option set out.
- 78 This was followed up by a more in depth review, reporting in July 2007, including progress with the earlier recommendations, arrangements for risk management, project management and performance management and the robustness of the assumptions made around the savings that could be achieved.
- 79 Overall we felt that progress had been made with implementing the recommendations from our initial risk assessment. However, given that the development of the PST was at an early stage, it was not possible to define the requirements at this point. We also found that although the Cabinet paper identified three alternative options - total outsourcing, shared services provision and doing nothing, there was not sufficient information on costs and benefits to enable members to make an informed judgement.
- 80 We found that the Council had put in place effective arrangements for the management of the current phase of the project and that the governance and performance management arrangements for subsequent phases, which were being finalised, would be key to the realisation of the expected benefits. We highlighted some areas where arrangements could be strengthened and made some related recommendations. Of particular concern was the proposed timetable for the implementation of the social care element. Given the uncertainty surrounding the technical solution and the need to re-design business processes, it was felt that the June 2008 deadline provided a significant risk of non delivery of the anticipated benefits in this business critical area.
- 81 We were not able to examine the costs of the Herefordshire Connects programme as the Council was still assessing some aspects such as the technology, accommodation and severance. However, the Council was developing a rigorous benefits realisation process and the Council's initial cost benefit assumptions had been robustly challenged.

- 82** Recommendations covering the implementation of the social care element, risk logs and performance management arrangements were made and good progress has subsequently been made with implementing them. A technical solution has been agreed for the social care element and plans are being finalised for implementation in 2008.
- 83** However, with the exception of the Social Care element, the project is now on hold while issues of affordability and priority are resolved. This could impact on the Council's ability to deliver improvements in services and business processes.

## **Joint working with the Primary Care Trust (Public Service Trust)**

- 84** Herefordshire Council and Herefordshire Primary Care Trust (PCT) have been working towards an enhanced form of partnership working, aimed at using their joint resources to more effectively commission public services. This enhanced form of partnership working has been referred to as a Public Service Trust (PST). Because of the significant risks potentially associated with the move towards a Public Service Trust, we have undertaken a high-level, diagnostic audit, designed to identify the key issues and risks associated with the proposals.
- 85** This report issued in October sets out a range of issues which need to be resolved, particularly the precise scope of the joint arrangement. There were risks around the appointment of the joint Chief Executive and whether the joint arrangement will deliver improved services and better value for money as intended. However, in order to move forward with the PST as an innovative solution to providing services in Herefordshire, we accepted that some risks are inevitable and that new joint leadership is necessary to drive the change. Both the Council and the PCT are aware of the risks and are seeking to mitigate them. Our detailed report sets out the issues to be resolved including a number of legal issues which the Council and PCT need to resolve promptly.

- 86 The Council and the PCT have demonstrated good community leadership in starting this important and innovative dialogue about moving towards joint arrangements. There is a clear shared vision of improving service provision and making more effective use of public resources. Clarity is starting to emerge about what this means for specific services and for governance arrangements, but more clarity is needed here. Strategic capacity is under pressure in both organisations, particularly with the demanding agenda of change associated with the joint working arrangements, but also from other major programmes such as the introduction of a Children's Trust and the improvements required to existing integrated services. The appointment of a joint Chief Executive for both organisations will help to strengthen strategic leadership and support the move towards greater partnership working. We are continuing to discuss a number of issues relating to statutory roles, accountabilities and conflicts of interest. Now that the focus has changed from organisational structure to delivering joint services through Herefordshire Public Services, these issues may be less significant than when we reported in October. There has been some limited engagement of other strategic stakeholders in Herefordshire regarding the moves towards a PST.
- 87 A 'roadmap' setting out the milestones for moving towards PST arrangements was agreed by both organisations. The original timetable for establishing the PST was, we are pleased to note, extended but was still a very demanding one. It was, though, always envisaged that the new Chief Executive was likely to set out a new vision and timescales for joint working. A considerable amount of work still needs to be done to clarify and develop the interim arrangements, and then to plan for and prepare the detailed partnership agreement. This will place significant demands on capacity in both organisations. Good risk reporting arrangements are in place, but the PST Steering Group had not devoted adequate time to assessing and managing PST-related risks. This is now in hand. Project management arrangements are sound and are working well. Comprehensive public consultation on the PST proposals were carried out during summer 2007, however the Council and PCT will need to assure themselves that relevant statutory requirements on public consultation are met.
- 88 Some initial work has been carried out on the detailed implications for financial and performance management and governance, but the detailed work to underpin the joint working arrangements has yet to be undertaken. It is not clear at this stage to what extent governance arrangements will be streamlined, at least in the medium term. Some savings projections associated with the joint working arrangement have been drawn up, but these are limited in scope and are only indicative at this stage. The PCT and Council have yet to quantify how the joint working arrangement will deliver better value for money.
- 89 Some initial work has been undertaken to identify the implications of joint working arrangements for information systems in both organisations, but the detailed work has yet to be undertaken. It is not clear at this stage how the Council and PCT will address the information management implications, including the interface with national IT systems in the NHS.

- 90** A range of work has been undertaken to identify and explore the human resource and shared-service implications of the move towards a joint working, but further detailed work will be required as the programme progresses. Arrangements for staff communications are in place and both organisations are in the process of evaluating the effectiveness of these communications.

## **Crookall Report**

- 91** Following an anonymous tip-off, internal investigations have been carried out which resulted in a report by the Council's Section 151 Officer. The report itemises serious weaknesses in the procurement and implementation of a network upgrade from Siemens and an ICT back-office system from SAP in early 2005. Concerns ranged from poor value for money, project management and lack of proper approval. The report also highlighted serious abuse of expenses by the Head of IT and some of her line reports. This included regular entertainment of contractors followed by overnight stays in Hereford. An overseas visit of questionable value was also uncovered. As a result of these issues we have given an adverse VFM opinion on the Council's arrangements for securing value for money (the VFM opinion).
- 92** Following this report the Council invited the LGA to identify an independent and experienced person to carry out the investigation. This was necessary because the Chief Executive and Director of Corporate Services were married. The former Chief Executive of Buckinghamshire County Council, Ian Crookall carried out this investigation. This investigation was both thorough and wholly independent. The Council has been commendably open and transparent in their reporting of the investigation. The Council has also taken the report very seriously and is starting to respond robustly.
- 93** The serious findings in the ICT section exposed weaknesses in the application and monitoring of corporate procedures. However there is no evidence either to suggest that the abuse was more widespread and indeed our work and that of Internal Audit suggests it is not. There is also no evidence to suggest fraud or corruption.
- 94** Due to the thoroughness, independence and openness of the external investigation which has already taken place, we have concluded that there is no merit in a further investigation.
- 95** The Audit & Corporate Governance Committee has received regular progress reports on implementing the recommendations in the Section 151 Officer report. All the outstanding recommendations from that report plus those from the Crookall report are now being integrated into one action plan. It is important that the Council now continues to focus on improving its processes and procedures. We will continue to monitor the Council's response.

## Waste Management PFI

- 96 The Council has been seeking for several years with its partner Worcestershire County Council to vary its PFI contract for waste management which will allow both parties to meet national targets for recycling and reductions in landfill tonnages and specifically reduce the amount of biological municipal waste (BMW) which ends up in landfill sites.
- 97 The Government has set councils exacting targets for recycling which are above those agreeing for the current contract. Targets for reducing landfill have also been set. The driver for these targets is landfill tax, which is set to increase year on year providing an incentive for councils to divert waste from landfill. The consequence of not reducing landfill tonnages will be increased costs and increasing pressure on medium term financial strategy.
- 98 Councils have also been set targets for the amount of BMW which can be landfilled, these targets first impact in 2010 when BMW going to landfill needs to fall to 75 per cent of that produced in 1995. Subsequent targets are increasingly hard to meet, as by 2013 the amount permitted to be landfilled falls to 50 per cent of the 1995 amount and in 2020 to 35 per cent.
- 99 Councils have permits for BMW landfill which are aligned with these targets, failure to meet such targets will result in a cost, estimated to be in the region of £150 per tonne of additional BMW waste going to landfill.
- 100 Until the discussions with the contractor are finally concluded, there remains a risk that the contract could terminate. Contract termination could have a significant impact on the financial standing of the councils, because termination clauses in the original contract will require the councils to repay the contractors shareholder equity in exchange for bringing waste management assets and facilities back in-house. In such a situation the councils are also likely to have to enter into a new contract in order to achieve the objectives of the Waste Management Strategy. Re-procurement costs are likely to be significant and the councils would be unlikely to secure the level of government PFI funding that was made available for the existing contract.
- 101 Given the potentially long process to achieve a contract variation, the Council needs to be aware of the very significant financial implications of delay and balance this against obtaining the best long term solution for waste management.

## Grant claims

- 102 In accordance with Strategic Regulation, the Audit Commission has continued with a more risk-based approach to the certification of grant claims. We have reduced our audit of these claims but our ability to reduce further also depends on the adequacy of the Council's control environment.



- 103** The Council's arrangements for managing and quality assuring grant claims submitted for audit has changed partly as a result of a new protocol and setting up a grant claims co-ordinator. To help improve arrangements further the Council needs to use this new post to be proactive in chasing departments where claims and working papers are outstanding so that the claims audits can commence on time. A number of claims were late in 2007.
- 104** We have recently produced a memorandum following the audit of the largest of these claims, housing and council tax benefits. This is designed to improve the efficiency in auditing this large claim in the future. The audit of this claim improved this year due to significant improvement in co-operation from benefits staff and can further benefit from improved working papers to support the claim.

## Looking ahead

- 105** The public service inspectorates are currently developing a new performance assessment framework, the Comprehensive Area Assessment (CAA). CAA will provide the first holistic independent assessment of the prospects for local areas and the quality of life for people living there. It will put the experience of citizens, people who use services and local tax payers at the centre of the new local assessment framework, with a particular focus on the needs of those whose circumstances make them vulnerable. It will recognise the importance of effective local partnership working, the enhanced role of Sustainable Communities Strategies and Local Area Agreements and the importance of councils in leading and shaping the communities they serve.
- 106** CAA will result in reduced levels of inspection and better coordination of inspection activity. The key components of CAA will be a joint inspectorate annual area risk assessment and reporting performance on the new national indicator set, together with a joint inspectorate annual direction of travel assessment and an annual use of resources assessment. The auditors' use of resources judgements will therefore continue, but their scope will be widened to cover issues such as commissioning and the sustainable use of resources.
- 107** The first results of our work on CAA will be published in the autumn of 2009. This will include the performance data from 2008/09, the first year of the new Local Area Agreements.

## Closing remarks

- 108 This letter has been discussed and agreed with Chief Executive. A copy of the letter will be presented at the Audit and Governance Committee on 29 February 2008. Copies need to be provided to all Council members.
- 109 Further detailed findings, conclusions and recommendations on the areas covered by audit and inspection work are included in the reports issued to the Council during the year.

**Table 3 Reports issued**

Report	Date of issue
Audit and inspection plan	March 2006
Culture Inspection Report	May 2007
Herefordshire Connects	May 2007
Annual Governance Report	September 2007
Opinion on financial statements	September 2007
Value for money conclusion	September 2007
Final accounts memorandum	October 2007
Public Service Trust	November 2007
Annual audit and inspection letter	February 2008

- 110 The Council has taken a positive and constructive approach to audit and inspection work, and I wish to thank the Council's staff for their support and cooperation during the audit.

## Availability of this letter

- 111 This letter will be published on the Audit Commission's website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk), and also on the Council's website.

**Elizabeth Cave**  
**District Auditor and Relationship Manager**

February 2008



## APPENDIX 2

ACTION	RESPONSE
<p>a. Re-focus and clarify the purpose, outcomes and actions of Herefordshire Connects. This should include formally considering in a short paper what other options are still open to the Council including the costs, benefits and risks of each option. It should also set out how the programme fits with the new joint working arrangements with the PCT.</p>	<p>The senior management teams from the Council and the PCT now meet on a regular basis. An away day is being arranged on 3rd March 2008 to consider, amongst other things, the future direction for Herefordshire Connects and how the report outlined by the Audit Commission will be produced. This will present an opportunity to outline the benefits of the programme to date.</p>
<p>b. Set out a clear vision of what are the scope, timing and benefits of the new joint working arrangements with the PCT.</p>	<p>The Herefordshire Public Services Steering Group continues to meet and is in the process of reviewing its remit and how the joint arrangements will be managed for the future.</p>
<p>c. Ensure that the necessary changes to the waste management contract are resolved promptly.</p>	<p>The joint PFI on waste disposal has been in standstill for many years following the failure to secure planning consent for an energy from waste facility in Kidderminster. Since that time technologies available have become far more advanced. As a consequence there are now credible proposals to build a waste processing plant at Hartlebury (with all necessary planning consents secured) and a strong political desire to see an energy from waste plant built in Herefordshire. The contractor, Mercia Waste, is bringing forward proposals on technology options and potential sites for formal consideration by Herefordshire and Worcestershire in the next few months. Consideration of these options will need to be in the context of the joint waste disposal strategy which is currently under review.</p>

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<p>d. Implement successfully the recommendations from the Section 151 and Crookall reports and in so doing further develop the ethical governance and anti-fraud culture within the Council.</p>	<p>See management response to Use of Resources report 2008 – improvement opportunities 4.4, 4.5 and 4.6 refer.</p>
<p>e. Revise the corporate performance management framework to include a systematic review of value for money (VFM) which will measure and manage improvement in value for money in a consistent way across the Council. This will involve benchmarking costs and performance in a consistent way and setting targets for efficiency and VFM.</p>	<p>See management response to Use of Resources report 2008 – improvement opportunities 5.3 and 5.4 refer.</p>
<p>f. Monitor the development of corporate approaches to procurement.</p>	<p>Much progress has been made in developing the strategic procurement function with the result that significant contributions to the corporate financial position are being made and incorporated into the financial strategy. This has been achieved with a very limited resource base (one officer). In response to the Section 151 Officer and Crookall recommendations on strengthening the Council's strategic procurement function, the Head of Financial Services is currently working with procurement specialists at the West Midlands Centre for Excellence to bring forward proposals on an appropriate staffing arrangement. This will potentially involve a transfer of staff in procurement related roles to the strategic team within the Resources Directorate. A review of the Council's procurement strategy is also underway and is included as an action in the Financial Services service plan for 2008 – 2011. The Contract Procedure Rules have been revised and are awaiting Council approval on 7th March 2008.</p>

<p>g. Ensure that actions recommended by our recent culture inspection report are delivered.</p>	<p>Progress in key projects is as follows:</p> <ol style="list-style-type: none"> <li>a. The Museum Resource and Learning Centre was completed in November 2007.</li> <li>b. Discussions continue on adapting The Masters House, Ledbury as a multi-use centre for cultural and other services.</li> <li>c. Five new multi use game areas complete by April 2008 for Hereford City.</li> <li>d. A pilot cultural passport scheme was launched in January 2008 to increase use of libraries and heritage centres, funded by the LAA single pot funding.</li> <li>e. A set of outcome measures to be included in the Household Survey in response to recommendations in the CPA Cultural Services Assessment has been developed.</li> <li>f. The Economic and Community Services Division, in which Cultural Services sits, has produced a Medium Term Financial and Asset Management Plan that addresses the management of resources, that also takes a long view (to 2017) on the use of assets.</li> <li>g. Many of the performance data for cultural services is annual so not all figures on year on year progress are available but many show an improvement.</li> </ol>
<p>h. Clarify the arrangement for improvement planning and increase the impact of the reporting.</p>	<p>See management response to Use of Resources report 2008 – improvement opportunity 5.3 refers.</p>





## USE OF RESOURCES REPORT 2008

### PORTFOLIO RESPONSIBILITY: CORPORATE STRATEGY AND FINANCE

CABINET

27 MARCH 2008

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#### Wards Affected

County-wide.

#### Purpose

1. To note the Audit Commission's Use of Resources report for 2008 and the comments made by the Audit & Corporate Governance Committee.
2. For Cabinet to approve the response to each of the opportunities for improvement identified in the Use of Resources report for 2008 and notes the comments made by the Audit & Corporate Governance Committee.

#### Key Decision

3. This is not a Key Decision.

#### Recommendation(s)

- THAT (a) Cabinet notes the Audit Commission's Use of Resources report for 2008 and the comments made by the Audit & Corporate Governance Committee; and**
- (b) Cabinet approves the response to the opportunities for improvement identified in the Use of Resources report for 2008 and notes the comments made by the Audit & Corporate Governance Committee.**

#### Reasons

4. The Council needs to respond appropriately and promptly to the Use of Resources report for 2008 in preparation for the next assessment.
5. The Council's overall score for Use of Resources has fallen to 2 (adequate performance in 2006/07) from a 3 (performing well in 2005/06).
6. The score for internal control has fallen to 1 (inadequate performance in 2006/07) from a 2 (adequate performance in 2005/06).
7. The score for value for money has fallen to 2 (adequate performance in 2006/07) from a 3 (performing well in 2005/06).

#### Considerations

8. The Use of Resources assessment is a significant element of the Comprehensive Performance Assessment (CPA) framework, the Audit Commission's annual

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Further information on the subject of this report is available from  
Mrs Sonia Rees, Director of Resources on tel (01432) 383519

assessment of the services provided by councils for local people. The Use of Resources assessment encompasses financial reporting, financial management and financial standing, together with internal control and value for money. The Use of Resources report for 2008 is attached as Appendix 1 to this report.

9. The Director of Resources is accountable for many of the criteria within the Use of Resources assessment. Many other officers also have direct accountabilities as can be seen in Appendix 2. Together these officers ensure that the framework for effective financial governance is in place so that use of resources is optimised in providing services to local people.
10. Being able to evidence that effective financial governance arrangements are in place to support the optimal use of resources is not, however, the end of the story. The Council has to be able to demonstrate that all parts of the organisation work consistently within the agreed framework with the utmost regard for probity and propriety. This makes the Use of Resources an issue for every officer and councillor.
11. The Corporate Management Board has therefore been consulted at length in preparing the commentary on and agreeing the actions in response to the improvement opportunities identified by the Audit Commission (Appendix 2 refers).
12. The key priorities for the Council in restoring its overall Use of Resources score are:

#### **Internal Control**

- (a) Developing a consolidated business continuity plan.
- (b) Reaffirming the standards expected with regard to accepting and declaring gifts and hospitality.
- (c) Providing assurance that the financial governance issues identified within ICT have been addressed.

#### **Value for Money**

- (d) Continued improvement in performance indicators across the board.
- (e) Adopting a systematic approach to evidencing that service provision represents value for money and to benchmarking the cost of services.

#### **Financial management, reporting and standing**

- (f) Continued improvement in response to the improvement opportunities identified and progress already made.
13. The Audit Commission presented their Use of Resources report for 2008 to the Audit & Corporate Governance Committee on 29th February 2008 as the Council body charged with responsibility for financial governance. The Audit & Corporate Governance Committee asked questions and their views can be summarised as follows:
    - (a) The need for improvements in fixed asset management particularly in relation to schools, which was a major area due to the number of buildings.
    - (b) There might be some areas where PRINCE 2 methodology was not being applied to procurement projects as a measure to improve internal control.

- (c) In response to a question the committee was also informed that the opportunities for improvement appended to the report were ultimately the Chief Executive's responsibility and that assurance on actions taken could be tracked by quarterly audit reports
- 14. The Corporate Management Board has drafted a response to each of the action points in the Use of Resources Report for 2008 (Appendix 2 to this report refers). The Audit Commission commented positively on the thoroughness of the Corporate Management Board's response. These actions will be incorporated into relevant directorate and service plans for 2008/09.
- 15. **The Audit & Corporate Governance Committee noted the report and current progress and subject to any comments from Cabinet approved the Corporate Management Board's action plan.**

### **Financial Implications**

- 16. None arising as a direct result of this report.

### **Risk Management**

- 17. Failure to improve across the board in relation to the assessment criteria within Use of Resources will have a reputational impact for the Council as the CPA is replaced by the Comprehensive Area Assessment (CAA). The new assessment framework will start in Spring 2009 and will be much more focused on the community's perceptions of how well the Council is performing.

### **Alternative Options**

- 18. There are no Alternative Options.

### **Consultees**

- 19. The Audit & Corporate Governance Committee has been consulted on the Use of Resources report for 2008.

### **Appendices**

- 20. Appendix 1 – The Use of Resources report for 2008.
- 21. Appendix 2 – The Corporate Management Board's response to each of the opportunities for improvement in the Use of Resources report for 2008.

### **Background Papers**

None identified.



# Use of Resources

**Herefordshire Council**

**Audit 2006/07**

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles:

- auditors are appointed independently from the bodies being audited;
- the scope of auditors' work is extended to cover not only the audit of financial statements but also value for money and the conduct of public business; and
- auditors may report aspects of their work widely to the public and other key stakeholders.

The duties and powers of auditors appointed by the Audit Commission are set out in the Audit Commission Act 1998 and the Local Government Act 1999 and the Commission's statutory Code of Audit Practice. Under the Code of Audit Practice, appointed auditors are also required to comply with the current professional standards issued by the independent Auditing Practices Board.

Appointed auditors act quite separately from the Commission and in meeting their statutory responsibilities are required to exercise their professional judgement independently of both the Commission and the audited body.

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- any director/member or officer in their individual capacity; or
- any third party.

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## Introduction

- 1 The Use of Resources (UoR) assessment evaluates how well councils manage and use their resources. The assessment is carried out each year and focuses on the importance of strategic financial management, sound governance and effective financial reporting arrangements. These should support your Council in the achievement of its priorities and improving services, whilst delivering value for money.
- 2 This is the third assessment we have undertaken at Herefordshire Council. Our assessment is based on the key lines of enquiry for 2007. These include new requirements for councils as part of the Commission's approach to phasing in those elements that need more lead in time and to supporting improvement by gradually raising the standard of the assessment. The period assessed for 2007 has also been aligned with the financial year 2006/07. Councils may, however, provide evidence that becomes available after the end of the financial year, to demonstrate their arrangements are working effectively and are embedded.
- 3 The overall use of resources assessment is made up of five themes. Judgements have been made for each theme using the Audit Commission's scale. This scale is used across its inspection and performance assessment frameworks.

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**Table 1      Standard scale used for assessments and inspections**

1	Below minimum requirements – inadequate performance
2	Only at minimum requirements – adequate performance
3	Consistently above minimum requirements – performing well
4	Well above minimum requirements – performing strongly

- 4 In forming our assessment, we have used the methodology set out in the Use of Resources Guidance for Councils 2007, which can be found on the Commission's web site. We have also taken account of our findings and conclusions from previous years' assessments and updated these for any changes and improvements to the Council's arrangements.
- 5 This summary sets out our key findings in relation to each theme and key areas for improvement.



## Use of resources judgements

**Table 2 Summary of scores at theme and KLOE level**

<b>Key lines of enquiry (KLOEs)</b>	<b>Score 2007</b>	<b>Score 2006</b>
<b>Financial reporting</b>		
1.1 The Council produces annual accounts in accordance with relevant standards and timetables, supported by comprehensive working papers.	3	3
1.2 The Council promotes external accountability.	3	3
<b>Financial management</b>		
2.1 The Council's medium-term financial strategy, budgets and capital programme are soundly based and designed to deliver its strategic priorities.	3	3
2.2 The Council manages performance against budgets.	3	3
2.3 The Council manages its asset base.	2	3
<b>Financial standing</b>		
3.1 The Council manages its spending within the available resources.	2	2
<b>Internal control</b>		
4.1 The Council manages its significant business risks.	2	2
4.2 The Council has arrangements in place to maintain a sound system of internal control.	1	2
4.3 The Council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business.	1	2
<b>Value for money</b>		
5.1 The Council currently achieves good value for money.	2	3
5.2 The Council manages and improves value for money.	2	3

## Theme summaries

- 6 The key findings and conclusions for each of the five themes are summarised in the following tables.

### Financial reporting

**Table 3**

<b>Theme score 3</b>	
<b>Key findings and conclusions</b>	
<p>The Council produced good annual accounts which were supported by a comprehensive set of working papers. There have been improvements this year in the working papers that support the figures in the financial statements, for example in the detail supplied to support the Income and Expenditure Statement. There is still scope for further improvement in some areas. Absent staff should have their work covered by another member of staff, who is capable of providing full and robust responses to audit queries raised. Working papers should ideally be 'stand alone' without the need for too many additional questions from the auditor. Some working papers purely identified an individual to see.</p> <p>The Council should ensure that accounts have been reviewed by their own staff for reasonableness prior to presentation to the auditor. There were three non-trifling errors found in the 2006/07 accounts.</p> <p>The Council produced a good summary annual report and this has been improved upon in the last year.</p>	
<b>Improvement opportunities</b>	
<p>KLOE 1.1 The Council produces annual accounts in accordance with relevant standards and timetables, supported by comprehensive working papers.</p>	<p>Continue to improve working papers to avoid unnecessary questions from the auditor.</p> <p>At least two members of staff should have a working knowledge of each entry within the accounts due to possible illnesses or leave.</p> <p>The Council should review all figures within the accounts for reasonableness prior to presentation to external audit.</p>
<p>KLOE 1.2 The Council promotes external accountability.</p>	<p>The Council should consider completing an annual report.</p>

## Financial management

**Table 4**

<p><b>Theme score 3</b></p>
<p><b>Key findings and conclusions</b></p>
<p>The Council has a good Medium Term Financial Management Strategy (MTFMS) in place which is linked to key strategic objectives and is updated regularly. Budget management and monitoring of both capital and revenue budgets have improved still further in the year. Prudential indicators are used to assess the affordability of capital spend, however there are areas where improvement is required. The budget reported to members does not include a positive assurance statement and capital and revenue budget assignment (responsibility) is not up to date.</p> <p>The Corporate Plan and MTFMS are integrated with the strategic goals included in the Corporate Plan being used within the MTFMS to take work forward. The Corporate Plan projects forward three years and takes account of stakeholder consultation, capital and revenue plans and risk assessment. There is still no inclusion of sensitivity analysis and links between key documents such as the MTFMS and the Human Resource Plan are unclear.</p> <p>The Integrated Performance Report (IPR) has continued to embed into the culture of the Council and the financial information supplied is up to date and shows the Council's financial position. Non financial information is also offered within the IPR; however the quality of some of the data supplied is questionable eg homelessness.</p> <p>The Council has an up to date Corporate Capital Strategy and the asset register is also up to date. The asset register is maintained by the finance department and updates to it are provided by the Property Section. All information that is included within final accounts, no matter where it is received from, should be challenged. Indications are that some information received regarding fixed assets is not. For example the disposal of a school which should have remained on the books of the Council should have been challenged.</p> <p>The Council, in general, do make investment decisions based on a thorough and robust appraisal, however as reported previously there was not a full options appraisal on the Herefordshire Connects Project. The Council will need to consider all investment decisions to ensure that they comply with their own procurement processes.</p>

<b>Theme score 3</b>	
<b>Improvement opportunities</b>	
<p>KLOE 2.1 The Council's medium-term financial strategy (MTFS), budgets and capital programme are soundly based and designed to deliver its strategic priorities.</p>	<p>The Council's Medium Term Financial Management Strategy needs to have clear links to other key strategy documents for example the Human Resource Plan.</p> <p>An assurance statement from the Director of Resources regarding estimates used for the purpose of budget calculations should be made in the annual budget book.</p> <p>The assignation list for Revenue and Capital budgets needs updating.</p> <p>The Corporate Business plan needs to include sensitivity analysis (same improvement requirement noted last year).</p>
<p>KLOE 2.2 The Council manages performance against budgets.</p>	<p>Reported Performance Indicators within the IPR should be correctly stated.</p> <p>All budgets have to be carefully monitored to ensure that overspends and under spends are managed. (ICT)</p> <p>Financial information produced should be accurate and meet the needs of members and senior officers. (ICT)</p> <p>Training needs to be continued with all relevant staff and members receiving the financial training needed in order for them to carry out their job.</p>
<p>KLOE 2.3 The Council manages its asset base.</p>	<p>Procedures should be put in place to ensure all figures included within the financial systems of the Council are checked for reasonableness.</p> <p>More robust financial appraisals are required.</p>

## Financial standing

**Table 5**

<b>Theme score 2</b>	
<b>Key findings and conclusions</b>	
<p>The Council has a good track record of achieving financial balance. Over the last four years the Council has under spent on budget and this has led to an increase in the value of revenue reserves over a number of years. The Medium Term Financial Management Strategy (MTFMS) has improved the management of reserves with the revenue reserves being more clearly aligned to specific service areas.</p> <p>For the first time in a number of years revenue reserves have reduced, albeit by a minimal amount. Revenue reserves now stand at £27.8m, which is a slight reduction on previous reported revenue reserves of £28.4m. Capital reserves are £22.4m. Revenue reserves remain high; however the MTFMS should help in ensuring that reserves are used for their intended purpose. The Council need to continue to address the level of reserves.</p> <p>Debt monitoring is improving; however there are a number of old debts (over five years old).</p>	
<b>Improvement opportunities</b>	
<p>KLOE 3.1 The Council manages its spending within the available resources.</p>	<p>The MTFMS needs to continue to embed into the culture of the Council.</p> <p>The Budget Book should contain a positive assurance statement from the Director of Resources.</p> <p>The management of debt monitoring needs to continue to improve.</p> <p>Links between the IPR and MTFMS need to be improved upon.</p>

## Internal control

**Table 6**

<b>Theme score 1</b>
<b>Key findings and conclusions</b>
<p>The Council has not progressed as quickly as they would have liked in relation to internal control issues. Although there have been improvements, the serious nature of the issues noted within the ICT section have overshadowed these.</p> <p>Risk management has improved. The Council has a risk management strategy which has been approved by Members. The register is maintained and ownership for each risk within the register is assigned. The Member responsible for risk does not have specific terms of reference and some of the links between service areas in the departmental risk register and the Corporate risk register are unclear.</p> <p>Internal Control arrangements had been progressing relatively well, the Audit Committee has shown real signs of improvement, there is positive interaction with the Chief Internal Auditor and challenge is good. We carried out a review of Internal Audit during 2006/07 and found that Internal Audit conformed to the CIPFA code of practice.</p> <p>There have, however, been serious flaws within the application of your internal control arrangements that have been uncovered within ICT by Internal Audit during 2007. Policies and procedures within your procurement processes were not complied with. Expense claims made to some staff have not been adequately scrutinised or authorised which has led to abuse of your expense system. The action taken by the Council subsequently to address the probity issues identified is positive.</p> <p>There is no consolidated Business Continuity Plan. Reconciliations of significant feeder system have not occurred throughout the year.</p> <p>In 2005/06 we reported that there were weaknesses within the gifts and hospitality arrangements within the Council. Further work has indicated that the issues found previously have improved but other weaknesses have emerged such as the receipt and gifting of hospitality within ICT which was not declared. The Council has improved your whistle-blowing arrangements by communicating with those parties being contracted by the Council.</p>

<b>Theme score 1</b>	
<b>Improvement opportunities</b>	
<p>KLOE 4.1 The Council manages its significant business risks.</p>	<p>Further embed risk into the culture of the Council.</p> <p>Specific Terms of reference for the Member Champion in relation to risk should be drawn up.</p> <p>Develop Departmental risk registers which clearly align with the Corporate risk register.</p>
<p>KLOE 4.2 The Council has arrangements in place to maintain a sound system of internal control.</p>	<p>Ensure policies and procedures are complied with Council wide.</p> <p>Ensure all expenses expenditure is correctly authorised taking into account the Council constitution.</p> <p>Produce an action plan which will address the concerns raised in the Crookhall report.</p> <p>Introduction of a consolidated Business Continuity Plan.</p> <p>Ensure regular reconciliations are carried out of all major feeder systems.</p>
<p>KLOE 4.3 The Council has arrangements in place that are designed to promote and ensure probity and propriety in the conduct of its business.</p>	<p>Ensure that all Members and officers are aware of the need to complete the gifts and hospitality register where required.</p> <p>Put in place processes which ensure the register is regularly reviewed to ensure compliance with the Council's own constitution.</p> <p>PRINCE methodology should be used for all procurement projects which should be incorporated within Council constitution.</p>

## Value for money

**Table 7**

<b>Theme score 2</b>	
<b>Key findings and conclusions</b>	
<p>The Council is generally a low cost authority with a mix of performance levels. In Education, attainment is good, costs are low and in both social care areas (children's and adults) costs are low and performance is broadly average, In Environment, Planning and Transport areas value for money is reasonable. There is a mixed picture of value for money in benefits and local taxation. Costs in benefits are low but performance, although improving, is below average, There is good performance in Council Tax collection which, combined with low costs, is providing good value for money.</p> <p>The Council has information on its own and comparable data, however this information is not combined with cost data to either measure value for money internally or with other authorities. There is no requirement on managers to report on value for money within the Council's performance monitoring framework. The Council is delivering on its efficiency plan and in the last nine months the Council has started to make savings as a result of improved central procurement practices. Reductions in sickness absence have also benefited the value for money profile.</p>	
<b>Improvement opportunities</b>	
<p>KLOE 5.1 The Council currently achieves good value for money.</p>	<p>Improve the cost versus performance ratio in a number of key service areas including performance in Environment, Planning and Transport.</p> <p>Further embed of improvement needed in Children's and Adults Social Care where investment has been made.</p>
<p>KLOE 5.2 The Council manages and improves value for money.</p>	<p>Revise the corporate performance management framework to include a systematic review of value for money.</p> <p>Implement a consistent corporate approach to benchmarking costs.</p> <p>Gather cost and performance profiles of services for various user groups across all services.</p> <p>Targets should be set and applied to improve efficiency and value for money.</p>



## Conclusion

- 7 The Council's performance demonstrates adequate level of performance, Level 2 scored.

## Use of resources 2008

- 8 The Commission has published its key lines of enquiry for 2008 on its website. There is an annotated version of the key lines of enquiry available which show all the changes from 2007. This should assist you in pin pointing the changes. We will be reporting our scores and findings from our 2008 assessment to you at a similar time next year.
- 9 The Commission consulted on the changes to the key lines of enquiry for 2008 during April to June 2007. The Commission's response to the consultation can be found on its website. The key lines of enquiry for 2008 reflect some of the changing priorities for councils as they respond to the major challenges facing them and the higher expectations of them. Making further improvements in efficiency will be critical for councils in responding to: the changing demographic profile of communities, increasing public expectations of public services and expected constraints on funding from Government.
- 10 The key lines of enquiry give more emphasis, mainly at level 4, to areas such as: sustainability, working in partnership and using IT to secure service and value for money improvements; strategic asset management and joint procurement. These areas signal the changes which will be given more emphasis in the use of resources assessment under Comprehensive Area Assessment, the new performance framework for local services.



<b>USE OF RESOURCES 2007</b>				
<b>OPPORTUNITIES FOR IMPROVEMENT IDENTIFIED BY THE EXTERNAL AUDITOR</b>				
<b>THEME 1 - FINANCIAL REPORTING</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
1.1 Continue to improve working papers to avoid unnecessary questions from the auditor.	<p>The external auditor's Use of Resources assessment 2007 noted that:</p> <ul style="list-style-type: none"> <li>• The Council produced good annual accounts for 2006/07 that were supported by a comprehensive set of working papers.</li> <li>• There were improvements in the working papers supporting the 2006/07 annual accounts.</li> <li>• There was scope for further improvement.</li> </ul> <p>The Financial Services team was under-resourced during the annual accounts process for 2006/07 and performed well given the level of agency staff and vacancies being managed at that time whilst a new structure was being implemented. The new staffing arrangements are in place and the task for the 2007/008 annual accounts process is to ensure consistency in good practice in all working papers.</p>	<p>Review working papers for the 2006/07 annual accounts with the external auditor and agree areas for improvement. The external auditor has attended a Corporate Finance Group to outline expectations.</p> <p>Ensure formal briefing on working paper preparation is incorporated into the annual accounts timetable for 2007/08 and that written guidance is issued to the annual accounts team. Working papers should 'stand alone' and not require further analysis from the external auditor. Emphasis will be placed on areas for improvement agreed with the external auditor.</p> <p>Ensure time is allocated within the annual accounts timetable for 2007/08 for the Head of Financial Services or his nominated representative to review all working papers prior to the draft accounts being submitted to the external auditor.</p>	Head of Financial Services.	February 2008.

<b>THEME 1 - FINANCIAL REPORTING</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
1.2 At least two members of staff should have a working knowledge of each entry within the accounts due to possible illnesses or leave.	The comments in 1.1 relating to staff vacancies within the Financial Services team at the time last year's annual accounts were being audited are also pertinent to this opportunity for improvement.	<p>Ensure that the guidance on working papers issued to annual accounts team:</p> <ul style="list-style-type: none"> <li>• Identifies the lead officer responsible for each working paper.</li> <li>• Identifies a nominated representative for each working paper lead officer.</li> <li>• Requires the working paper lead officers to brief their nominated representative so that both are able to deal promptly with external auditor questions.</li> </ul>	Head of Financial Services.	February 2008.
1.3 The Council should review all figures within the accounts for reasonableness prior to presentation to external audit.	<p>The external auditor's Use of Resources assessment 2007 noted that there were three non-trifling errors in the annual accounts for 2006/07.</p> <p>It is accepted that more thorough review of working papers and greater analysis of changes compared to the previous year would help identify errors prior to submission of the draft accounts.</p>	<p>Ensure that guidance on working papers issued to the annual accounts team includes the requirement to explain significant year-on-year variations.</p> <p>Ensure that the Head of Financial Services / nominated representative review of all working papers checks that significant variances have been fully explained.</p>	Head of Financial Services.	February 2008.

<b>THEME 1 - FINANCIAL REPORTING</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
1.4 The Council should consider completing an annual report.	<p>The external auditor's Use of Resources assessment 2007 noted that the Council produced a good summary report that had been improved upon in the last year.</p> <p>The new format proposed for the next Corporate Plan will provide a good basis for producing an annual report.</p> <p>The communications team should lead on the production of the annual accounts with content provided by the Policy &amp; Performance and Financial Services teams.</p>	Produce an annual report covering the 2007/08 year in conjunction with the Head of Policy & Performance and the Head of Financial Services.	Head of Communications.	August 2008.

<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.1 The Council's Medium Term Financial Management Strategy needs to have clear links to other key strategy documents for example the Human Resources Plan.	The external auditor's Use of Resources assessment 2007 noted that the Council has a good medium term financial strategy that is linked to the key strategic objectives outlined in the Corporate Plan for the same period.	<p>Ensure that the medium term financial strategy for 2008 – 2011 describes how the links to other key strategies will be created and developed as they evolve. The other corporate resourcing strategies also need</p> <p>The Interim Head of HR provided commentary that has been included in the financial strategy 2008 – 2011. This needs further development in consultation with the Interim Head of HR.</p>	Head of Financial Services.	March 2008.
2.2 An assurance statement from the Director of Resources regarding estimates used for the purpose of budget calculations should be made in the annual budget book.	Nothing further to add.	Ensure that the budget book for 2008/09 includes a positive assurance statement from the Director of Resources regarding estimates used for the purpose of budget calculations.	Director of Resources.	March 2008.

<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.3 The assignation list for revenue and capital budgets needs updating.	Directors are responsible for identifying budget holders and notifying changes to the Director of Resources / Head of Financial Services as and when they occur.	<p>Ensure that the list of budget holders is up to date by writing to all members of the Corporate Management Board asking them to confirm delegations to budget holders.</p> <p>Include a requirement to confirm that changes in budget holder arrangements have been notified promptly in the quarterly assurance statement all Key Managers must certify.</p>	<p>Head of Financial Services.</p> <p>Chief Internal Auditor.</p>	<p>March 2008.</p> <p>June 2008 and quarterly thereafter.</p>

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<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.4 The Corporate Business plan needs to include sensitivity analysis (same improvement requirement noted last year).	<p>We have confirmed with the external auditor that this reference relates to the Council's Medium Term Financial Management Strategy 2007 – 2010.</p> <p>The financial strategy 2007 – 2010 contained a brief reference to the impact a change in planning assumptions within the financial resource model would have on the Council's financial capacity to deliver its spending plans.</p>	Provide a more thorough assessment of the impact of changes in the key assumptions underpinning the financial resource model within the financial strategy for 2008 – 2011, linking this to the policy on general reserves.	Head of Financial Services.	March 2008.
2.5 Reported Performance Indicators within the IPR should be correctly stated.	The external auditor has been asked to provide specific examples of misstatement.	All Directors are responsible for ensuring that performance management information is accurate.	Directors.	Ongoing.



<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.6 All budgets have to be carefully monitored to ensure that overspends and under spends are managed (ICT).	The external auditor's Use of Resources assessment 2007 noted that the Integrated Performance Report (IPR) has continued to embed into the culture of the council and that the financial information is up to date.	Ensure that routine capital and revenue budget monitoring procedures continue to be rigorous in identifying and reporting potential issues in ICT and all other areas of Council activity.	Head of Financial Services.	Ongoing.
	The external auditor has linked this opportunity for improvement to ICT given the circumstances leading up to the Crookall Review last year but it is relevant to all areas of activity.	All Directors to continue to monitor their budgets in line with the Financial Procedure Rules.	Directors.	Ongoing.
	ICT and Financial Services have worked together closely since summer 2007. The ICT finance team has transferred to Financial Services. There is now a much better understanding of the financial position for ICT services as reported to Cabinet in the bimonthly Integrated Performance Reports for 2007/08. The draft financial strategy for 2008 – 2011 is awaiting approval. ICT infrastructure investment and operational costs have been flagged as a potential risk.	The Head of Financial Services and Acting Head of ICT Services continue to meet on a fortnightly basis.	Acting Head of ICT Services.	Ongoing.

<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.7 Financial information produced should be accurate and meet the needs of members and senior officers (ICT).	The external auditor has linked this opportunity for improvement to ICT given the circumstances leading up to the Crookall Review in November 2007 but it is relevant to all areas of activity.	Ensure that strong professional leadership is provided to the Council's financial management staff.	Director of Resources / Head of Financial Services.	Ongoing.
	All finance teams have now transferred to Financial Services to ensure robust professional support to all staff providing financial management advice to the Council.	Ensure that all members of the financial services team have the appropriate professional qualifications, skills and training to fulfil their responsibilities (Staff Review & Development).	Head of Financial Services.	Ongoing.
	All Directors have been reminded of their responsibility to seek advice and guidance from the Director of Resources / Head of Financial Services on all reports requiring a formal decision.	Ensure all Directors consult with the Director of Resources or Head of Financial Services as required on formal decisions.	Chief Executive.	Ongoing.
	The Director of Corporate & Customer Services has reported progress on specific concerns within ICT to the Audit & Corporate Governance Committee.			

<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.8 Training needs to be continued with all relevant staff and members receiving the financial training needed in order for them to carry out their job.	There is an ongoing programme of financial training for staff that includes procurement, risk and audit related issues. From Spring 2008 this will be in three parts with attendees receiving a certificate for financial management. This training is being adapted for councillors.	<p>Establish a rolling programme of financial awareness sessions for councillors based on the training provided to staff.</p> <p>Ensure training is provided to the Audit &amp; Corporate Governance Committee on how to interpret and ask questions on the annual accounts.</p>	<p>Head of Financial Services.</p> <p>Head of Financial Services.</p>	<p>March 2008.</p> <p>May 2008.</p>
2.9 Procedures should be put in place to ensure all figures included within the financial systems of the Council are checked for reasonableness.	This comment relates to an issue identified in the Annual Governance Report for 2007. Information supplied by the Asset Management & Property Services team was not thoroughly reviewed by the Financial Services team.	<p>The agreed action in response to recommendation 2 in the Annual Governance Report for 2007 refers:</p> <p><i>'The Head of Financial Services and Head of Asset Management &amp; Property Services will jointly review the asset register held for accounting purposes to ensure that the values attached to additions, disposals and revaluations are reasonable. This will be established as a new task on the final accounts work programme for 2007/08.'</i></p>	Head of Financial Services and Head of Asset Management & Property Services.	May 2008 and annual thereafter.

<b>THEME 2 - FINANCIAL MANAGEMENT</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
2.10 More robust financial appraisals are required.	<p>The external auditor recognises that the Council generally does make investment decisions on the basis of a thorough appraisal and has linked this comment specifically to the Herefordshire Connects programme. It is, however, relevant to all areas of activity.</p> <p>The new Financial Procedure Rules and Contract Procedure Rules clearly set out the requirement for a full options appraisal on all projects likely to cost more than £140,000 in total that includes a full financial appraisal of each option.</p>	All Directors must ensure that the section on alternative options in the formal report template is completed in full and in consultation with the Director of Resources / Head of Financial Services and the Head of Legal & Democratic Services.	Directors.	Ongoing.

<b>THEME 3 - FINANCIAL STANDING</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
3.1 The MTFS needs to continue to embed into the culture of the Council.	<p>Opportunity for improvement numbered 2.1 refers.</p> <p>The Council approved a medium term financial strategy for the first time in March 2007. This is now being refreshed to cover the next 3-year financial period from April 2008 to March 2011.</p>	<p>Ensure that the refreshed medium term financial strategy is formally approved by Council in March 2008 when the budget and Council Tax for 2008/09 is set.</p> <p>Ensure that the medium term financial strategy is reviewed as part of the Integrated Performance Report process in 2008/09 in order to provide timely advice to Cabinet on any significant changes in the key financial assumptions. The Integrated Performance Report will include a section identifying issues for consideration as the financial strategy is next formally reviewed.</p>	<p>Director of Resources.</p> <p>Head of Financial Services.</p>	<p>March 2008 &amp; ongoing.</p> <p>First budget monitoring report for 2008 and each one thereafter.</p>
3.2 The Budget Book should contain a positive assurance statement from the Director of Resources.	Opportunity for improvement numbered 2.2 refers.	See 2.2.	See 2.2.	See 2.2.

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<b>THEME 3 - FINANCIAL STANDING</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
3.3 The management of debt monitoring needs to continue to improve.	<p>Performance in Council Tax and Non-Domestic Rates improved considerably in 2006/07 and is being maintained in the current financial year.</p> <p>Performance in recovering overpaid housing benefit is improving in the current financial year.</p> <p>Better quality aged debt analyses are now being produced. Old irrecoverable debts are being written off and new debts are being managed more proactively as the likelihood of recovery decreases with age.</p>	Ensure debt management strategies and monitoring arrangements are developed as part of planned services improvements in Benefit & Exchequer Services in 2008/09.	Head of Benefit & Exchequer Services.	March 2008/09.
3.4 Links between the IPR an MTFS need to be improved upon.	Opportunity for improvement 3.1 refers.	See 3.1.	See 3.1.	See 3.1.

<b>THEME 4 - INTERNAL CONTROL</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
4.1 Further embed risk into the culture of the Council.	<p>The external auditor's Use of Resources assessment 2007 noted that risk management had improved but that there was scope for further development.</p> <p>Thirteen training sessions for staff have been held in the last month, with a further five planned. The feedback from these training sessions has been very positive. The training session will be adapted for inclusion in the member development programme.</p>	All Directors to provide assurance with evidence as part of their routine performance management arrangements that risk management is embedded within their Directorates.	Directors.	Ongoing.
4.2 Specific terms of reference for the Member Champion in relation to risk management should be drawn up.	Nothing further to add; risk management falls within the remit of the Cabinet Member (Resources).	Ensure that specific terms of reference for the Member Champion for Risk Management (Cabinet Member (Resources)) are drawn up.	Risk & Insurance Manager.	March 2008
4.3 Develop Departmental risk registers which clearly align with the corporate risk register.	Directors are required to review their directorate risk registers on a monthly basis to ensure that information flows in both directions. The corporate risk register is reported to Cabinet on a bimonthly basis as part of the Integrated Performance Report.	All Directors to ensure that their Directorate risk register is regularly reviewed and informs / is informed by the corporate risk register.	Risk & Insurance Manager.	Ongoing from April 2008

<b>THEME 4 - INTERNAL CONTROL</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
4.4 Ensure policies and procedures are complied with Council wide.	<p>This comment relates to the <i>'serious flaws within the application of internal control arrangements that have been uncovered within ICT by Internal Audit during 2007.'</i></p> <p>The Director of Corporate &amp; Customer Services has taken action to address this issue and has been reporting progress to the Audit &amp; Corporate Governance Committee.</p> <p>The audit services team continue to review the robustness of and level of compliance with agreed policies and procedures in line with the risk-based audit plan. The Chief Internal Auditor provides the Audit &amp; Corporate Governance Committee with regular updates on issues of concern identified during planned and ad-hoc audit reviews.</p>	<p>Ensure implementation of the outstanding recommendations in the Director of Resources' special report and the Crookall Review. These are being drawn together in a single integrated action plan. The Crookall review acknowledged the likelihood this could take up to a year.</p>	Chief Executive.	December 2008.

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<b>THEME 4 - INTERNAL CONTROL</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
4.5 Ensure all expenses expenditure is correctly authorised taking into account the Council Constitution.	Opportunity for improvement 4.4 refers.	See 4.4.	Chief Executive.	December 2008
4.6 Produce an action which will address the concerns raised in the Crookall report.	Opportunity for improvement 4.4 refers.	See 4.4.	Chief Executive.	December 2008.
4.7 Introduction of a consolidated Business Continuity Plan.	<p>This is a 'must have' criterion for the 2008 Use of Resources assessment and a plan needs to be in place by 31<sup>st</sup> March 2008..</p> <p>Herefordshire's service level business continuity planning is well advanced compared to other councils in the Local Resilience Forum.</p> <p>Work is in progress to develop a consolidated business continuity plan by 31<sup>st</sup> March 2008 ready for testing in 2008/09.</p>	Director of Corporate & Customer Services to ensure a consolidated business continuity plan is in place for 31 <sup>st</sup> March 2008 for testing in 2008/09.	Director of Corporate & Customer Services.	March 2008.

<b>THEME 4 - INTERNAL CONTROL</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
4.8 Ensure regular reconciliations are carried out of all major feeder systems.	All major feeder systems to the Council's corporate financial ledger should be reconciled at a frequency to be agreed with the Chief Internal Auditor. Normal expectation is that this is a monthly activity.	Directors to consult with the Chief Internal Auditor to agree the frequency of reconciliations for all major feeder systems in their Directorate. Directors are to ensure this is reflected in procedural instructions to employees.  Include a requirement to confirm that reconciliations for all major feeder systems are up to date in the quarterly assurance statement all Key Managers must certify.	Directors  Chief Internal Auditor.	March 2008.  June 2008 and quarterly thereafter.
4.9 Ensure that all Members and officers are aware of the need to complete the gifts and hospitality register where required.	Officers and councillors submit on a regular basis the appropriate forms on Gifts and Hospitality. For officers, these forms are counter-signed by the Directors concerned. For councillors, these forms are overseen by the Monitoring Officer.	Officers and members are aware of the need to register such gifts and hospitality.  The Monitoring Officer receives regular notifications of hospitality.	Head of Legal & Democratic Services.	Ongoing.
4.10 Put in place processes which ensure the register is regularly reviewed to ensure compliance with the Council's own constitution.	The register is reviewed by both internal audit and external audit.	If action is required the Monitoring Officer informs councillors and officers.	Head of Legal & Democratic Services.	Ongoing.

<b>THEME 4 - INTERNAL CONTROL</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
4.11 PRINCE methodology should be used for all procurement projects which should be incorporated within Council constitution.	The Council has redrafted its Contract Procedure Rules (subject to approval by Council on 7 <sup>th</sup> March 2008). The new procedure rules are much more explicit on how the procurement process should be managed and which officers are accountable for each part of the process. A full financial appraisal of all options for procurement exercises valued at more than £140,000 in total shall be required. Full PRINCE methodology will be deployed in support of strategic procurement exercises.	Adapt financial management training to ensure full coverage of the new Contract Procedure Rules	Head of Financial Services / Strategic Procurement Manager.	Training courses to run from April 2008.

<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
5.1 Improve the cost versus performance ratio in a number of key service areas including performance in Environment, Planning and Transport.	Value for money is a key theme of the 2008-2011 Environment Plan. Work has already begun on identifying top performing comparable services in other authorities and on bench marking both costs and performance. Each service, as part of the plan, is producing an action plan to deliver both improvements in cost and performance and to be comparable with best in class at the end of the period.	Director of Environment to continue to monitor progress with service improvement plans very closely, reporting progress through the bi-monthly Integrated Performance Reports	Director of Environment.	Ongoing.

<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
5.2 Further embed of improvement needed in Children's and Adults Social Care where investment has been made.	The Children & Young People's Services Directorate, working closely with its partners, has made significant improvement. The recent Annual Performance Assessment (APA) outlined significant progress in early years and extended schools, 14 - 19 and in education standards, particularly at Key Stages 2 - 4. Progress has been made in addressing the issues in social care which were identified in the 2005 Joint Area Review (JAR) against Government Office for the West Midlands (GOWM) targets. This is an area that is closely monitored as recruitment and retention remains a high profile issue. The APA process for 2007 identified areas for improvement which we are now working to address. The improved APA in 2007 led to the end of formal intervention by the Minister.	Director of Children & Young People's Services to continue to monitor progress with service improvement plans very closely, reporting progress through the bi-monthly Integrated Performance Reports.	Director of Children & Young People's Services.	Ongoing.

<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
Continued 5.2 above - further embed of improvement needed in Children's and Adults Social Care where investment has been made.	The Adult Social Care Service continues to focus on improving outcomes for service users and carers. The Council continues to prioritise investment in modernising and improving the service, in particular, to help more people to live independently at home. The Herefordshire Connects Programme has prioritised the implementation of a new Social Care Records System during 2008. Progress has been made in addressing the issues identified in the 2007 learning disabilities inspection and following the 2007 APA progress, a single action plan has been developed to drive further improvement in Adult Social Care.	Director of Adult & Community Services to continue to monitor progress with service improvement plans very closely, reporting progress through the bi-monthly Integrated Performance Reports.	Director of Adult & Community Services.	Ongoing.

<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
5.3 Revise the corporate performance framework to include a systematic review of value for money.	The new Performance Improvement Framework for 2008/09 will ensure that each service plan authors carry out a systematic review of Value for Money for their areas of responsibility.	The new Performance Improvement Cycle requires service managers to set out a plan for reviewing Value for Money.	Service Managers.	Ongoing in 2008/09.
5.4 Implement a consistent corporate approach to benchmarking costs.	Benchmarking data is to be included in the Integrated Performance Reports for 2008/09.	The revised Performance Improvement Cycle requires service managers to include benchmarking information in their service plans along with planned actions for the improvement opportunities they present. Guidance is provided to service managers.	Service Managers.	Service planning in 2008/09.

<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
5.5 Gather cost and performance profiles of services for various user groups across all services.	<p>This will be possible for adult social care services as a result of the needs analysis work that has been undertaken for various user groups.</p> <p>The statutory joint needs assessment with health that is being scopes will provide the basic data for the Comprehensive Area Assessment (CAA).</p> <p>Consideration needs to be given to how cost and performance profiles are developed for user groups not covered by this statutory requirement.</p>	Prepare proposals on how to address this opportunity for improvement for all services.	Head of Policy & Performance.	June 2008.



<b>THEME 5 - VALUE FOR MONEY</b>				
<b>Opportunity for improvement</b>	<b>Commentary</b>	<b>Management Action</b>	<b>Who</b>	<b>When</b>
5.6 Target should be set and applied to improve efficiency and value for money.	<p>The draft medium term financial strategy for 2008 – 2011 incorporates efficiency targets for all Directorates as they are reflected in their cash allocations for the next 3-year period. All Directors are required to manage within the cash allocation for their Directorate. All Directors have confirmed that they can make efficiency savings (and not service cuts) sufficient to balance their budget in 2008/09.</p> <p>The budget for 2008/09 includes efficiency savings of over £2m. These have been allocated to Directorates as budget reductions.</p>	The identified efficiency savings forming part of the 2008/09 budget are being monitored separately by the Benefits Review Group chaired by the Head of Financial Services. Any significant variances will be reported as part of the Integrated Performance Report process.	Head of Financial Services.	Ongoing.

**NOTE:** The text in the 'opportunity for improvement' column is taken from the external auditor's Use of Resources report for 2006/07.



## RIGHTS OF WAY IMPROVEMENT PLAN

### PORTFOLIO RESPONSIBILITY: ECONOMIC DEVELOPMENT AND COMMUNITY SERVICES

**CABINET**

**27<sup>TH</sup> MARCH, 2008**

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#### **Wards Affected**

County-wide

#### **Purpose**

To consider the contents and approve the Rights of Way Improvement 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 Rights of Way Improvement Plan for Herefordshire be approved and adopted.**

#### **Reasons**

Herefordshire Council have a statutory obligation to produce a Rights of Way Improvement Plan (ROWIP), which needs to consider existing countryside access provision, and the future needs of users and potential users. The plan attached at Appendix 1 meets this statutory requirement.

#### **Considerations**

##### **1. Introduction**

There are over 3400km of public rights of way within Herefordshire but this should be considered in the context of other forms of the countryside access network which include:

- Over 5000 hectares of open access land including registered commons and Forestry Commission land;
- 54 Nature Reserves;
- 64 Conservation Areas;
- 19 registered parks and gardens;
- Informal or permissive paths;
- Quiet Lanes;
- A wide network of promoted routes.

2. An accessible network provides many advantages for local residents and visitors alike. In addition to providing people with the opportunity to enjoy Herefordshire's beautiful rural landscape, the implementation of the plan will achieve many of the wider social, economic and environmental goals set out in strategic documents such as the Community Strategy. For example the benefits of exercise in the countryside to improve peoples health, especially in the older population are becoming important on the basis that prevention is better than treatment. The impact of informal recreation such as walking, cycling and horse riding on the County's tourism businesses is strongly evidenced. The contribution of the rights of way network as an alternative mode of transport to reaching work and school is well documented and supported in the Local Transport Plan within which the ROWIP already plays an important role.
3. **Legal Background**  
The Countryside and Rights of Way Act 2000, Sections 60 to 62 came into effect on 21st November, 2002. Section 60 requires local authorities to prepare and publish an improvement plan for their Public Rights of Way. This Plan will be reassessed and reviewed not more than ten years after publication and at intervals of not less than ten years thereafter.
4. The plan will contain an assessment of:
  - The extent to which the local network (including Footpaths, Bridleways, Restricted Byways, Byways and Cycleways) meets the present and likely future needs of the public;
  - The opportunities that the network provides for exercise and other forms of open-air recreation;
  - Accessibility of the network to blind and partially sighted persons and others with mobility problems.
5. Further guidance states that Rights of Way improvement planning should be incorporated into the local transport planning process from 2005 onwards. Rights of Way improvement planning is now a distinct strand within the new Local Transport Plans. This is intended to ensure the long-term sustainability of the network while reducing the number of separate planning requirements in line with the Government's plans to give local authorities additional freedoms and flexibility's.
6. **Consultation**  
In formulating the plan, questionnaires were sent out to Parish Councils, user groups, landowners and the general public in order to gain an understanding of the current usage of the Rights of Way network, seek an opinion about the usability of the network and put forward some ideas as to how the network could be improved. The Improvement Plan was put together largely using the results of this consultation plus input from officers, other services and the Local Access Forum. In terms of the current access opportunities network users were of the opinion that:
  - Provision for walkers is quite extensive compared to other users. A large proportion of the network is public footpath, approximately 88%;
  - Provision for riders, cyclists and off road drivers is poor with only 11% of the network made up of Bridleways and 1% Byways Open to All Traffic;
  - The bridleway network is very fragmented, especially in the south west region of the County;
  - There are no promoted walks in the north east of the County;
  - Although there are a number of countryside sites, there is only one formally dedicated Country Park;

- There are large areas of the County with limited forms of access provision for all users;
- The provision of Rights of Way in relation to access by blind/partially sighted is poor;
- Network condition as measured by BVPI 178 is low;
- There is a strong reliance on County roads to make circular routes.

7. The main improvements that were identified following the consultation were:-

- Establish better access to specific sites (access land and commons);
- Establish car free links with nearby villages and amenities (including bus routes);
- Create safer routes away from major roads;
- Create circular routes to increase local users and potential visitor numbers;
- Representation of all user types;
- Safer areas to walk, cycle and ride;
- Foster a greater understanding amongst visitors to the countryside about modern farming practices;
- Emphasise the need for good control of dogs;
- The importance of good stock control;
- Work closely with users to improve access where appropriate;
- Have more information about walks available in the County;
- See an improvement in the maintenance of public rights of way.

8. **Summary of the Rights of Way Improvement Plan**

*Chapter 1* sets out the key aims of the Improvement Plan and the role of the Local Access Forum. The Rights of Way improvement plan is based on five key aims:

- Enhance health, well-being and enjoyment of life;
- Increase economic prosperity;
- Improve sustainable transport;
- Provide access for all;
- Increase community involvement.

*Chapter 2* sets out the legal background to the plan, along with the County setting and policy context within which the plan sits.

*Chapter 3* looks at the demand on the current network and how it is used from the perspective of users and landowners.

*Chapter 4* assesses the state of the current network, its usability and current performance.

*Chapter 5* brings the assessments together in a conclusion and summarises the key findings.

*Chapter 6* is a plan of action setting out when identified improvement will be implemented depending on the availability of resources. The improvements come under the general headings of:

- Ensure the Definitive Map and statement are an accurate record of all public rights of way;
- Maintain the Public Rights of Way network so it is easy to use and clear of obstructions;
- Seek to improve access to the network wherever possible;

- Encourage the use responsible of the Public rights of Way network through proactive promotion.
9. The Plan includes an action to implement improvements put forward by Parish Councils. Parish Council's were asked specifically to map suggested improvements. A prioritised approach to the implementation of the improvements has been adopted in conjunction with the Local Access Forum.
  10. *Chapter 7* sets out the method by which the Plan will be monitored, key stakeholders, constraints and resources, and risks. Full implementation will only be achieved by setting up partnerships, working closely with landowners and identifying sources of funding. Examples of funding sources include the Local Transport Plan, Local Area Agreements, Natural England and Planning Gain and National Lottery. There has already been a number of successful funding applications through the draft ROWIP that has enabled projects to be implemented.
  11. Since 2004, revised inspection and maintenance, enforcement, public path order and definitive map modification order policies have been approved all of which have been written on the basis that improvements to the network are identified and implemented. These policies are set out in the appendices of the improvement plan.
  12. **Conclusions**  
The Rights of Way Improvement Plan describes the various access opportunities within the County and, following extensive consultation and responding to local needs, seeks to develop the network and to make the countryside a more accessible place for local residents and visitors. Resources are limited and although some actions will be delivered with current resources, developing new partnerships and identifying new sources of funding will be critical to the full implementation of this strategy.
  13. The adoption of this Improvement Plan is an important step towards achieving many of the ambitions of the Council.

## **Financial Implications**

There are no direct financial implications in relation to this report. Implementation of the Plan will, in many cases, require additional funding which will be sought from a number of sources as set out in the summary of Chapter 7 above.

## **Risk Management**

Currently one of the main sources of funding for the ROWIP is through the Local Transport Plan of £50,000 per annum which is set to be reviewed in 2011 along with the priorities for transport in the County. There is a risk that funding allocation will be withdrawn.

Non-adoption of this plan will put the Council in breach of a statutory requirement and may consequently be the subject of a judicial review.

## **Alternative Options**

There are no Alternative Options.

## **Consultees**

Extensive consultations were carried out with user groups, landowners, members of the public and Parish Councils. A full list of consultees is attached.

## **Appendices**

Appendix 1 - Rights of Way Improvement Plan

- Section 60 of the Countryside and Rights of Way Act setting out the Council's legal duty
- Statutory guidance notes produced by DEFRA

## **Background Papers**

None identified.





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**RIGHTS OF WAY  
IMPROVEMENT  
PLAN**

Final Draft

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**Foreword by Cabinet Member for Economic Development and Community Services, Cllr. Adrian Blackshaw and Chairman of the Herefordshire Local Access Forum, Richard Gething**

The County of Herefordshire has been blessed with some of the most peaceful and visually stunning countryside in the country. This countryside offers economic prosperity, opportunities to take part in a wide variety of recreation activities, physical and mental health benefits, and enhanced education prospects. However access to that countryside is not always clear and often regarded as being available only to certain sections of the population.

The Rights of Way Improvement Plan brings together all the countryside access opportunities within the county and considers their usage, potential usage and whether they are fit for purpose both for local residents and visitors, regardless of age and ability. The plan is comprehensive and sets out a number of ambitions which, if achieved, will bring substantial benefits. The key to turning the ambitions into reality will be the successful development of partnerships and funding bids as well as commitment from Officers and Council members with support from key partners such as the Local Access Forum.

Signed

Signed

Councillor Adrian Blackshaw

Richard Gething

## EXECUTIVE SUMMARY

In March 2005, Herefordshire Council produced a Public Rights of Way Strategy, which set out the way the service would move forward strategically between 2005 and 2007. The Rights of Way Improvement Plan will develop that strategy to take forward practical improvements to the rights of way network and other forms of Countryside Access and set in place the building blocks for greater co-ordination of countryside recreation provision across the whole county.

The plan takes a two pronged approach to access improvement. The first is by considering the network as a whole and looking at improvements which will benefit a wide range and number of users. To achieve this we have looked at the current network and asked the question to landowners, user groups and the local access Forum, "How can we make it better?" Out of this has come a number of suggestions which have been set against certain criteria to provide a number of projects which Herefordshire Council aim to implement over the 5 year life of the plan 2007 - 2012.

The second approach was to look at a local level and ask the local communities how they would like to see access develop and to put forward practical suggestions. The result was a large number of suggestions to increase not only the number of rights of way but also the quality and the accessibility. These improvements will not only benefit local users but will, in time, bring economic benefits to parishes.

As a part of the strategy a great deal of work has been carried out to develop policies for enforcement, maintenance, public path orders, and definitive map modification orders. All the policies have been written with the improvement plan in mind and are attached to the Improvement Plan as appendices. It is intended that the improvement plan will be a practical working document, which can be monitored and referenced by users, public, land managers, elected representatives and council staff.

The first part of the plan briefly sets out the legal background and establishes the current countryside access provision within the county. It also establishes the links with other relevant plans and partners essential to ensuring the plan is fully integrated within the council's policy framework. The second part sets out the demand assessment in relation to the network and the needs of its users. Following on from this an assessment of the network has been made taking account of the findings of the survey. The final part of the plan sets out a five year plan of action and puts in place a system by which progress can be monitored.

## 1.0 INTRODUCTION

Herefordshire's Rights of Way Improvement Plan (ROWIP) will represent an objective and strategic view of the rights of way network covering the whole of Herefordshire and will look at how to benefit different types and classes of user. Herefordshire Council recognises that local rights of way are a significant part of our heritage and a major recreational resource. They help to boost tourism and contribute to local rural economies, whilst also providing a convenient means of travel in the daily lives of local people.

With the implementation of the Countryside and Rights of Way Act 2000 (CRoW Act) the countryside has new legislation which places a requirement on all local authorities to critically assess the rights of way network. Authorities are required to look at and consult the public on other issues that affect public access, and take a much broader view of the network and how it serves its use within the local transportation system, its affect on business, tourism, land management, health as well as recreation. It was therefore necessary to establish links with partnership groups, users, land managers, and other Local Authorities as these individuals and bodies are our primary consultees and stakeholders in the review and assessment process.

### 1.1 Herefordshire Local Access Forum

Herefordshire Local Access Forum (HLAF) has been closely involved in preparation and consultation of the plan.

HLAF has provided advice to the council from the outset of the process advising on information gathering and project prioritisation. Working groups, consisting of a wide range of interests and experiences, were also set up to examine, in particular, the project proposals submitted from parish councils and forward these into the improvement plan.

HLAF and its ROWIP working group were able to meet and assess projects and will continue to advise in the further development and implementation of the plan.

### 1.2 Rights of Way Improvement Plan – Key Aims

The public rights of way strategy highlighted five key aims for the service. The assessment of the network and demand has reinforced the robustness of these aims and they will therefore become the guiding principles for the Improvement Plan. These aims are to:

- ❖ **Enhance health, well-being and enjoyment of life**
- ❖ **Increase economic prosperity**
- ❖ **Improve sustainable transport**
- ❖ **Provide access for all**
- ❖ **Increase community involvement**

The rationale behind each of these aims, and their support by policies and principles in relevant documents, mainly specific to Herefordshire and produced by both the Council and by other bodies, will now be considered.

The links between each of the aims and the individual actions will be set out in the action plan.

### **Key Aim 1: To enhance health, well-being and enjoyment of life**

The use of public paths increases people's well-being directly through outdoor exercise, and indirectly through the mental stimulation provided by an interesting, beautiful and peaceful environment as highlighted by the Government's Walking the Way to Health initiative. The Herefordshire Unitary Development Plan (UDP) acknowledges the contribution which recreation can make to the quality of life. It contains policies, which support the enhancement of walking and cycling facilities in association with development, and the promotion of recreational routes. Features, which contribute positively to local distinctiveness and the quality of the environment, should be protected; rights of way help people to appreciate the county's historic and natural heritage, and indeed are part of that heritage themselves. Herefordshire's Local Transport Plan (LTP) recognises the role of less polluting and more energy efficient methods of transport in conserving and enhancing the county's environment, and in the improvement of health. The evaluation of the first Herefordshire Festival of Walking, held in May and June 2002, showed that there was a demand for the recreational opportunities provided by a well maintained and promoted rights of way network.

### **Key Aim 2: To increase economic prosperity**

Public rights of way are an increasingly vital element in promoting the county as a tourist destination for the benefit of accommodation providers, eating establishments and shops, and for the wider economic benefits to other enterprises of an increased number of visitors. The use of local sources for work and materials, and the provision of routes to allow cheap, sustainable methods of transport, also have economic benefits.

Total spending by the 7.629 million tourists in Herefordshire in 2006 was around £335 million and supported in the region of 7205 jobs. The loss in income nationally caused by the "closure" of the countryside, including rights of way, during the Foot and Mouth epidemic of 2001, is estimated to be in the order of £2.7 to £3.2 billion. In Herefordshire 69% of organisations reported that the Foot and Mouth Crisis had a negative or significant negative impact on their income. These figures provide a quantitative indication of the economic importance of public paths.

Nationally, a Ramblers Association report entitled The Economic and Social Value of Walking in England, found the income generated from the estimated 527 million walking trips in the English countryside had an income value of between £1.47 and £2.76 billion. 47% of households said that they would walk more if there were better provision, according to a recent use and demand survey carried out by the Countryside Agency. The scope for increasing the revenue from day visitors to Herefordshire from the nearby centres of population if the rights of way network were improved is thus shown to be considerable.

The Tourism Strategy for Herefordshire 2002 – 2007 details the significant contribution made by tourism to the county's economy. The range of opportunities for countryside activities offered by the potentially valuable



rights of way network is specifically mentioned as a strength of the tourism product in the county. The fastest growing holiday segment includes people looking for quality countryside access. One of the Tourism Strategy's specific objectives is to develop and promote tourism through improved resources for, and marketing of, walking, cycling and riding. Broadening target markets to include the more active segment is considered to be a key issue. The contribution of tourism to local economic development, based on facilities which provide for the sustainable use of indigenous features and resources, is recognised in the UDP. The report on the 2002 Festival of Walking concluded that walking has the potential to bring benefits to the Herefordshire economy, and that there was wide support for a more aggressive approach to walking as a tourism opportunity in the county. Since 2002 over 7,000 people have taken part in the annual walking festival.

### **Key Aim 3: To improve sustainable transport**

Rights of way can form a valuable component of safe routes for walking and cycling to work, school and shopping and leisure facilities. Their use is free, and does not require expensive and environmentally damaging equipment. The UDP recognises that the safe, efficient and sustainable movement of people will be promoted by encouraging alternatives to the motor vehicle. One of the key themes of the LTP is the improvement of facilities for walking and cycling. In particular, policies stress the need to safeguard and improve walking and cycling routes which are affected by development, so that their role as transport links can be maintained and enhanced. A hierarchy of transport modes has been adopted in the LTP, which seeks to ensure that the needs of pedestrians, people with mobility difficulties and cyclists are given the highest priority. Detailed transport objectives stress the importance of increasing the number, safety and convenience of walking and cycling trips to improve access to facilities, and, specifically, the need for improvements in the rights of way network to encourage greater use of routes for utility purposes. Public transport plays an important role in facilitating access to the countryside and there are a number of initiatives such as the annual walking festival, which actively encourage the use of public transport to access the rights of way network.

### **Key Aim 4: To provide improved access for all**

Public paths can be designed and maintained to provide safe and convenient routes for all people. The UDP stresses that promoted recreational routes should be established for cyclists, horse-riders and the less able, as well as walkers. One of the detailed objectives of the LTP is to make the transport system in rural areas more accessible to people with mobility difficulties, and those with young children, pushchairs etc. The Tourism Strategy for Herefordshire recognises that the availability of facilities to people with any form of disability is important. Meeting the requirements of the Disability Discrimination Act 1995 and the Countryside and Rights of Way Act 2000 in this respect was given as high priority in the 2002 Best Value Improvement Plan for the Rights of Way service.

### **Key Aim 5: To increase community involvement**

Involvement of parishes in the maintenance and promotion of local rights of way, according to their own local priorities, provides real opportunities for

people to improve their local environment in the manner which they themselves determine. The role of community organisations in fostering regeneration through tourism, including co-operation between dispersed parishes, is discussed in the Tourism Strategy for Herefordshire and has relevance for the management of the rights of way network. The Rights of Way service of the county is currently running successful schemes to promote community involvement, as described above, and these should be continued, and where possible enhanced.

Specific actions have been set out in the Statement of Action under four headings which make up the principle areas of rights of way management in order to ensure that there is a direct link to the five key aims. These areas of management are:

- Ensure the Definitive map and Statement are an accurate record of all Public Rights of Way
- Maintain the Public Rights of Way network so it is easy to use and clear of obstructions
- Seek to improve access to the network wherever possible
- Encourage responsible use of the rights of way network through proactive promotion

## **2. BACKGROUND**

### **2.1 Legislation**

The Countryside and Rights of Way Act 2000, Sections 60 to 62 came into effect on 21 November 2002. Section 60 requires local authorities to prepare and publish an improvement plan for their Public Rights of Way. This Plan will be reassessed and reviewed not more than ten years after publication and at intervals of not less than ten years thereafter.

The Plan will contain an assessment of:

- The extent to which the local network (including Footpaths, Bridleways, Restricted Byways, Byways and Cycleways) meets the present and likely future needs of the public.
- The opportunities that the network provides for exercise and other forms of open-air recreation.
- Accessibility of the network to blind and partially sighted persons and others with mobility problems.

Further guidance from the Department for Transport states that rights of way improvement planning should be incorporated into the local transport planning process from 2005 onwards. Rights of way improvement planning is now a distinct strand within the new Local Transport Plans. This is intended to ensure the long-term sustainability of the network while reducing the number of separate planning requirements in line with the Government's plans to give local authorities additional freedoms and flexibility's.

## **2.2 The County of Herefordshire**

Herefordshire is a traditional rural area. It is located in the heart of the Marches in the southwest of the West Midlands region. It borders the counties of Shropshire in the north, Worcestershire in the east, Gloucestershire in the southeast and the Welsh counties of Monmouthshire and Powys over the Welsh border in the west.

The county covers an area approximately 840 square miles (2,180 km<sup>2</sup>) which has an estimated population of 178,800 (2005). Herefordshire is known for its fruit growing and cider production in particular. Many orchards have historically survived in the landscape, where fruit production has always been a major agricultural industry.

Rural Herefordshire boasts designations such as the Wye Valley Area of Outstanding Natural Beauty (AONB) and the Malvern Hills AONB, registered parks and gardens, conservation areas, and scheduled Ancient Monuments all of which illustrate its rich and varied characteristics.

The main urban area is the historic city of Hereford itself, which is served by a number of smaller market towns – Leominster, Bromyard, Ross-on-Wye, Kington and Ledbury. Hereford is the main administrative, and industrial centre of the region.

Tourism in Herefordshire has always been an important factor in the region's economy. The area attracts millions of people per year and the tourist industry understandably makes an important contribution to employment in Herefordshire.



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Herefordshire Council. 100024168. (2006)

Figure 1: County Map

## 2.3 Policy Context

The ROWIP has functional links with, and contributes to, a wide range of documents, plans and strategies and it is important that the aims and objectives of these are recognised. As the ROWIP evolves, many new links with other strategies and plans within and also outside the authority will be identified and established.

### The Community Strategy for Herefordshire

The Community Strategy is a community plan and provides an overall vision for the future of Herefordshire. This vision 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 Plan sets out five guiding principles to realise this vision:

- Realise the potential of Herefordshire, its people and communities
- Integrate sustainability into all our actions
- Ensure an equal and inclusive society
- Build on achievements of partnership working and ensure continual improvement
- Protect and improve Herefordshire's distinct environment.

### Herefordshire Council's Corporate Plan

The Corporate Plan provides the link between the Community Strategies ambitions and the delivery of the council's contribution to those ambitions through its individual service areas.

Everything in the Corporate Plan is intended to help deliver the Council's commitment to:

- Understanding the needs and wishes of service users and council tax payers, and doing all it can to respond to them – so it takes into account the views expressed during wide-ranging consultations carried out by the council over the past year and more, including those done with our partners in drawing up the new Herefordshire Community Strategy
- Understanding and responding to the distinctive needs of different communities, including rural areas
- Community leadership and working in partnership with all sectors
- Diversity and equal opportunities for all
- A sustainable environment

### Herefordshire's Local Transport Plan (LTP)

The vision for Herefordshire's Local Transport Plan and improving access is:

“A sustainable and integrated transport system, which recognises the distinctive characteristics of Herefordshire's rural and urban areas and provides for the transport needs of residents, visitors and the business community”

The ROWIP holds strong links with the shared priorities of the LTP and has been implemented within it. A preliminary statement of action was also incorporated. The inclusion of the statement of action in the LTP has provided access to funds under the heading of Improving Access. This is recognition that rights of way play a key role in the transport ambitions of the county. The ROWIP will be fully integrated into the LTP by 2010.

Herefordshire's LTP has been developed as a transport strategy in partnership with local stakeholders that addresses wider local priorities and establishes a clear vision for transport. The four shared priorities for transport have been outlined as:

- Delivering Accessibility
- Tackling Congestion
- Safer Roads
- Better Air Quality

Full guidance on Local Transport Plans issued states that the aim of integrating the two plans is to:

- Clearly establish the shared aims and establish a definite link between ROWIPs and LTPs
- Ensure that, as public highways, rights of way are embraced by the LTP process and recognised in LTPs as a key ingredient in the development of an integrated transport network that provides choice in a variety of transport modes
- Recognise the invaluable role rights of way can play in assisting LTPs to achieve the shared priority and wider quality of life objectives
- Strengthen and facilitate the long term sustainability of rights of way

The Improvement plan will set out practical ways forward for the network and the contribution it can make to local transport on a wider scale.

Herefordshire's LTP covers the period 2006/7 to 2010/11. Funding through the LTP has allowed provision for £50,000 per annum for projects identified through the ROWIP. These projects hold direct links to the shared objectives of the LTP

### Tourism Strategy

The overall aims of Herefordshire's Tourism Strategy are concerned with improving the value of tourism to Herefordshire, bringing benefits to the economy, the community and the environment of the area, and to the region as a whole:

- To strengthen the contribution that Herefordshire makes to tourism in the wider region, as a growing destination
- To increase the total volume of visitors to the County
- To increase the spend per head of visitors to the County
- To improve the quality of the visitor experience and likelihood of returning

- To extend the tourism season and average length of stay, thereby increasing revenue and viability of tourism enterprises, and the amount and quality of employment that they sustain
- To channel visitor spend through a cluster of associated enterprises selected for the benefit they in turn bring to Herefordshire
- To increase the quality of the environment and amenities enjoyed by local residents, supported by tourism
- To improve the quality and performance of tourism enterprises
- To reduce the incidence of hard to fill vacancies in the hospitality sector
- To improve visitor management, especially within Hereford City and the AONBs, reducing negative impacts on the environment and better accommodating flows of people.
- Extending social inclusion

#### Highways Maintenance Plan

The Highway Maintenance Plan's vision is to provide and maintain a highway network which supports the transport needs of Herefordshire's communities, including Public Rights of Way, whilst protecting and, where possible, enhancing the local environment.

The outcome of this Service will be:

- A safer highway network
- Improved travelling conditions for all highway users
- Greater care of the local environment

This plan is based upon the National Code of Practice for Highway Maintenance Management. Its policy links with the Council's vision for Herefordshire and is built around three core elements of:

- Safety
- Serviceability
- Sustainability

#### Wye Valley AONB Management Plan

The Wye Valley Management Plan sets out a vision for the AONB area and the priorities for its management for the period to 2009.

The plan outlines and seeks to:

- Conserve and enhance the unique landscape and natural beauty of the AONB
- Guide change that is sensitive to the area's special qualities and resources
- Manage the area in a sustainable way
- Enable present and future generations to appreciate, conserve, understand and enjoy the AONB, whilst integrating the needs of local communities and visitors

### Malvern Hills AONB Management Plan

The Malvern Hills Management Plan sets out a number of key strategic objectives under the heading of tourism, recreation and access, which have direct links with the Improvement Plan:

- Support measure to establish a sustainable physical capacity of the AONB, and encourage the best practice management of access and facilities accordingly;
- Encourage the improved accessibility of tourism and recreation facilities and public rights of way and other highways to all appropriate users through:
  - Restoration of paths and bridleways
  - Appropriate access improvements through the implementation of the Rights of Way Improvement Plan
  - Assessing accessibility for all new and existing countryside sites;
  - Developing infrastructure and furniture which respect local distinctiveness;
  - Develop quiet lanes for walking, cycling and those with mobility restrictions
  - Encouraging relevant Highways Authorities to maintain a rights of way network that is free of obstruction, legally defined and well promoted.
- Seek to accommodate the demand for recreation around the northern and central sections of the Malvern Hills within the limits of sustainable capacity, and to respect the conservation and enhancement of landscape character and quality, biodiversity and historic environment through:
  - A proactive approach to visitor management;
  - The use of information and interpretation;
  - Temporary closure of areas for regeneration/avoidance of wildlife disturbance (except PROW network);
  - Highest standards of design, infrastructure and other relevant measure.

### Public Rights of Way Management Strategy

The Rights of Way Strategy sets out specific objectives to ensure that all aspects of rights of way management contributes to achieving the following aims:

1. **Enhance health, well-being and enjoyment of life** through the use of public paths for outdoor exercise and appreciation of the rural environment
2. **Increase economic prosperity** by attracting more visitors to the countryside
3. **Improve sustainable transport** by providing traffic-free, safe routes to urban and rural facilities
4. **Provide access for all** by being available for the less mobile and those with disabilities
5. **Increase community involvement** by enabling people to improve their local rights of way network.

The Rights of Way Improvement Plan will supersede the Rights of Way Strategy.



### 3. DEMAND ASSESSMENT

#### 3.1 Overview

To make the ROWIP an effective document it has to be based on the needs of users and potential users. It must then seek to put in place the improvements identified as being required to meet those demands. In order to identify the demand on the network, a number of questionnaires were drafted aimed at user groups, landowners, the visitors/general public and Parish Councils (see appendix 7e-h). The questionnaires highlighted a number of wide-ranging and specific improvements which were assessed, prioritised and, where appropriate, put into the action plan for implementation. As well as this, a number of strategic improvements were lifted from the Rights of Way Strategy to be taken forward as part of the plan.

#### 3.2 Satisfaction of current provision

##### 3.2.1 Parish Councils

Parish councils were sent a questionnaire accompanied by an extract of the 1989 Definitive Map of the parish. They were asked to outline any involvement with the rights of way network in their area, the state of the current network, and to set out, on the map, any improvements or additions they would like to see to the network.

Following consultation with the LAF it was agreed the parish councils be provided with a second opportunity to outline/create 1-2 circular routes or link routes that would benefit the parish and the local area. This again involved making suggestions on a map with comments.

##### *Key findings*

- Better provision for those less mobile or those Blind/partially sighted within all types of rights of way (Footpaths, Bridleways, BOATS) is required.
- More bridleways throughout the county are needed. Particularly in relation to creating circular routes.
- It was recognised that the co-operation of landowners in keeping paths clear and replacing stiles with gates is important.

##### Parishes were keen to:

- Establish better access to specific sites (access land and commons)
- Establish car free links with near by villages and amenities (including bus routes)
- Create safer routes away from major roads
- Create circular routes to increase local users and potential visitor numbers

Suggestions of improvements to the network that were put forward following parish consultations have been recorded separate to this document due to the large number the council received. Suggestions have been recorded in spreadsheets and through consultation with HLAF, have been given a priority rating (within the next financial year, within the 5 year plan period, or beyond). As projects are rolled out, HLAF will re-look at the remaining projects to be considered that may become priority as they move up the list. The priority list will be amended as and when projects are completed.

Rights of way officers will liaise closely with parish councils, landowners and other stakeholders to identify a suitable approach to carrying out the projects.

### **3.2.2 User groups representing walkers, cyclists, equestrians, disabled user groups, and vehicular users**

User groups in Herefordshire were asked to rate their satisfaction with the existing level of service provided, to rate different levels of service, consider future challenges, and importance of different aspects of the network.

#### *Key findings*

- Overall, the majority of respondents were fairly satisfied with the Council's Rights of Way Service
- Maintenance of rights of way was rated as most important to groups
- Respondents believed the Lost Ways project was the greatest future challenge, identifying and recording unclaimed ways before the cut off date of 2026
- Taking steps to identify and add Missing Links to create complete networks was an important future challenge

User groups expressed a need for:

- Representation of all user types
- More circular walks
- Safer areas to walk, cycle and ride etc

### **3.2.3 Landowners, including estates and representative organisations**

The questionnaire that was devised for landowners was sent to the National Farmers Union (NFU), and the Country Landowners and Business Association (CLA) for further distribution. It considered the effects of Rights of Way on land, assessment of the current level of service, and sought opinion about the future challenges of countryside access.

#### *Key findings*

- 93% of landowners stated that one or more right of way crossed their land
- Many landowners expressed interest in Agri-environment schemes.

- It was recognised that rights of way can have both positive and negative effects. Education, tourism and holiday accommodation could boost income
- Impact on land values where footpaths cross arable/fruit production were a concern, as was the issue of conflicts with users.
- The most important aspect of the rights of way service to landowners was maintenance
- The importance of a good relationship between landowners and users was stressed. It was seen as important to maintain a good understanding between those that visit, and those that live and work in the countryside.

Landowners were keen to:

- Foster a greater understanding amongst visitors to the countryside about modern farming practices
- Emphasise the need for good control of dogs
- The importance of good stock control
- Work closely with users to improve access where appropriate

### 3.2.4 Visitors and the general public

Visitors and local people were encouraged to complete questionnaires left in Tourist Information Centres, info in Herefordshire Offices, libraries, and Council reception areas. Issues such as; how often people used rights of way, preferred locations, distances covered, where information regarding routes is gained, and improvements they felt would benefit the local network were covered.

#### *Key Findings*

- Maintenance/vegetation clearance and better signage were improvements that were felt likely to benefit those who use rights of way
- Routes accessible to blind or partially sighted people and for less mobile people should be improved
- Better transport links to and from walking routes is important.

Visitors were keen to:

- Have more information about walks available in the county
- See an increase in the number of promoted circular
- See an improvement in the maintenance of public rights of way

### **3.3 How and why the network is used**

#### **3.3.1 Walkers**

Walking is an extremely popular recreational activity. With the majority of the network being footpaths, most users are walkers. The needs of walkers vary greatly depending on the individual or group.

**Casual Walkers** – can include family groups and dog walkers, who typically walk between 2 and 5 miles. They will often use routes close to where they live but may travel further a field for longer walks. Dog walkers are regular users of rights of way, often using the network twice a day to exercise their pets.

**Serious Walkers** – more experienced users of rights of way, looking for a more challenging experience. Walks can be close to home but they are much more prepared to travel further. Once there, walks tend to be longer than those by casual walkers.

However, there is a certain amount of cross-over between the groups identified.

Walking can offer a range of benefits from improving personal health and well being to providing an important recreational resource for ramblers, dog walkers, runners etc.

Walkers generally prefer circular routes due to transportation arrangements. The issue of car parking was a common feature in the survey, as users required this facility to access the local network more freely and more often. The maintenance of existing routes was identified as important to ensure the accessibility of the current network, and its future use.

Those utilising the network to access services expressed a need for safer areas to walk, including crossings of highways and improved routes to schools and other services. A need was also identified for better public transport links from urban centres, and increased promotion of key accessible sites and routes.

#### **3.3.2 Cyclists**

Cycling is a convenient and popular form of transport, certainly for journeys of less than 5 miles to reach places of employment, schools, shops and local services (purposeful journeys). The overall picture is that in recent years cycling on busy roads to work, shops and services has declined in favour of the car with recreational cycling growing in popularity.

Cyclists are entitled to use the same routes as horse riders on the public rights of way network (ie on bridleways, byways and restricted byways) and so are constrained by not being entitled to use the public footpaths.

Cyclists have varying needs depending on individual requirements. Those using the network for more challenging recreational routes e.g. mountain bikers, will have different needs to those using the network for utilitarian purposes, such as accessing services, workplaces, school.

Evaluation and wider consultation has indicated that, in partnership with sustainable transport and safe routes to school, the creation of cycle routes should be high on the agendas.

### **3.3.3 Horse Riders**

The British Horse Society estimates that 4% of households in Britain take part in equestrian activities with interest in horses, ponies and equestrianism in general, being greater than ever. Horse riders are not entitled to use the footpath network and so are excluded from using 88% of the network. Riders are often forced on to the road network in order to gain access to routes or complete circular rides.

Horse riders using the rights of way network again have needs that serve different levels and abilities. Much of the bridleway network is used in a recreational capacity, although some bridleways can be used for training purposes, offering a safer alternative to riding on busy roads.

There is significant identified need and tourism potential for increased provision of bridleways throughout the county. Much of this need is through joining up a fragmented network and creation of new circular routes for horse riders. Assessment has also indicated a need to improve safety at access points linking highways.

### **3.3.4 Carriage Drivers**

There are an estimated 20-25,000 people in Britain who drive horses. There are no specific figures for Herefordshire although it is purported that Herefordshire has a very active carriage driving community. Carriage drivers have similar needs to those of horse-riders, although there are some differences. They are entitled to use byways open to all traffic (BOAT), restricted byways and unclassified roads (UCR's).

### **3.3.5 Motorised Vehicle Users**

In terms of public rights of way off road motoring, on both two and four wheels is legal on Byways open to all Traffic (BOATS) only. Although the use of 4x4's in the countryside is controversial, they do offer the opportunity for disabled users to explore the open spaces and they are a legitimate form of recreation on BOATS.

In Herefordshire there are relatively few BOATS (13 miles), which are used as recreational routes. The county's Unclassified County Roads (UCR's) network provides a supplement to the Byway network.

### **3.3.6 Blind and Partially sighted and Disabled users**

The difficulties faced by users with disabilities and limited mobility using the current rights of way network are considerable. The most significant barrier along rights of way is often not the natural terrain but man made barriers such as the estimated 8500 stiles along footpaths throughout the county. Rights of way are a vital resource in providing those of limited mobility with opportunities for recreation and for accessing local services. There are different levels of disability including those visually impaired, wheelchair users and those less mobile.

These users require the network to be easily accessible. The main area of improvement identified by disabled users of the network are the accessibility of routes and the restrictions faced due to physical barriers.

There is also a need for increased information and promotion regarding routes suitably accessible to disabled users as is more information about the facilities available on site.

### **3.3.7 Older People**

Herefordshire has an older age profile than both the Midlands and England and Wales, with a noticeably higher proportion of its population in the older age groups. People aged 60 or over constitute 26.6% of the counties' population in comparison with 21.2% nationally and it is continuing to rise steadily.

The Countryside Agencies' State of the Countryside 2005 report showed that visitors to the countryside tend to be mostly between the ages of 35-54. The Diversity Review showed that across all excluded groups there were positive benefits to be gained from accessing the countryside including:

- Physical health benefits – being in the outdoors, fresh air, taking exercise through informal recreation or from more active sports
- Psychological benefits – the countryside as somewhere to relax, gain peace and quiet, clear your mind and get away from it all.
- Personal identity – sense of place and belonging
- Social inclusion – sense of community

Older peoples' needs from the rights of way network may differ from e.g. younger people or families in that there may be a higher proportion who may have restricted mobility and therefore some of their needs may be similar to disabled users.

### **3.3.8 Young People**

The Countryside Agencies' Diversity Review found that young people don't necessarily regard the countryside as a place to visit and enjoy. There are other competing leisure interests, for example cinema, sports, shopping, computer games etc.

The national recommendations for physical activity for children and young people are that they should achieve a total of at least 60 minutes of at least a moderate intensity activity each day.

This may indicate a requirement to educate children and young people in using the rights of way network and increase it's accessibility to this section of the population by creating more links to urban areas and to work to improve links to the sustainable transport system so that it is not necessary to drive to gain access to the countryside.

### **3.3.9 Potential Users**

The visitor survey, which was actually completed mainly by local residents, indicated that only 4% of respondents did not use rights of way which implies

that non usage is not a great issue within the county. However because the people who generally respond to questionnaires about rights of way are already likely use them, this statistic is unlikely to be a good gauge.

The reasons why people do not use the rights of way network are probably reflected in the requested areas of improvement such as better waymarking and signposting, more circular walks, improved accessibility and better promotion and education. However, as this is imprecise, the action plan states that specific research is carried out in this area using a citizens panel or a similar qualitative method. Once this survey is carried out, we will be in a better position to identify specific actions to encourage greater usage of the network.

### **3.3.10 Conflict Between Users**

There are occasionally conflicts between users mainly on bridleways and Byways Open to All Traffic, centred on the surface damage caused by equestrians and motorised users, the lack of awareness of other types of users and noise. Any developments to the network must take account of these potential conflicts and planned accordingly.

## **4. NETWORK ASSESSMENT**

As detailed in the demand assessment, the public rights of way network is needed for a variety of purposes and therefore the next logical step is to look at the current network to see if those needs are met and if not identify the key areas of improvement for implementation through the action plan. The current situation has been assessed following research in a number of the following areas:

- Current access provision
- Non definitive network
- The connectedness of the network
- The Definitive map and Statement.
- Network condition
- Publicity and promotion
- Promoted routes
- Inspection, maintenance and enforcement
- Changes to the network
- Views of the Public and Parish Councils

### **4.1 Current Access Provision**

Herefordshire is crossed by a network of 2100 miles (3358 km) of public rights of way consisting of:

- 1840 miles (2942kms) of footpaths
- 250 miles (394kms) bridleways
- 13 miles (22kms) byways open to all traffic (BOATS)

There are a number of promoted routes that run through the county. These include:

- *Wye Valley Walk*

The primary promoted route runs for 136 miles from mid-Wales near the source of the River Wye, through Herefordshire and ends in Monmouthshire. The route is promoted as a major attraction to those visiting the county and is supplemented by four loop walks leading off its main route.

- *Mortimer Trail*

The County's other major route runs from Ludlow to Kington in north Herefordshire for a total of 30 miles. Again the trail promotes and provides 5 loop walks off the main route linking local villages to the main trail.

- *Herefordshire Trail*

The Herefordshire trail, set up in 2005, uses existing public rights of way to provide a circular route around the county. The route is a Ramblers Association initiative and runs for some 150 miles.

- *3 Rivers Ride*

The 3 Rivers Ride has been developed by the British Horse Society (BHS) and partner local authorities, including Herefordshire Council. The route is promoted by the BHS from its start in Worcestershire to its end in the Brecon Beacons as part of the National Bridleway network.

- *Monnow Valley Walk*

This route of 40 miles runs linear along the River Monnow from Monmouth to Hay-on-Wye through the administrative areas of Herefordshire, Monmouthshire and the Brecon Beacons.

- *Offa's Dyke National Trail*

Sections of the Offa's Dyke National Trail pass to the west of Herefordshire running along the England / Wales Border. The promoted route is a national long distance route, attracting a large number of users.

Currently 15 local loop walks have been developed and promoted within the county. Many parishes have established local parish walks, which access local features and services etc. These are usually promoted locally but are an attractive resource for tourists and the local economies in rural Herefordshire.

- *Urban Rights of Way*

Herefordshire's Population as at 2005, was 178,800, of which approximately a third live in within Hereford City, and around a fifth in neighbouring market towns. Although predominantly rural, there are a number of rights of way within the built areas which form a vital element to the urban transportation network as well as providing a means of accessing the wider countryside.

- *Rivers*

Rivers in the county provide both an opportunity and a threat to users of the rights of way network. Water provides a natural attraction for walkers and riders but it is also the cause of both gradual erosion and catastrophic loss when a bank collapses. The action plan sets out a number of aims targeted at improving the network which will inevitably include access along rivers but this will also increase the maintenance liability on the council. There are various methods that can be employed when a right of way comes under



threat from river erosion. These include maintenance, creation agreements and occasionally cease to maintain.

- *Access land and commons*

5912 hectares of land in Herefordshire became access land following introduction of part 1 of the Countryside and Rights of Way Act 2000. This is made up of 62 hectares of new access land, 3732 hectares of registered common land and 2126 hectares dedicated as access land under a s.16 agreement most of it forests. The public have a right to walk on access land but there are restrictions on other activities including the walking of dogs. Although most areas of access land are accessible from a right of way or other public highway, there are a very few which have become islands. There is provision within the CROW Act to allow Herefordshire Council to create footpaths where necessary too these areas of land.

Details of access land, including location maps and any restrictions that might be in place are available on [www.countrysideaccess.gov.uk](http://www.countrysideaccess.gov.uk).

## 4.2 Non Definitive network

As well as the rights of way network, there are a number of forms of non definitive access which are used by the public to gain access to the countryside. These include:

*Permissive Paths* - Permissive paths are used by walkers or riders on an informal basis either with the knowledge or permission of the landowner. Very often landowners will recognise local people wish to access a particular route and will grant access. These vary from informal arrangements only identifiable on the ground to those that are actively promoted by organisations such as Herefordshire Nature Trust and the National Trust.

*Agri Environment Higher Level Scheme* – A scheme operated by DEFRA whereby landowners can enter into an agreement to provide either linear or open access to areas of land they farm. Currently there are 46 such schemes operating in Herefordshire. Details of individual sites are available on [www.countrywalks.defra.gov.uk](http://www.countrywalks.defra.gov.uk).

### *Unclassified county roads and Quiet lanes* -

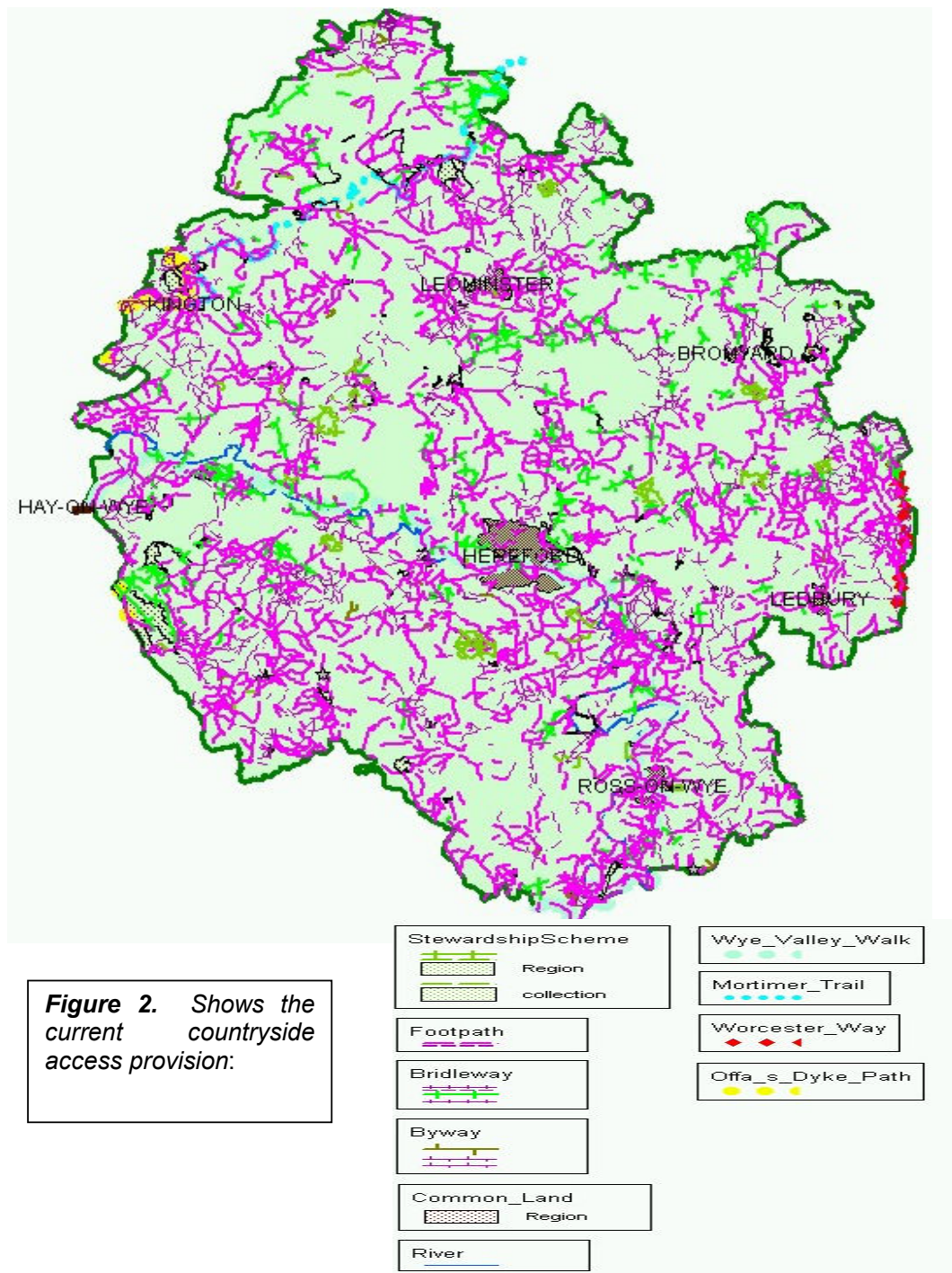
There are some 941 miles (1526km) of unclassified roads within Herefordshire, 874 miles (1382kms) of which are surfaced and 90 miles (144kms) are unsurfaced. These form the largest component of carriageway asset in the county and are an important link in the connectivity of the network. A number of these roads are only maintained to a very basic standard and only accessible by walkers, cyclists and horse riders.

*Cycleways* 2 miles (3.3kms) – These often run alongside carriageways but also have defined routes through and linking settlements within the county. A number of schemes have been set up in order to protect and enhance a high quality network. Cycle paths have been integrated further with footpaths as shared routes for public use and are increasingly used as a means for commuting to work.

*Countryside sites* – The key countryside sites in the county, owned and managed by Herefordshire Council, include, 19 registered parks and gardens,

6 countryside sites and 11 picnic sites. There are also 54 nature reserves covering a total area of 290 hectares run and managed by Herefordshire Nature Trust.

*Conservation areas* - There are some 64 conservation areas, 262 Scheduled Ancient Monuments and also around 6000 listed buildings - grades I, II and III, which are managed through the County Archaeological Service. Herefordshire Archaeology exists to protect, to explore, to record, to promote and to celebrate the extensive historic sites and landscapes of 'England's most rural county'.



**Figure 2.** Shows the current countryside access provision:

#### Current countryside access provision – key points

- Provision for walkers is quite extensive compared to other users. A large proportion of the network is public footpath, approximately 88%.
- Provision for riders, cyclists and off road drivers is poor with 11% of the network made up of Bridleways and 1% Byways Open to All Traffic.
- The bridleway network is very fragmented, especially in the south west region of the county.
- There are no promoted walks in the north east of the county.
- There is only one Country Park.
- There are large areas of the county with limited forms of access provision for all users.
- There are a number of areas where permissive access is granted through farming schemes.

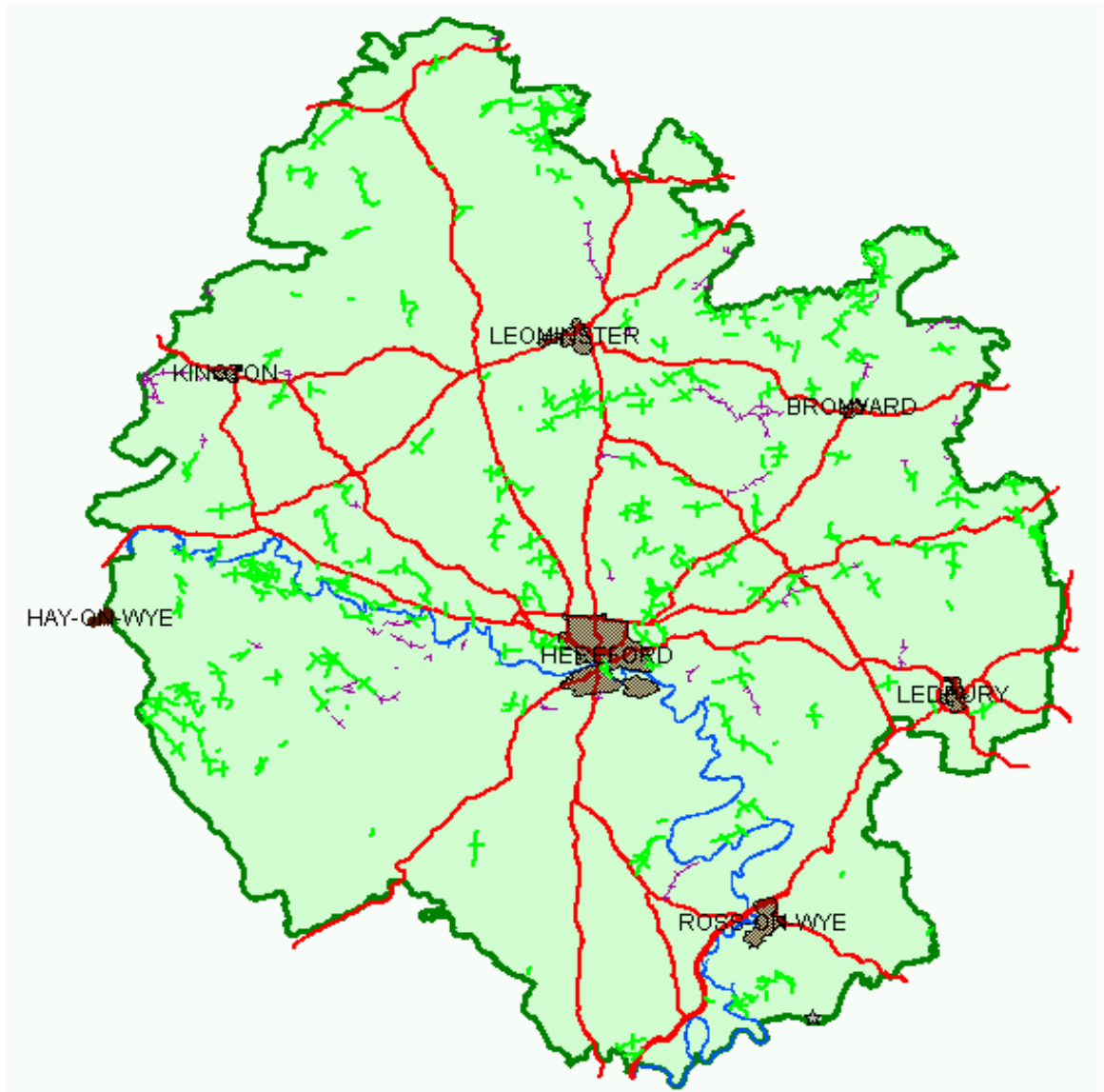
### 4.3 Connectedness of the Network

Herefordshire has a very fragmented rights of way network and this is particularly so of bridleways. The map in figure 3 shows the rights of way network that is available to horse riders and cyclists. When a comparison of the density of public rights of way in the county is made with neighbouring authorities such as Worcestershire, Shropshire and Gloucestershire, it is clear why there is a problem with the connectivity of the network. The result of this is that users, especially equestrians and cyclists need to use the county road network to make many of their journeys.

*Table 1 Shows network available in miles:*

	<b>Herefordshire</b>	<b>Worcestershire</b>	<b>Shropshire</b>	<b>Gloucestershire</b>
Footpaths	1840	2437	2675	2819
Bridleways	250	437	607	435
Byways / Restricted Byways	13	2.5	123	162
<b>Total</b>	<b>2103</b>	<b>2876</b>	<b>3405</b>	<b>3416</b>
Size of County in Hectares	217,300	173,500	319,730	265,479

Even when the quiet lane network is added there are still some parts of the county that are inaccessible to the public using any forms of transport.



*Figure 3: Shows the bridleway network for equestrians and cyclists*

#### 4.4 Definitive Map and Statement

The legal record of public rights of way is the definitive map and statement, prepared and maintained under the provisions of the National Parks and Access to the Countryside Act 1949, the Countryside Act 1968, the Wildlife and Countryside Act 1981, and now the Countryside and Rights of Way (CROW) Act 2000. The definitive map and statement provide conclusive evidence of the existence of rights of way, and are referred to whenever questions or disputes arise concerning rights of way. As they are used by the Ordnance Survey as its source of information for publicising rights of way on its Landranger and Explorer maps, it is important that this record is kept as accurate and up to date as possible.

The definitive map and statement can only be updated by making Modification Orders, which legally alter the documents to show changes to the rights of way network which have already taken place. These modifications come in two forms:

- Legal Event Modification Order (LEMO) – If a right of way is diverted, extinguished or created by means of a legal order (e.g. a diversion order under the Highways Act 1980), a legal event modification order needs to be made to officially change the definitive map and statement. This process is carried out after the change takes place on the ground and the order is certified. LEMO's can either be made individually at the time an order is made or wholesale by grouping a number of changes together and producing one LEMO.
- Evidential Modification Order (EMO) – If, through user or documentary evidence, it can be shown that changes need to be made to the definitive map and statement, an EMO can be made. These changes may involve a change of status, creation or deletion of a right of way. As EMO's are legal events in themselves, no further processes are required to update the definitive map and statement. The Countryside & Rights of Way Act 2000 set a deadline of the year 2026 to register claims for claimed rights of way not currently on the definitive map, based on historical evidence.

The Herefordshire definitive map and statement was originally compiled in the 1950s, with the latest version being published by Herefordshire and Worcester County Council in 1989. Since 1989, there have been no LEMO's made, therefore the map and statement are very out of date. There is also a large backlog of EMO's to be considered and made. The Herefordshire section of the 1989 map and statement is in the process of being digitised (computerised), and currently exists as a non-legal, working map and statement to assist the management of the network.

The existence of an accurate legal record of public rights of way underpins the public's use of the network. Achievement of the overall aims for the Rights of Way Service depends on the public being certain about where paths exist and the ability of the Council to assert the rights of the public to use those paths. Removal of the backlog of work needed to ensure that the map and statement are accurate is therefore fundamental to the effective provision of the Public Rights of Way service.

The council have adopted a new approach to prioritising applications for Definitive Map Modification applications in order to add benefit to the network and maximise usage of current resources (see appendix 7b). Table 2 below summarises the current backlog in terms of priority.

*Table 2:*

<b>High</b>	<b>Medium</b>	<b>Low</b>
57	18	25

#### Definitive map and Statement – Key points

- There is currently a backlog of 110 definitive map modification order applications waiting to be completed
- There are approximately 300 known anomalies on the Definitive map that need to be looked into.

## 4.5 Network Condition

The government's current measure of the condition of the rights of way network is through Best Value Performance Indicator (BVPI) 178. This makes an assessment of the percentage of the network that is "easy to use" by members of the public. Table 3 below shows the percentage of rights of way accessible to the public in Herefordshire has gradually increased year to year but is still low. The gradual increase is an indication of the improvements being implemented to enhance public access. – NS asks can change comment – should include 2006/07 and 07/08.

*Table 3: Shows BVPI results achieved in Herefordshire:*

<b>BVPI 178 score</b>	<b>02-03</b>	<b>03-04</b>	<b>04-05</b>	<b>05-06</b>	<b>06-07</b>	<b>07-08</b>
<b>Herefordshire</b>	41%	43.5%	45%	52.1%	48%	39%
<b>Shropshire</b>	36%	41%	48%	62.6%	73%	74%
<b>Worcestershire</b>	58.5%	54%	56.5%	63%	67.3%	72%
<b>Gloucestershire</b>	67.8%	61.7%	51.7%	75.3%	71%	70%

Following a review of national targets and indicators, BVPI 178 will cease to be an indicator from April 2008. Herefordshire Council, in conjunction with the Local Access Forum, will be looking at alternative ways of measuring performance and user satisfaction along public rights of way. The indicators are unlikely to be comparable with other local authorities.

## 4.6 Publicity and Promotion

The realisation of the potential of the rights of way network as a key resource in the rural economy, and in improving the quality of life for all residents, depends on effective provision of information. Sustained use of the rights of way network will only take place if people have confidence that they know where they can go, and what to expect when they get there. The provision of information about the opportunities available is therefore crucial to maximising the investment in the network.

Promotional material also increases the enjoyment of the use of rights of way by helping people to understand the natural and historic environment, and helps to ensure that they are aware of the need to protect this environment.

Information is also necessary so that both users of the network and landowners are aware of their rights and responsibilities, so that conflict can be minimised and the council's resources used more effectively.

Promotion of the rights of way network is also important to raise the profile of the Rights of Way Service, in the council itself and among the public.

### *Website*

The target markets for tourism in Herefordshire, identified in the Tourism Strategy, include people who are very likely to use the internet and are looking for short breaks incorporating countryside access. Information

concerning the full range of opportunities for all types of users can be included on the web site, as well as general information about rights of way and open access in the county. Links to county tourism web sites, including accommodation, transport, health and community sites, as well as to more general countryside access information sites, should be created.

#### *Herefordshire Walking Festival*

The report on the first Festival of Walking held in 2002 concluded that it was a great success, and that there was clear interest and benefit in establishing the festival as a regular and high profile event. The report suggested that the festival should be the pinnacle of a portfolio of walking promotions. One of the action points in the Tourism Strategy for Herefordshire is that the festival should be held as an annual event. The walking festival also encourages the use of public transport to access walks and a number of walks are only accessible via public transport.

### **4.7 Maintenance**

Section 36 of the Highways Act 1980 charges Herefordshire Council, as the Highway Authority for the county, to maintain all Public Highways which includes rights of way. Section 130 of the act provides for a further duty to assert and protect the rights of the public to the use and enjoyment of any highway.

The responsibility of maintaining the network falls to both landowners and Herefordshire Council. Landowners are responsible for maintaining stiles, gates and other structures used to enable access through hedges and fences. Landowners are also responsible for ensuring rights of way do not become blocked by obstacles such as crops, trees, and overgrowth. The council is responsible for maintaining signposts, waymarking, watercourse crossings, steps and surface vegetation. They are also responsible for ensuring landowners meet their legal obligations.

The Rights of Way Maintenance team receives reports of problems on the network and investigates them. At the same time they also identify potential access improvements such as replacing stiles with gates or improving the surface. Once work has been identified either the landowner will be requested to carry out the work or the work will be carried out by contractors working with the council depending on the nature of the problem.

Over the past few years as access along the network has improved, the nature of defects has moved from reports of missing stiles, gates, bridges etc. to routine maintenance of existing structures, waymarking and improvements. The chart below sets out the main types of defects received by the service and the proportion in relation to all the defects.

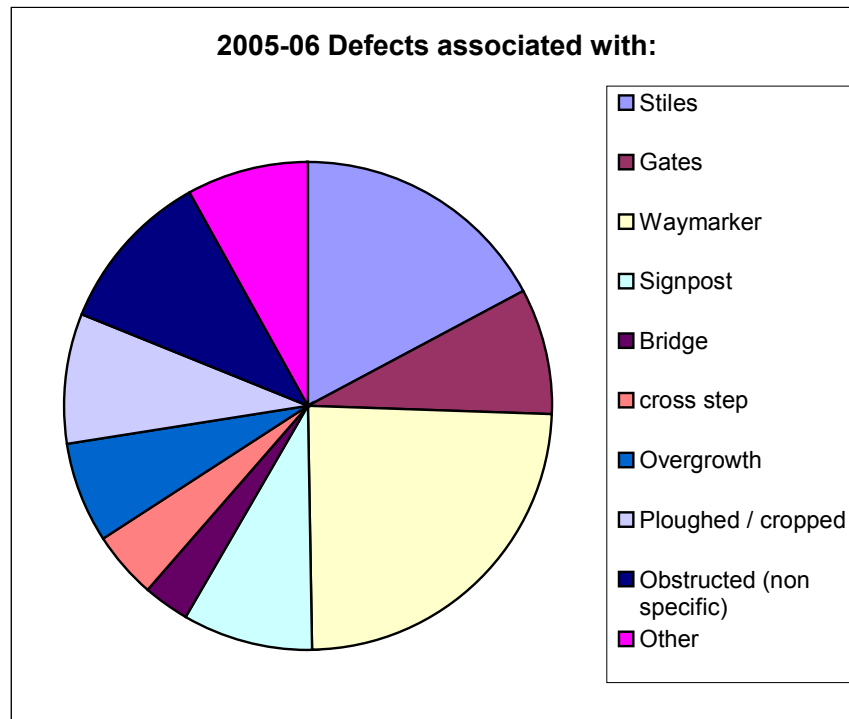


Figure 4: Chart showing reported defect breakdown in 2005 - 06

Legislation such as the Disability Discrimination Act 1995 and Countryside and Rights of Way Act 2000 has seen a move towards making the rights of way network more accessible to a wider section of the community. This includes replacing stiles with gates, making promotional material more accessible to those with a visual impairment and bringing furniture up to the British Standard.

As demand on the rights of way network increases so the expectation for a well maintained network rises. However resources are not limitless and there is a need to have a well structured approach to maintenance. The attached maintenance plan (appendix 7d) sets out the Council's approach to maintaining the network using a prioritisation system which involves those paths with the most recreation or a utilitarian value at the top.

#### *Parish Paths Partnership Scheme (P3) – Community Support*

The Council runs a very successful Parish Paths Partnership (P3) Scheme, which involves Parish Councils agreeing to take over the maintenance of some or all of the public rights of way within the parish in return for a grant from Herefordshire Council. There are currently 54 parishes which work with Council officers to carry out practical works on rights of way and also to promote their own recreational routes. A Parish Paths Officer (PPO) scheme is also operated by the council, under which a parish or a group within the parish appoints a person to look after the rights of way in the area, including carrying out light clearance work and waymarking, and liaising with the Council's Area Wardens on more difficult issues. There are currently 140 PPOs covering a total of 193 parishes, which amounts to about 80% of the county. Training events for parishes in the P3 scheme and PPOs are also



run. These schemes bring not only benefits to the rights of way network but also help to foster community involvement.

#### **4.7.1 Historical preservation**

A number of rights of way have very early, possibly prehistoric, origins. In such cases, archaeological survey and potentially excavation may be a requirement. It may in certain cases be necessary to use a protective geotextile matting prior to laying any new surfacing materials. There may also be a need to consider minor path diversions in order to avoid conflicts between access and archaeology, and opportunities to undertake scrub clearance work to enhance the quality and visibility to the public of features of interest.

These considerations will also apply where new paths are proposed for creation, where in addition to protecting any archaeological features there may also be opportunities to provide more access to sites of importance and interest, together with on site information panels.

The Rights of Way Section will liaise with the County Archaeologist on these matters

#### **4.7.2 Conservation and Protected Sites**

The Council will seek to increase awareness of its staff, contractors, the public and land managers of the biodiversity impacts of managing the network. Consideration must be given to the protection of designated wildlife sites where the network runs through, alongside or adjacent to these sites. For example the Council must let Natural England know before carrying out any operations which are likely to damage any of the features of interest of any SSSI. This requirement applies to operations within an SSSI, and to operations outside the SSSI which may affect features of interest. The locations of designated sites are recorded in map form on the Council's GIS system. Environmental constraints also appear on the Proposals Map of the Unitary Development Plan 1996-2011.

Works to hedges, trees and scrub should be undertaken so as to avoid the bird nesting season (1<sup>st</sup> March to 31<sup>st</sup> July. However some birds may continue breeding into August). All wild birds, their young, eggs and active nests are legally protected.

The network and maintenance and control of natural vegetation such as grassland, hedges, scrub, trees and features aside watercourses will be managed in a way that seeks to avoid damage and maintain and enhance biodiversity.

New structures such as bridges, gates etc will be sited in a sensitive way and wherever possible respecting the natural and historic environment and use of local materials.

An environmental impact assessment should be carried out before any new path or way is created, particularly if it is planned to surface that path.

## **4.8 Changes to the network**

Public rights of way evolved principally as convenient means of access to work, church and neighbouring communities. The network was first legally defined as a consequence of legislation passed in 1949. It is inevitable that since that time many parts of the network have become unsuitable for their modern usage, and for the use of the land across which the paths run. It is reasonable that the routes of paths can be changed to better suit the current needs of the public and of land management.

The Council has statutory powers under the Highways Act 1980 to divert, stop up and create public rights of way by means of the making of public path orders and agreements. Strict legal criteria apply to the making and confirming of diversion and stopping up orders; they do not have to be in the interest of the public, but the public must not be seriously disadvantaged by the orders. The CROW Act 2000 may introduce a new right for owners and occupiers of agricultural land to apply to the council for diversion and stopping up orders to be made. A new right of appeal will also be available if the council has not decided the application within four months of receipt. There will also be a new right, in some circumstances, for the applicant to appeal to the Secretary of State if the Council declines to make an order.

The Council also has powers to initiate orders itself, if it believes that they would benefit the public. Powers are also available under the Town and Country Planning Act 1990 to stop up or divert public paths in order to allow permitted development to take place.

The changes in the law will mean that the Council will need to devote more resources to this order-making function. The Council has established priorities for making these orders, based on the overall aims for the Rights of Way Service. The Council is able to recover the costs of making stopping up and diversion orders from the applicant, but not the costs of holding a public inquiry if one is necessary. Currently the number of Highways Act applications waiting to be determined is 71. The aim is to determine 16 proposals for both Highways Act and Town and Country Planning Act applications per year.

## **4.9 Views of Parish Councils**

Every parish council in Herefordshire was sent a questionnaire accompanied by the Definitive Map of the parish and a general location map for orientation purposes. Parishes were invited to consult widely and involve a Parish Paths Officer if the parish had one. The questionnaire asked what involvement the parish council has in rights of way and for any improvements or additions to the rights of way network in their parish. This involved marking particular areas on the Definitive Map and sending this back with the questionnaire. The response rate was 68% which is good considering the complexity of the questionnaire with the map.

The questionnaires asked how the respondents rated the current public rights of way network in terms of:

1. routes from centres of population which allows easy access to the countryside
2. routes used in conjunction with public transport which allows easy access to the countryside
3. routes to enable people to avoid busy roads or developments
4. access to and within areas of countryside or access to a particular feature, attraction etc
5. links which create circular routes
6. convenient and safe crossings over roads, rivers, railways and canals
7. access to common land and open access land
8. routes accessible for blind or partially sighted people
9. routes accessible for less mobile (e.g. with wheelchairs or pushchairs) or less agile people
10. attractive routes which support local tourism
11. routes for local journeys such as walking to the shops, work, doctors and other local amenities

The results are set out in the following charts:

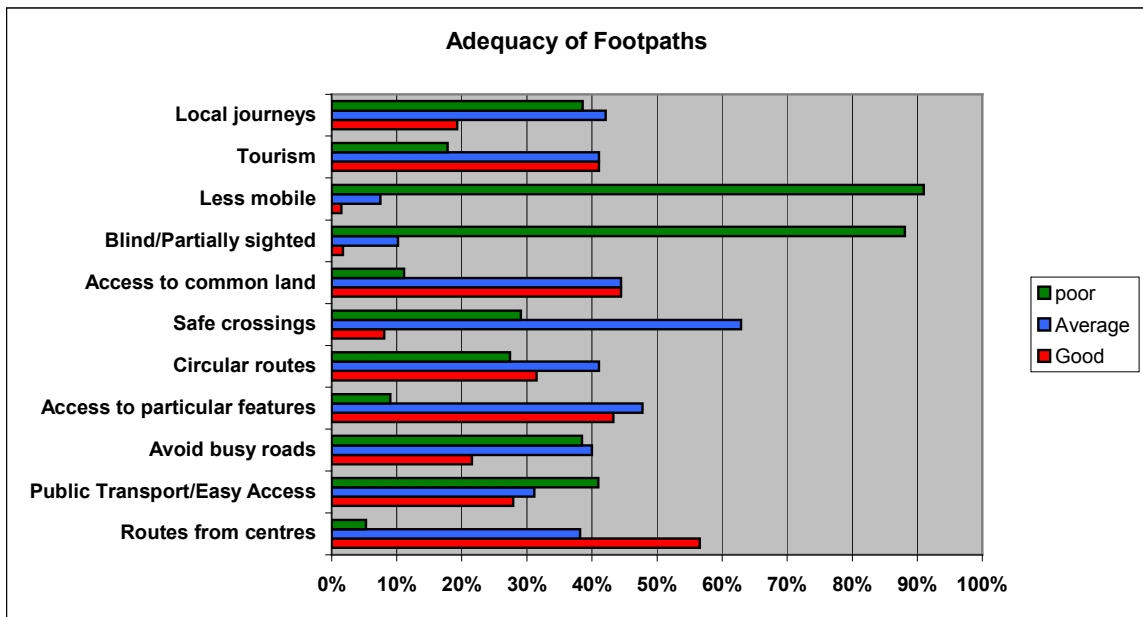


Figure 5

57% of parishes rated the provision of footpaths for access to population centres as 'good'. Access to common land was rated mostly 'good' or 'average'. The provision of footpaths in relation to access by blind/partially sighted and also less mobile people was rated as poor by about 90% of all respondent parishes.

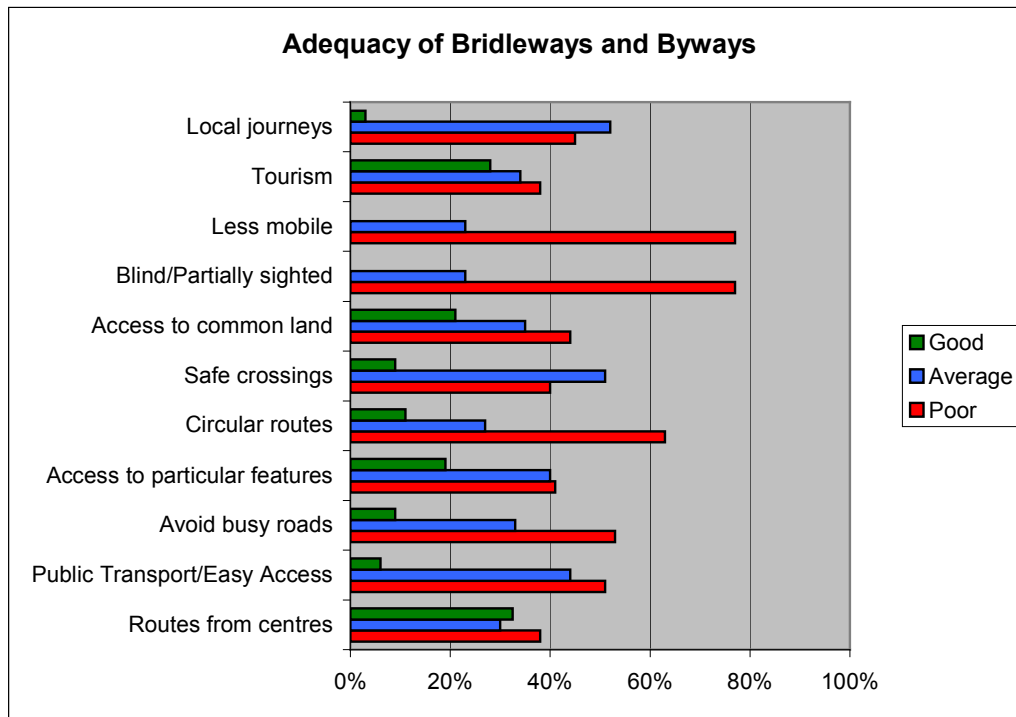


Figure 6

The provision of bridleways had lower ratings overall than footpaths (higher proportion rating each criteria as 'poor' provision), particularly in relation to circular routes, access by blind/partially sighted and also less mobile people and local journeys e.g. to the local shop, doctor or work. 75% of respondent parishes rated the provision of bridleways for circular routes as 'poor'. The provision of BOATs (bridleways open to all traffic) had higher proportions of 'average' ratings than footpaths and bridleways across most criteria. 70% of respondent parishes rated the provision of BOATs for local journeys as 'average' with the same rating given by 64% of parishes for safe crossings (e.g. over rivers).

#### 4.10 Health and Exercise

There is increased recognition that exercise can have long term benefits on health. This is particularly pertinent to Herefordshire which has a well documented aging population. A number of schemes have been established by Herefordshire Council which involves the use of the rights of way network:

##### *Walking the Way to Health Initiative*

'Footprints in South Wye' is part of the Natural England's national initiative of "Walking the Way to Health". The scheme encourages people to walk more often and offers led walks, calorie counted walks, and training for community members to become volunteer walk leaders.

##### *South Wye Fitness project*

This aims to increase physical activity for old and young people in local communities. The project promotes wider activity such as sessions in schools and work in communities.

### *Green Exercise*

This is a scheme to encourage any physical activity out of doors. This can be walking, cycling, play activities, and many other forms of outdoor recreation. Green exercise combines being active in the outdoors, contact with nature, and meeting new people. It has wider benefits of improving both physical and mental health. It can help encourage the promotion of walking, and cycling, and therefore a more regular use of the rights of way network.

### *GP referrals*

Projects that use recreation and exercise as a means to benefit health are being encouraged through doctor's surgeries and referral methods as preventative methods for certain illnesses and conditions. This can lead to more healthy lifestyles and therefore an increase in the use of local rights of way by these individuals and groups recognising the benefits of outdoor exercise.

## **4.11 Encouraging use of the network**

Putting the network in place and maintaining it is of little use if the paths are not used. There are various reasons why people do not use the network such as concerns about getting lost, unsure of their rights and availability of support services such as car parks. Therefore there are a number of ways the council currently encourages people to use the network as well as a number of actions set out in the action plan to promote more use.

- *Walking Festival*

The Herefordshire Walking Festival provides an opportunity for people to visit and walk in the county. The summer festival is a large scale event offering a range of led walks, which may incorporate long distance routes, shorter routes, and themed routes throughout the county. Feedback from participants indicates that walking tourism has increased in popularity in the county and therefore has an effect on the numbers using the local paths.

- *Signage and Waymarking*

Signage and waymarking are important methods of promoting usage of the network. They indicate where a route starts and finishes and provide confidence along the way. The roadside signs also provide a constant reminder of the existence of public rights of way

The promoted routes throughout the county are all distinctively waymarked to identify them amongst the surrounding paths and to promote the route itself. However the most commonly reported problem on the network is the condition of the waymarking. A common request following the questionnaires was the increased used of information on signage such as distances and locations.

- *Interpretation boards*

Interpretation boards with maps of local rights of way are located in a number of local communities throughout the county. They are extremely useful to people visiting or staying in the area especially when they are combined with local information. A number of Information boards have been installed on the largest area of open access land in the county, the Black Mountains.

- *Increased access and Car parking*

One of the most widely used method of accessing the current network is by car. However as much of this access is limited due to lack of car parking on site, there is an increasing need for this issue to be addressed as part of a long term plan to encourage both local people and those visiting Herefordshire onto the network. An alternative approach is to identify highway verges which could be developed into informal parking areas if a maintenance regime were to be put in place

- *Access to sites of specific interest*

Findings through consultation indicate an interest in gaining access to various key sites in the county. This includes improved provision to access land and commons, increased and extended access to the River Wye (especially with its Area of Outstanding Natural Beauty status) and the River Lugg, better access to local villages/ amenities, and other historic, interest sites.

## **5. CONCLUSIONS**

The basis of the Rights of Way Improvement Plan is firstly the improvements identified following the consultations with Parish Council's, users, landowners and the members of the public and secondly the assessment of the current network. The main improvements that were identified following the consultation were:-

- Establish better access to specific sites (access land and commons)
- Establish car free links with nearby villages and amenities (including bus routes)
- Create safer routes away from major roads
- Create circular routes to increase local users and potential visitor numbers
- Representation of all user types
- Safer areas to walk, cycle and ride
- Foster a greater understanding amongst visitors to the countryside about modern farming practises
- Emphasise the need for good control of dogs
- The importance of good stock control
- Work closely with users to improve access were appropriate
- Have more information about walks available in the county
- See an improvement in the maintenance of public rights of way

The assessment of the network was again informed by the consultation but also by a frank appraisal of the current provision using performance figures and considering the usability and connectivity of the network as a whole. The finding were:-

- Provision for walkers is quite extensive compared to other users. A large proportion of the network is public footpath, approximately 88%.
- Provision for riders, cyclists and off road drivers is poor with only 11% of the network made up of Bridleways and 1% Byways Open to All Traffic.

- The bridleway network is very fragmented, especially in the south west region of the county.
- There are no promoted walks in the north east of the county.
- There is only one Country Park.
- There are large areas of the county with limited forms of access provision for all users.
- The provision of rights of way in relation to access by blind/partially sighted is poor.
- Network condition as measured by BVPI 178 is low.
- There is a strong reliance on county roads to make circular routes.

## **6.0 STATEMENT OF ACTION**

The Statement of Action is made up of two parts. The first part is comprised of a number of key policy documents, which have been put in place as a result of a Best Value Review of the service in 2002. The individual documents are set out as a series of appendices but have also been summarised below, both in terms of their content and their contribution to the ROWIP. All of the documents were prepared with the Rights of Way Improvement Plan in mind.

The second part is the action plan which sets out a number of identified improvements both at a local and wider level. These range from replacing a stile with a gate to facilitate access improvements, to the carrying out of a complete condition survey of the whole network. Target dates over the next five years and estimated costs have been included as have a number of completed aims that have been achieved whilst the plan has been written.

The demand assessment highlighted a number of areas where improvements both at a local level and at a wider strategic level could be made. The assessment of the network and current provision has allowed those improvements to be put into the context of what is currently in place. The improvements come under four headings which are set out in the plan. These are:

- Ensure the Definitive map and statement are an accurate record of all public rights of way
- Maintain the public rights of way network so it is easy to use and clear of obstructions
- Seek to improve access to the network wherever possible
- Encourage the use responsible of the public rights of way network through proactive promotion

## 6.1 Key Policy documents

The key policies and the links to the ROWIP and Access improvements are listed in table 4 below.

*Table 4: Key Policies, main aspects, and contribution to ROWIP*

POLICY	KEY ASPECT	CONTRIBUTION TO ROWIP
<p><b><u>Public Path Order Statement of Priorities, Policy and Procedures</u></b></p> <p><i>Appendix 7a</i></p>	<ul style="list-style-type: none"> <li>• Pre-order consultation by applicants</li> <li>• Fast Track Approach</li> </ul>	<ul style="list-style-type: none"> <li>• Prioritise those diversions in public interest</li> <li>• Condition that gates are installed.</li> </ul>
<p><b><u>Definitive Map Modification Orders Protocol</u></b></p> <p><i>Appendix 7b</i></p>	<ul style="list-style-type: none"> <li>• Claims prioritised based on evidence and public interest</li> <li>• Preparation for the closure of definitive map in 2026</li> </ul>	<ul style="list-style-type: none"> <li>• Prioritise ROWIP projects</li> <li>• Based on usefulness to network</li> <li>• Long term security</li> <li>• Complete missing links</li> <li>• Clear up anomalies</li> </ul>
<p><b><u>Enforcement Policies and Procedures</u></b></p> <p><i>Appendix 7c</i></p>	<ul style="list-style-type: none"> <li>• Protect the public's right to use and enjoy the public rights of way network</li> <li>• Provide clear, concise guidance to land managers</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring public access remains open and safe to users</li> </ul>
<p><b><u>Maintenance Strategy</u></b></p> <p><i>Appendix 7d</i></p>	<ul style="list-style-type: none"> <li>• Prioritise network maintenance on routes with greater use.</li> <li>• Prioritise maintenance on routes benefiting all types of access user</li> <li>• Problems more efficiently resolved including obstructed paths and those causing inconvenience</li> </ul>	<ul style="list-style-type: none"> <li>• High use trails and routes remain problem free and easy to use</li> <li>• Improvements seen on the ground early</li> <li>• Reduction in barriers including stiles</li> <li>• Improved public access</li> </ul>

**Refer to** – Public Rights of Way policy documents for more detail – *appendix 7a-7d*



**RIGHTS OF WAY IMPROVEMENT PLAN  
ACTION PLAN.**

**Key**

£ = within current financial resources  
 ££ = up to £5,000 above current resources  
 £££ = £5000 - £25,000 above current resources  
 ££££ = £25,000 + above current resources

:= within current staff levels  
 :+ = up to one extra full time person required

☺ Quick wins

**“ENSURE THE DEFINITIVE MAP AND STATEMENT ARE AN ACCURATE RECORD OF ALL PUBLIC RIGHTS OF WAY”**

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Reference	Action	Year					Measure	Resources	Priority	Key links
		2007	2008	2009	2010	2011 and beyond				
<b>DM1</b>	Implement the statement of priorities for dealing with Definitive Map Modifications applications and anomalies	☺ ✓	✓	✓	✓	✓	Increased throughput of applications  Reduction in backlog	£ :+	High	• KA1
<b>DM2</b>	Produce a digitised definitive map and statement		✓				Digitised map completed	£ :	High	• KA1

<b>DM3</b>	Publish a revised definitive map and statement		✓				Definitive map available to public	£ :	High	• KA1
<b>DM4</b>	Publish the digitised definitive map on the Council's web site		✓				Definitive map on web site	££pa :	High	• KA1
<b>DM5</b>	Implement public path order policy and procedures	☺ ✓	✓	✓	✓	✓	Reduction in backlog of applications	££pa :+	High	• KA1
<b>DM6</b>	Identify and process multi user claims as a public interest priority			✓	✓	✓	Unrestricted byways and bridleways added to the network. Safer network for horse riders and cyclists	££pa :+	High	• KA1

**“MAINTAIN THE PUBLIC RIGHTS OF WAY NETWORK SO IT IS EASY TO USE AND CLEAR OF OBSTRUCTIONS”**

Reference	Action	Year					Measure	Resources		Key Links
		2007	2008	2009	2010	2011		Budget	Staff	
<b>MN1</b>	Implement the approved maintenance policy	☺ ✓	✓	✓	✓	✓	Current resources used more efficiently. Higher standard of maintenance on priority routes	£ :	High	• KA 1,2,3,4,5
<b>MN2</b>	Ensure all paths are appropriately waymarked	✓	✓	✓	✓	✓	Reduction in number of reported waymarking defects. Improved performance and outputs	££ pa :+ volunteers	High	• KA 2,3,5

<b>MN3</b>	Install distance and location signs at identified locations		✓	✓	✓	✓	Signs Installed	££ pa :	Low	• KA 1,2,3,4,5
<b>MN4</b>	Work with land managers to reduce the number of obstructions in accordance with the enforcement policy	✓	✓	✓	✓	✓	Reduction in number of reported obstructions	£ :	High	• KA 2,3,4
<b>MN5</b>	Provide clear advice to landowners of their responsibilities	☺✓					Greater awareness by landowners of their responsibilities	£ :	High	• KA 5
<b>MN6</b>	Investigate more effective methods and alternative sources of funding	✓	✓	✓	✓	✓	Alternative funding streams secured	££ for match funding :+	High	• KA 2,5
<b>MN7</b>	Develop and expand the Parish Paths Partnership Scheme		✓	✓	✓	✓	Increased number of participating parishes	££pa	Low	• KA 1,2,3,4,5
<b>MN8</b>	Work with voluntary organisations as an alternative method of maintenance	☺✓	✓	✓	✓	✓	Number of voluntary organisations involved with countryside access increased	££ for training and expenses :+	Medium	• KA 3,5
<b>MN9</b>	Work with partners to develop and improve strategically important routes	✓	✓	✓	✓	✓	Improved visitor enjoyment on key routes such as Wye Valley Walk	£ :	Low	• KA 1,2,5 • Wye Valley AONB Mgt Plan
<b>MN10</b>	Work with Highways team to Develop unclassified county roads into walking and riding links and		✓	✓	✓	✓	Routes cleared and used	£££ :	Medium	• KA 1,3 • LTP2

	make information widely available									
<b>MN11</b>	Work with planning service to make sure rights of way are not obstructed as part of permitted development	✓	✓	✓	✓	✓	Number of reported problems reduced	£ :	High	• KA 1,4,5
<b>MN12</b>	To maintain and where possible expand annual vegetation clearance programme		✓	✓			Reduction in number of reported defects involving overgrown vegetation	££ :	Medium	• KA 1,4
<b>MN13</b>	Carry out prioritised surface improvements where a need has been identified.	✓	✓	✓	✓	✓	Surfacing improved at identified locations	£££ pa :	Low	• KA 1, 2,3,4,5 • LTP2
<b>MN14</b>	Carry out maintenance to major bridges and repair / replace as necessary	✓	✓	✓	✓	✓	2008 Oldcastle bridge	££££ :	Medium	• KA 1,2,4

**“SEEK TO IMPROVE ACCESS TO THE NETWORK WHEREVER POSSIBLE”**

Reference	Action	2007	2008	Year	2009	2010	2011	Measure	Resources		Key Links
		2007	2008	Year	2009	2010	2011		Budget /Staff		
<b>IA1</b>	Implement network improvements on a prioritised basis as	☺✓	✓		✓	✓	✓	Individual improvements completed	£££pa :+	High	• KA 1,2,3,4,5

	put forward by Parish Councils									
<b>IA2</b>	Investigate feasibility of access for all routes in market towns. Make improvements identified	✓		✓			Kington and Ross on Wye feasibility studies carried out. Improvements put in place	£££ :+	Medium	• KA 1,2,3,4,5
<b>IA3</b>	Investigate feasibility of accessible routes outside urban areas. Improve access as identified	☺	✓		✓		Feasibility studies carried out and improvements implemented	££££ :+	Low	• KA 1,2,3,4,5
<b>IA4</b>	Identify and develop old railway lines into car free links between communities		✓	✓			Possible links identified and developed	££££ :+	High	• KA 2,3,4,5
<b>IA5</b>	Remove stiles and upgrade gates where appropriate and whenever the opportunity arises	☺ ✓	✓	✓	✓	✓	Reduction in number of stiles. Network made more accessible	£££pa :	High	• KA 1,2,4
<b>IA6</b>	Continue to work with DEFRA to encourage Higher Level permissive access scheme	✓	✓	✓	✓	✓	Scheme continues to develop Increased permissive access through Higher Level Scheme	£ :	Low	• KA 2,4,5 • DEFRA
<b>IA7</b>	Work with Planning Services and developers to identify	☺ ✓	✓	✓	✓	✓	Guidance notes produced	£ :	High	• KA 1, 2,5

	section 106 agreements and other ways of improving the network						Increased number of section 106 agreements put in place  Green Infrastructure Planning			
<b>IA8</b>	Identify and develop road free routes for equestrians and cyclists			✓	✓		Routes identified	££££pa :	High	<ul style="list-style-type: none"> <li>• KA 3,5</li> <li>• LTP</li> <li>• Cycling strategy</li> </ul>
<b>IA9</b>	Identify new links to woodlands, sites of historic interest, viewpoints and other areas.			✓	✓	✓	Routes identified	££pa :	Low	<ul style="list-style-type: none"> <li>• KA 2,4,5</li> </ul>
<b>IA10</b>	Work with landowners to dedicate new paths or set up long term permissive access as identified through parish councils	✓	✓	✓	✓	✓	Increased number of dedications	££pa :+	Low	<ul style="list-style-type: none"> <li>• KA 2,4,5</li> </ul>
<b>IA11</b>	Work with the Transportation Service to develop shared access links, car free routes and safer routes to school	✓	✓	✓	✓	✓	As set out in Local Transport Plan	££££ :	Low	<ul style="list-style-type: none"> <li>• KA 1,3,4,5</li> <li>• LTP</li> <li>• Safe routes to school</li> <li>• AONB T1</li> </ul>
<b>IA12</b>	Carry out condition survey of all public			✓			Survey completed	£££ :+ volunteers	Medium	<ul style="list-style-type: none"> <li>• KA 4, 5</li> </ul>

	rights of way									
<b>IA13</b>	Work with land managers, commons committees and other bodies to improve access land and commons for informal recreation			✓	✓	✓	Access to and around common and access land improved	£££ :+	Low	• KA 2,4,5
<b>IA 14</b>	Seek to upgrade footpaths where appropriate to multi use paths whenever the opportunity arises		✓	✓	✓	✓	Upgraded paths open	£££ :	Low	• KA 1,3,4

**“ENCOURAGE THE RESPONSIBLE USE OF THE RIGHTS OF WAY NETWORK THROUGH PROACTIVE PROMOTION”**

Reference	Action	Year					Measure	Resources		Key Links
		2007	2008	2009	2010	2011		Budget	Staff	
<b>NP1</b>	Produce database of promoted routes including permissive path schemes. Make available in a variety of formats		✓	✓			Database completed and put on website. Record number of hits	£££ :+	High	• KA 1,5
<b>NP2</b>	Update and maintain current website.				✓		Website updated	££ :+	High	• KA 1,5
<b>NP3</b>	Ensure all guidance issued to land managers is clear and concise	✓	✓	✓	✓	✓	Guidance notes completed and circulated to landowners	Completed	Medium	• KA 1,5
<b>NP4</b>	Continue to run and promote summer	☺✓	✓	✓	✓	✓	Festival run	££ :+	High	• KA 1,2,3,4,5 • Tourism

	Walking Festival							volunteers		strategy - obj 2.1
<b>NP5</b>	Work with parishes to install path notice boards		✓	✓	✓		Increased number of notice boards erected	£££pa :	Low	• KA 2,5
<b>NP6</b>	Take every opportunity to promote access, outdoor recreation and responsible use of the countryside	✓	✓	✓	✓	✓	Reduction in number of reported problems	££ :	Medium	• KA 1,2,3,4,5 • Tourism Strategy - obj 2.2
<b>NP7</b>	Support the work of the Walking the Way to Health team	☺ ✓	✓	✓	✓	✓	Development of scheme  Increased Participation	£ :	High	• KA 1,2,3,4,5 • Older People's Strategy
<b>NP8</b>	Work with the Parks and Countryside Service to take forward identified improvements to public open spaces, country parks and picnic sites	☺ ✓	✓	✓	✓	✓	Improvements identified and implemented	££ :+	Low	• KA 1,2,3,4,5
<b>NP9</b>	Work with other organisations to develop new promoted routes for walkers, riders, cyclists and disabled users	✓	✓	✓	✓	✓	New routes introduced	££ :	High	• KA 1,2,3,4,5
<b>NP10</b>	Develop a system of grading and providing		✓	✓			Current leaflets revised with new	££	Medium	• KA 1,3,4



	grading and providing relevant information about promoted routes						revised with new grading system	:+		
<b>NP11</b>	Work with partners to identify current and potential areas of high usage and agree a way of managing the associated pressures in a sustainable manner				✓	✓	Measures in place	£ :	Low	• KA 1,3
<b>NP 12</b>	Work with Research Team to identify why local residents and visitors do not use the rights of way network				✓	✓	Research carried out through citizens panel or similar	££ :+	Medium	• KA 1,3,5

## 7. IMPLEMENTATION AND MONITORING

### 7.1 Implementing the plan

The projects arising out of the improvement plan will be prioritised and given time scales depending on the nature and scale of projects. The plan will be implemented over a five year period, which will be in line with the Herefordshire Local Transport Plan's (LTP) objectives and timeframe, and will allow for a focussed approach to implementing projects and achieving successful outputs at an early stage. Progress on objectives and projects will be monitored by the Local Access Forum, which will consider the need to review and update the statement of action and any other part of the plan as required.

There needs to be an awareness of projects that are within the statement of action, which are scheduled to run alongside the time frame of the LTP and that these projects are achieved successfully. It is these projects that will contribute to securing future funding through the LTP.

A number of projects require further investment into the service. Where those investments are not forthcoming either through direct funding from Herefordshire Council or from an external source, they will be taken forward into the next Improvement Plan.

### 7.2 Key Stakeholders and Partners

Full delivery of the Rights of Way Improvement Plan will only be possible by working with key stakeholders and partners. Key amongst these are:-

- The Local Access Forum who will continue to work with Herefordshire Council to implement the action plan and advise on priorities.
- Effective working relationships with landowners will need to be developed to turn the aspirations set out in the action plan into reality on the ground.
- Parish and town council's, who have already been involved in the preparation of the plan, will play a vital link between Herefordshire Council and local communities by setting out local priorities and providing a mechanism through which outside funding can be focused.
- User group and landowner representatives will need to work together to find an effective way for their interests to be taking into account when developing the access network for the benefit of the wider public.
- Natural England will provide a higher level support and advisory service.
- Local Members will need to provide their support to proposed network improvements and mobilising local participation.
- The general public and users of the rights of way network will need to utilise the rights of way network to provide justification for the money spent on improvements.
- Key Services within the Council including, Planning, Legal, ICT, Tourism, Walking the Way to Health, Highways and Transportation

and a number of others will provide the support mechanisms for implementation.

- Neighbouring and regional local authorities will need to work together to ensure their respective plans are coordinated and that the region as a whole is developed to maximise the potential for funding and investment.
- Other government and non government bodies such as the Malvern Hills and Wye Valley AONB's, Forestry Commission, National Trust, Environment Agency, DEFRA and Herefordshire Nature Trust will all have a supporting and enabling role to play.

### **7.3 Individual Projects**

Site specific projects that are taken forward will be further researched. Further consultation will take place with landowners, other relevant stakeholders, parish councils and Herefordshire Council before these schemes are taken forward.

### **7.4 Monitoring**

The Rights of Way Improvement Plan will be continually monitored by:

- Quarterly updates to Herefordshire Local Access Forum Meetings.
- Updates to the Local Transport Planning team of projects completed/underway that incorporate shared objectives
- Monitoring of satisfaction levels
- Performance monitoring
- The service delivery mechanism
- Regular updates to relevant Cabinet Member
- Progress in achieving the wider aims of the County as set out in the Community Strategy and Local Area Agreements

### **7.5 Constraints and Resources**

Many of the actions set out in this plan are aspirational and will not be achieved without significant extra resources. However guidance from DEFRA encourages the development of partnership working to establish funding streams and to use the plan as a bidding document to be used both by the local authority and other organisations to attract funding. Increasingly agencies such as Natural England are requesting that a counties Improvement Plan supports proposals put forward by organisations such as parish councils for improved access in the countryside. Therefore to not have an action in the plan simply because it is unlikely to be funded by the authority should not be a reason for its exclusion. Given the appropriate support and funding all the actions are achievable.

### **7.6 Timescales**

The Improvement plan needs to be reviewed in no less than ten years time. Because the plan is being linked with the Local Transport Plan, it is intended the ROWIP will be reviewed in 2011 so the two documents can run along the same time line.

Each of the actions has a date by which it will be achieved. However the key factor in achieving these targets is the allocation of the extra resources set out in the budget and staff resources columns. As set out above, these resources could come either from within the base budget the council allocates to public rights of way or from an external funding source made either directly to the council or through a separate organisation. Were no extra funding or staffing is required, the action should be completed within existing resources.

## GLOSSARY OF TERMS

<b>Access Land</b>	Mapped areas of land where people can walk freely off public rights of way.
<b>Agri-Environment Scheme</b>	Scheme to provide funding to farmers and land managers who deliver effective environmental management on their land
<b>Auto Cycle Union</b>	Organisation supporting the rights and interests of motorcycle users
<b>Bridleway</b>	May be used for riding or leading a horse, as well as for walking. Cycling is permitted, providing cyclists give way to riders and pedestrians
<b>British Horse Society</b>	Organisation supporting the rights and interests of equestrians
<b>Byways and Bridleways Trusts</b>	Organisation formed to protect the public rights that exist over the many ancient lane
<b>Byway open to All Traffic</b>	Is used for walking, riding or leading a horse or cycling. There is also a right of use for any kind of wheeled vehicle, including motor cars and horse-drawn vehicles
<b>Conservation Area</b>	Areas of special architectural, wildlife or historic interest
<b>Country Park</b>	Area of open space for public enjoyment, picnic sites, walking etc
<b>Cycleway</b>	Route dedicated for cyclists only
<b>Cyclists Touring Club</b>	Organisation protecting and promoting the rights of cyclists
<b>DEFRA</b>	Department of Environment, Food and Rural Affairs
<b>Definitive Map and statement</b>	Legal Documents that record the existence of public rights of way, their status, and position
<b>Disability Discrimination Act 1995</b>	Parliamentary act of 1995, which makes it unlawful to discriminate against people with disabilities in relation to employment, provision of goods and services, education and transport
<b>Footpath</b>	Way over which the right of way is on foot only
<b>Herefordshire Nature Trust</b>	Registered Charity working to promote and protect wildlife in Herefordshire
<b>Herefordshire Older Peoples Strategy</b>	A strategy establishing the needs of Older People in Herefordshire
<b>Herefordshire Walking Festival</b>	Series of guided walks organised by the rights of way and tourism services in a two week period over the summer
<b>Honeypot areas</b>	An area that attracts large numbers of people or visitors
<b>Listed Buildings</b>	Buildings being of special architectural, historical or cultural significance
<b>Lost Ways</b>	Forgotten historic rights of way not currently recorded on the definitive map
<b>National Trust</b>	Conservation organisation protecting and preserving places of historic interest or natural beauty
<b>Natural England</b>	Non-departmental public body formed in Oct 2006 by bringing together English Nature and Parts of Countryside Agency and Rural Development Service.
<b>Open Spaces Society</b>	Organisation established to protect public rights of way and common land
<b>Ordnance Survey</b>	Mapping agency for Great Britain
<b>Parish Council</b>	Administrative group of a sub-division of a county

<b>Permissive Path</b>	Access given by permission of the landowner rather than as a definitive public right of access. No permanent rights to the public and access may be withdrawn by the landowner.
<b>Promoted routes</b>	Routes publicised and promoted by Herefordshire Council
<b>Public Rights of Way</b>	Ways over which public have a right to pass or re-pass
<b>Quiet lane</b>	Quieter rural roads with low traffic numbers, appropriate for shared use by walkers, cyclists, and horse riders
<b>Ramblers Association</b>	Organisation supporting the rights and interests of walkers
<b>Restricted Byway</b>	Highway open to all except mechanically propelled vehicles
<b>Scheduled Ancient Monument</b>	A protected archaeological, historic building considered to be of national importance
<b>User groups</b>	Various groups who use the rights of way network for recreation

## ABBREVIATIONS USED

<b>AONB</b>	Area of Outstanding Natural Beauty
<b>BHS</b>	British Horse Society
<b>BVPI</b>	Best Value Performance Indicator
<b>BOAT</b>	Byway Open to All Traffic
<b>CLA</b>	Country Land and Business Association
<b>CroW Act</b>	Countryside and Rights of Way Act 2000
<b>DEFRA</b>	Department of Environment Food and Rural Affairs
<b>DMMO</b>	Definitive Map Modification Order
<b>HLAF</b>	Herefordshire Local Access Forum
<b>LTP</b>	Local Transport Plan
<b>NFU</b>	National Farmers Union
<b>P3</b>	Parish Paths Partnership Scheme
<b>PFO</b>	Parish Footpaths Officer
<b>PPO</b>	Public Path Order
<b>PROW</b>	Public Rights of Way
<b>ROWIP</b>	Rights of Way Improvement Plan
<b>SSSI</b>	Sight of Special Scientific Interest
<b>TIC</b>	Tourist Information Centre
<b>UCR</b>	Unclassified County Road
<b>UDP</b>	Unitary Development Plan

## **8. APPENDICES**

### **8A**

## **Public Path Order Statement of Priorities, Policy and Procedures**

For the purposes of this document the term “Public Path Order (PPO)” shall be taken to include:

Orders made under section 257 of the Town and Country Planning Act 1990 (extinguishments and diversions);

Orders made under sections 118, 118A, 118ZA, 118B, 118C, (extinguishments) or 119, 119A 119ZA, 119B, 119C, 119D (diversions) Highways Act 1980

### **Statement of Priorities – Pre determination**

PPO applications will normally be processed in the following order:

1. Where an Order is required to facilitate a development
2. Where an Order is expedient for the purposes of increasing school security or for the prevention or reduction of crime which would otherwise disrupt the community. (Only applicable in crime areas designated as such by the Secretary of State).
3. Where an Order is made in connection with the prevention of damage (by users of a PROW) to a Site of Special Scientific Interest.
4. Where, in the opinion of Herefordshire Council, following consultation with the Parish Council, an order would provide greater recreational or amenity value to local residents or visitors (the applicant will usually be the local authority).
5. Where, in the opinion of Herefordshire Council an Order would provide an improvement to the overall rights of way network (the applicant will usually be the local authority).
6. Where an Order is in the interest of a landowner or occupier. These Orders form the majority of applications and will be dealt with on a date of application basis.

### **Statement of Priorities - Post Determination**

In the event of a number of landowner interest applications being determined simultaneously, applications will be prioritised in the following order before going on to order making stage:

- I. The recreational or amenity value provided to rights of way users
- II. The improvement to the rights of way network

## Policy

Herefordshire Council has powers to process applications for PPO's under both the Highways Act 1980 and the Town and Country Planning Act 1990. When using these powers, Herefordshire Council will use its discretion and consider the merits of each application and the benefits obtained from an application for both the users of the network and the landowner. Herefordshire Council will endeavour to:

- Determine a PPO application within 6 months from the date of receiving a valid application form and plan.
- Make an order within a further 3 months unless objections are received which cannot be overcome.
- Ensure all costs are appropriate.
- Provide the applicant with a breakdown of costs if required.
- Supply appropriate waymarking.
- Provide appropriate help and advice both verbally and in writing.
- Determine applications in accordance with the statement of priorities set out for PPO's.

Applicants for PPO's will be expected to:

- Meet the factors set out below as appropriate.
- Agree in writing to pay all costs associated with making an order
- Pay all costs required to put the diverted route in place on the ground.
- Ensure the on site welfare of any consultees during site visits.
- Ensure all affected landowners and tenants are aware of the impending site visits by consultees.
- Indemnify Herefordshire Council against any accidents or injuries which may occur to a consultee whilst on site inspecting a proposal.
- Ensure the existing route is clear of obstructions unless it is significantly inconvenient to do so. In cases where it would be extremely difficult to open up the legal line (eg where a building is the cause of obstruction) the applicant should ensure there is a clear convenient way around the obstruction.
- Set out as far as possible the proposed route on the ground at pre order consultation stage

Decisions on processing applications for a diversion will take account of the following factors affecting the public's enjoyment of the path.

**Condition** The condition of the proposed new route should be substantially as convenient as the original route. Stiles, gates and other barriers will only be authorised in accordance with any statutory provisions.

**Directness** The proposed new route should not unreasonably lengthen the path other than where it is in the interests of an overall improvement to the local network. The proposed new route should avoid introducing unnecessary "dog legs" into the path, or be overly circuitous. It should retain or improve a connection with another public right of way to reduce the distance travelled along metalled carriageways.

**Width** The proposed new route should have a minimum width of 2m for a footpath and 3m for a bridleway.



<b>Landscape</b>	The proposed new route should not result in lower quality or diversity of views for the path user. Where a path is being diverted for development purposes, the new route should not (as a general rule) follow estate roads.
<b>Features of Interest</b>	Other than in exceptional circumstances, the proposed new route should not remove paths from significant features of interest, natural or man-made.
<b>Status</b>	There will be no downgrading of the existing rights other than where it is in the interests of an overall improvement to the local network.
<b>Financial</b>	The proposed new route should not result in significant additional maintenance costs. Applicants may be required to enter into a maintenance agreement with Herefordshire Council.
<b>Safety</b>	The proposed new route must not subject users to any potential dangers or hazards. It should not introduce conditions (eg darkness, narrowness, poor visibility, hiding places) likely to encourage antisocial or criminal behaviour against users, nor should it create a perception that this may be the case.
<b>Needs of all Users</b>	Proposed new routes should include features to improve access for the mobility impaired user. For example – gates rather than stiles, ramps rather than steps. Authority for the erection of stiles/steps will be given only in exceptional circumstances.
<b>Alternatives</b>	The applicant will be required to demonstrate that they have considered alternatives to the altering of a right of way, i.e. amending proposals, changing boundary locations etc.

Herefordshire Council will be guided by appropriate legislation and statutory guidance notes for other factors to be considered in respect of applications for a specific purpose e.g. Section 119D of the Highways Act 1980, diversion for the protection of Sites of Special Scientific Interest.

## Procedures

With the exception of seeking the views of the Local Member/s, the applicant will be responsible for carrying out work up to order making stage. This involves:

- carrying out the pre order consultations,
- establishing an agreeable proposal (if a proposal cannot be agreed upon regarding an application, Herefordshire Council may proceed with the application if it considers it is or could be of benefit to the public)
- supplying a plan at a scale of 1:2500
- ensuring full written agreement with other affected landowners.

However there may be circumstances where an application may receive objections at Pre order stage which the local authority considers irrelevant when set against the

benefits of making an order. In these instances Herefordshire Council will consider accepting an application and making an order.

This approach would allow applicants to informally assess the likely support or opposition to a proposal. It is also likely to reduce objections at order making stage and speed up the whole process.

The vast majority of PPO applications received by Herefordshire Council are made under section 257 of the Town and Country Planning Act 1990 and sections 118 and 119 of the Highways act 1980. Therefore the procedure for applications under these sections is as follows:

### **Stage 1 – Pre Order making**

#### *Herefordshire Council*

1. Receipt of proposal by Herefordshire Council from the applicant in the form of a plan.
2. Site meeting between the applicant and PROW Diversion Officer to discuss the proposal. If at this stage Herefordshire Council judge that the proposal has little or no prospect of succeeding, it may decide not to pursue it.
3. Provide application pack, which will include a list of all consultees (including the Parish Council) who must be invited to comment will be sent to the applicant by Herefordshire Council.

#### *Applicant*

4. Letters and two copies of the map sent to consultees for their observations and comments by applicant. The letter should contain a general invitation to the consultees to make an unaccompanied site inspection of the proposed route if they so wish.
5. Receipt of consultee replies by applicant after a 28 day consultation period.
6. Consideration of replies – possible discussions and amendment of proposals by applicant. The applicant would be advised to invite all consultees to a site meeting in order to reach a consensus. (This may require a repeat of stages 2-5)
7. Completed application form and copies of all consultations (whether relevant or not) and written landowner agreements sent to Herefordshire Council. (This will be considered as a valid application).

### **Stage 2 – Order Making**

#### *Herefordshire Council*

8. Mapping Officer to prepare a plan and Diversion Officer to prepare a form of application specific to the proposals and sent to applicant for confirmation.
9. Receive confirmation from applicant.
10. Consult with Local Member and statutory undertakers.
11. Report prepared for submission to the relevant decision making body or delegated officer.
12. Regulatory Committee or delegated officer considers and decides on proposal.
13. If the proposal is accepted then Public Path Order is made (go to 15) (*actioned by Legal Services*).
14. If the proposal is rejected then applicant informed and no further action taken

15. Notice of the making of the Order posted on site and in a local newspaper (*actioned by Legal Services*).
16. Minimum period of 28 days allowed for representations or objections to be made.
17. If no objections or representations received or any received have been withdrawn, the order will be confirmed and the notice of confirmation posted on site and in a local newspaper (*actioned by Legal Services*).
18. The applicant will be advised to complete any works required to provide the diversion route.
19. Diversion route inspected by PROW Diversions Officer and if satisfactory go to next stage.
20. New route is certified (*actioned by Legal Services*) and Notice of Certification posted on site and in a local newspaper. (Not required for extinguishments).
21. Minimum period of 42 days allowed for procedural challenge to the courts.
22. Case closed, definitive map and statement amended to show changes, Ordnance Survey informed.

*If objections to an order are received, the following procedure will apply.*

23. Objections are considered by PROW Diversions Officer and discussed with applicant.
24. If objections are considered to be minor or insignificant then an attempt is made to persuade the objectors to withdraw the objections.
25. If objections are considered to raise valid points then the PROW Diversions Officer may recommend amendment of the proposal, or in extreme cases, may recommend that the order is not proceeded with. If a new proposal is made then it will be necessary to repeat stages 3 onwards.
26. If objections are not withdrawn then the Order must be referred to the Secretary of State for decision after which the Herefordshire Council will lose all jurisdiction/control over the process.
27. If the order is referred to the Secretary of State for a decision, (eg because of unwithdrawn objections) the final decision will be made by an independent Inspector by means of either a "written representation" procedure, or by the holding of a public inquiry. (all parties must usually agree to the written representation procedure).
28. The decision of the Inspector is final and binding unless overturned by a court within the period specified.

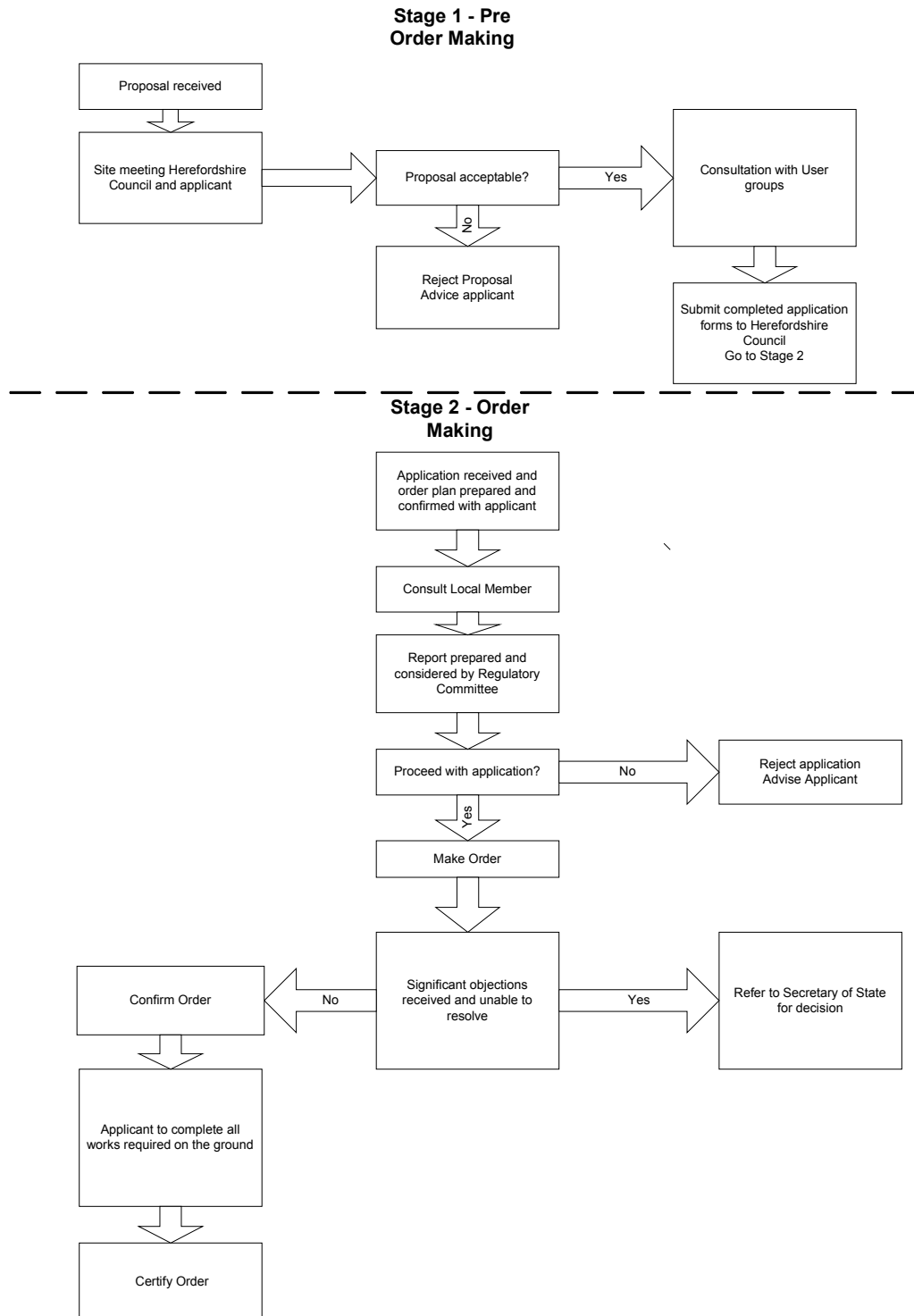
Herefordshire Council's costs incurred when an Order is submitted to the Secretary of State cannot be recharged to the applicant.

The applicant is required to provide appropriate support in promoting the order during decision making process, this may include appearing at a public inquiry to justify the proposal.

For PPO's carried out under the Town and Country Planning Act 1990, the developer must not carry out development works over or across the PROW until such time as the order is confirmed. The order cannot be confirmed if the development is already substantially complete.

If objections are raised at either consultation stage or order advertising stage which are considered to be of major importance, then the Herefordshire Council may decide not to proceed with the order making procedures.

For Public Path Order applications under sections 118A, 118ZA, 118B, 118C, 119A, 119ZA, 119B, 119C and 119D of the Highways Act 1980, ( eg reduction of crime and school security orders) separate procedures, in accordance with the relevant legislation and statutory guidance, will apply.



**8B**

## **Definitive Map Modification Orders – Policy and Statement of Priorities Policy**

### **1. Introduction**

1.1 Herefordshire Council have a duty under Section 53 of the Wildlife and Countryside Act 1981 (the Act) to keep the Definitive map and Statement of Public Rights of Way in Herefordshire under continuous review. The showing of a right of way on the Definitive Map and Statement is conclusive evidence of its existence at the relevant date. It is therefore extremely important the map is kept up to date and is as accurate as possible. If the Council itself discovers evidence, or whenever evidence is presented to the Council in an application to modify the definitive map and statement, which indicates that the Map and Statement are wrong – most commonly because a claimed. If, having done so, the Council concludes there to be a prima facie case that a right of way should be shown on the map, or where shown should be of a different status, or deleted, then it must make a Definitive Map Modification Order (DMMO) to effect that change to the Definitive map and Statement.

1.2 Different authorities have adopted different ways of dealing with DMMO applications as best suits that authority. Herefordshire Council have continued with the statement of priorities inherited from Hereford and Worcester County Council which is to deal with all applications made since 1995 in date order. Currently, the Rights of Way Service is struggling to deal with the backlog of applications and there are an increasing number of applications being received. In order to increase the number of DMMO applications determined, within current resources, the council needs to review its current Statement of Priorities and its procedure for dealing with applications.

### **2. Background**

2.1 Herefordshire Council currently determines applications in date order on receipt of an application. This does not necessarily result in the greatest public benefit from the Council's limited resources in this area.

2.2 Some applications claim routes which are of more academic benefit than of practical or recreational use to the public. In some cases, orders have been applied for arising out of neighbourly disputes, or to try and disrupt enforcement action being taken by the Council. Further, applications are sometimes made that have very little evidence to support them.

2.3 There are several key areas of pressure on the Public Rights of Way Service in respect to keeping the Definitive Map under continuous review:

- The backlog of modification order applications.
- The introduction of the Lost Ways Project by the Countryside Agency which is likely to see the Council receiving a large number of DMMO applications. The Agency aims to research historical documents on a county-by-county basis and present that evidence to local authorities, along with an application form, for the authority to make an order.
- The introduction of a cut of date off 2026 for considering public rights of way

not currently shown on the Definitive Map but alleged to have existed before 1949.

- The introduction of an early cut off date (of May 2006) for the receipt of DMMO applications for Byways Open to all Traffic based on documentary evidence.
- The requirement to set out a written Rights of Way Improvement Plan to be included in the Local Transport Plan. This will encourage local authorities to prioritise their applications and the areas of the county they choose to review.
- Approximately 300 known errors or anomalies on the Definitive Map and Statement. These will have to be investigated and may require Modification Orders.

2.4 All of these areas are likely to dramatically increase the number of applications received and increase the pressure to adopt a new systematic method for dealing with applications

2.5 Therefore, the Council has decided to produce a Statement of Priorities which will form the basis of a policy to:

- Address the backlog of DMMO applications
- Deal with new applications to modify the definitive map
- Deal with applications from the Discovering Lost Ways project
- Assist in the development and implementation of the Rights of Way Improvement Plan
- Resolve the outstanding anomalies.

### **3. The Legal Standpoint**

3.1 The Council is bound to accept applications even if they are supported by relatively little evidence. The law does not specifically set out what investigations should be made or what sources of evidence should be examined when the Council determines an application. Section 53 (3)(c) of the Act states “the discovery by an authority of evidence which (when considered with all other relevant evidence available to them) shows...”

3.2 Paragraph 3 of Schedule 14 of the Act and Paragraph 35 Annex B of Circular 2/93 requires an authority to investigate the matter stated in an application. Section 32 of the Highways Act 1980 requires the authority to take into consideration any map, plan or history of the locality or other relevant document which is tendered in evidence. Essentially, Herefordshire Council needs to consider evidence presented to it. There is nothing in the legislation that specifies what evidence or to what depth the authority has to research a claim. However as the Council’s decisions on these applications are subject to considerable public scrutiny, can be the subject of appeal, and frequently proceed to Public Inquiry, any investigations carried out have to be thorough and well documented.

3.3 This means that all valid applications must be researched to a basic minimum standard that is defensible, should the Council’s decision be challenged. However, it may well be that some of the applications made may warrant a more exhaustive standard of research in order to clarify or reinforce the decision to make an order.

#### 4. Criteria for dealing with DMMO Applications

4.1 All new and current DMMO applications will be scrutinised against the criteria set out below:-

##### The application:-

*Creates a useful route* – an application will be considered a higher priority if it provides a useful addition to the rights of way network. Typically, useful routes will be historically or scenically interesting, add missing links, will have been identified on the Rights of Way Improvement Plan, accessible to a wide section of the public or provide a safe alternative to a road.

*Does not provide a useful route* – an application will be considered a lower priority if it does not provide a useful addition to the rights of way network. Typically these will be claims that are not in the public's interest, are for already existing routes of higher or equivalent status or mainly in the interest of a limited number of individuals.

The submitted evidence will be rated:-

**Weak** – an application will be considered weak if the applicant supplies little evidence at application stage.

**Fairly robust** – an application will be considered fairly robust if the applicant supplies good evidence but more is required to take the order to determination stage.

**Very robust** – an application will be considered very robust if it is clear that extensive research has been carried out by the applicant and little or no extra research by the council is required to take the application to determination stage.

4.2 Within each prioritisation bracket, applications will be dealt with on a date order basis.

4.3 Where an applicant is advised to produce more evidence, guidance notes about appropriate sources of evidence will be made available.

4.4 The table below sets out the breakdown of the current applications against the criteria set out above.

Application	Creates a useful route	Does not provide a useful route
Weak	12	20
Fairly Robust	31	11
Very Robust	13	2

#### 5. Method of dealing with backlog

5.1 There is currently a large backlog of Definitive map modification applications. The main criteria for dealing with the DMMO applications backlog will be to weigh up the submitted evidence for each and assess the added value that would be provided to the network.

5.2 All existing DMMO applications for upgrades, or additions to the network will be scrutinised and an assessment will be made based on the above criteria. The following procedures will then be adopted:

*The application does not meet legal criteria\** – the officer responsible for the case will reject the application.

**The application does not provide a useful route and is:-**

*Weak* – Following consultation with the relevant Parish Council and a brief investigation of available evidence, a report will be submitted to the Director of Environment with a recommendation that the application is rejected if insufficient evidence is discovered to support the application.

*Fairly robust* - The applicant will be advised that it will be a low priority.

*Very Robust* – The applicant will be advised that it is a low priority.

**The application creates a useful route and is:-**

*Weak* - The applicant will be advised that the application is a low priority and invited to submit additional information to support the application.

*Fairly robust* –The applicant will be advised that it is a medium priority and invited to submit more evidence so that the application can be fast tracked.

*Very robust*– These applications will be fast tracked. Emphasis will be placed on the applicant supplying evidence, which will allow an order to be made with limited input from officers.

5.3 The rejection of an application does not preclude the applicant from submitting a new application so long as new evidence is introduced. It is recognised however that the applicant would be required to repeat the whole application process.

## **6. Method for dealing with New Applications**

6.1 Applications which fall short of the legal criteria\* or are not in the prescribed form will be rejected by the officer responsible for the case. The criteria includes applications accompanied by insufficient evidence to support a claim that the definitive map and statement are in error.

6.2 All new applications will follow the procedures set out below

**The application does not provide a useful route and is:-**

*Weak* – The application will be subject to a brief investigation of available evidence by the case officer. Consultation with the Parish Council will be carried out and a report will then be submitted to the Director of Environment recommending rejection of the application, if insufficient evidence is discovered to support the application.

*Fairly robust* - The applicant will be advised the application is a low priority.

*Very robust* - The applicant will be advised that the application is low priority.

**The application creates a useful route addition and is:**

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\* as set out by schedule 14 of the Wildlife and Countryside ACT 1981

\* as set out by schedule 14 of the Wildlife and Countryside ACT 1981



*Weak* – The applicant will be advised that the application will be a low priority and invited to submit further evidence to speed up the process.

*Fairly robust* – The applicant will be advised the application will be medium priority and invited to submit stronger evidence in order to fast track the application.

*Very robust* – The application will be fast tracked.

## **7. Downgrades and Extinguishments**

7.1 An application to either downgrade a route or extinguish a right of way is unlikely to be of benefit to the network, but there remains a legal duty on Herefordshire Council to determine the application. The assessment of the application will therefore be based on the strength of evidence supplied with the application alone. Very robust evidence will result in an application being regarded as medium priority; fairly robust evidence will result in the application being regarded as low priority; and weak evidence will result in the application being subjected to a brief investigation of available evidence, consultation with the Parish Council being carried out, and recommended for rejection if insufficient evidence is discovered to support the application.

## **8. Anomalies**

8.1 Herefordshire Council has approximately 300 known anomalies on the current Definitive Map and Statement. Anomalies come in various forms but some of the more common ones are:

- Public rights of way that do not reach the county road (Cul-de-Sac)
- Discrepancies between the Definitive Map and Statement
- The presence of a physical feature on the ground which would make it impossible for the line shown on the Definitive Map to exist.
- Major drafting errors.

8.2 The resolution of an anomaly often requires the making of a legal order following research, similar to that required following the receipt of a Definitive Map Modification application made under schedule 14 of the Wildlife and Countryside Act 1981.

8.3 Anomalies will be dealt with in the following order:-

1. If it is in the interest of the public
2. If it would result in a network improvement
3. If it would assist permitted development

## **9. Dealing with applications outside the Statement of Priorities**

9.1 In the case of all applications and anomalies, a DMMO application or anomaly may be dealt with outside the Statement of Priorities if:

- Circumstances change the apparent usefulness of the claimed route.
- The claimed route is threatened by development works or other activities that may cause it to be destroyed.
- The claimed route is considered to be of strategic importance.

## THE COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

### WILDLIFE AND COUNTRYSIDE ACT 1981

#### STATEMENT OF PRIORITIES

As part of its Public Rights of Way Strategy 2005–2007, Herefordshire Council have updated its Statement of Priorities for the continuous review of the Definitive Map and Statement as follows:-

Applications which fall short of the legal criteria\* or are not in the prescribed form will be rejected by the officer responsible for the case.

#### **Existing Applications**

All existing applications, which have progressed to draft report stage by 31st July 2005, will be processed in date order.

All existing applications that have not progressed to draft report stage by 31<sup>st</sup> July 2005 will be considered against the following criteria.

*The application does not create a useful addition to the rights of way network and is:-*

*Weak* – The application will be subject to a brief investigation by the case officer. Consultation with the Parish Council will be carried out and a report will then be submitted to the Director of Environment recommending rejection of the application if insufficient evidence is discovered to support the application.

*Fairly robust* - The applicant will be advised that the application is low priority

*Very robust* - The applicant will be advised that the application is low priority.

*The application creates a useful addition to the rights of way network and is:-*

*Weak* – The applicant will be advised that the application will be a low priority and invited to submit further evidence in support of the application.

*Fairly robust* – The applicant will be advised the application will be a medium priority and invited to submit stronger evidence in order to fast track the application.

*Very robust* – The application will be fast tracked.

#### **New Applications**

All new applications will considered against the following criteria:

*The application does not provide a useful route and is:-*

*Weak* – The application will be subject to a brief investigation by the case officer. Consultation with the Parish Council will be carried out and a report will then be submitted to the Director of Environment recommending rejection of the application if

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\* as set out by schedule 14 of the Wildlife and Countryside ACT 1981

insufficient evidence is discovered to support the application.

*Fairly robust* - The applicant will be advised the application is a low priority.

*Very robust* - The applicant will be advised that the application is a low priority.

**The application creates useful route addition and is:**

*Weak* – The applicant will be advised that the application will be a low priority and invited to submit further evidence to speed up the process.

*Fairly robust* – The applicant will be advised the application will be medium priority and invited to submit stronger evidence in order to fast track the application.

*Very robust* – The application will be fast tracked.

**Downgrades and Extinguishments**

An application to either downgrade a route or extinguish a right of way is unlikely to be of benefit to the network, but there remains a legal duty on Herefordshire Council to determine the application. The assessment of the application will therefore be based on the strength of evidence supplied with the application alone. Very robust evidence will result in an application being regarded as medium priority; fairly robust evidence will result in the application being regarded as low priority; and weak evidence will result in the application being subjected to a brief investigation, consultation with the Parish Council being carried out and recommended for rejection if insufficient evidence is discovered to support the application.

**Anomalies**

Anomalies will be dealt with in the following order:

1. If it is in the interest of the public
2. If it would result in a network improvement
3. If it would assist permitted development

**Determining applications outside the Statement of Priorities**

In the case of all DMMO applications and anomalies, an application may be dealt with outside this sequence of priorities if:

- i) Circumstances change the apparent usefulness of the claimed route.
- ii) The claimed route is threatened by development works or other activities that may cause it to be destroyed.
- iii) The claimed route is considered to be of strategic importance.

Within each prioritisation bracket, applications will be dealt with on a date order basis.

**8C**

## **PUBLIC RIGHTS OF WAY ENFORCEMENT POLICY AND PROCEDURES**

### **Contents**

#### *Section*

Introduction  
Enforcement Concordat  
Enforcement Procedures – general principles  
Procedures for dealing with various obstructions  
Ploughing and cropping offences– general principles  
Procedures for dealing with ploughing and cropping offences  
Prosecution guidelines  
Responsibility for implementing Policy

Appendix 1 – Ploughing and Cropping Flow Chart

### **Introduction**

The 3400kms of public rights of way within the county are a valuable resource and asset to the community. They are used by visitors who bring in income to the county and by local residents for enjoyment and recreation.

Herefordshire Council makes a substantial investment each year to stiles, gates, signposts, waymarkers and bridges around the county. Ironically as the quality of rights of way improves, usage has increased and the reported number of obstructions also tends to increase. The nature of the problems has moved from ones of missing furniture to ones of ploughing and cropping, badly maintained stiles and gates and overgrowth. To overcome these obstructions, the Council, and members of the public are reliant on land occupiers to carry out their legal duties.

It is unfortunate but sometimes inevitable that the Council has to resort to enforcement powers to ensure occupiers comply with legislation and carry out their legal obligations to keep the paths open. Therefore it is important that Herefordshire Council has in place a robust enforcement policy and a structured set of procedures to ensure consistency and openness. This seeks to ensure that land occupiers are fully aware of their responsibilities to keep rights of way clear and sets out the likely implications of non compliance.

This policy is set out in the context of the wider ambitions of the Rights of Way Service as detailed in the Rights of Way Strategy. The strategy emphasises the importance of developing and improving accessibility to the network and increasing economic prosperity within the county. In terms of the Enforcement Strategy this will be taken to mean:

- If, as part of discussions with the landowners, the opportunity arises to improve accessibility whilst recognising the boundaries set by the Highways Act 1980, the Rights of Way Service will take positive steps towards facilitating that improvement.

- Emphasis will be placed on ensuring that obstructions along promoted routes are dealt with as quickly as possible within the confines of the Highways Act 1980.

Throughout this document the term 'occupier' refers to both owner of the land or a tenant of the landowner.

## **ENFORCEMENT CONCORDAT**

### **The Principles of Good Enforcement: Policy and Procedures**

This document sets out what Occupiers and others being regulated can expect from Public Rights of Way Officers and sets out policies and procedures in relation to Public Rights of Way enforcement

The primary objective of Public Rights of Way enforcement work is to protect the public's right to use and enjoy the Public Rights of Way network and support the local economy by carrying out enforcement functions in an equitable, practical and consistent manner.

The effectiveness of legislation in protecting users of rights of way depends crucially on the compliance of those regulated. We recognise that many occupiers want to comply with the law. We will, therefore, take care to help occupiers and others meet their legal obligations without unnecessary expense, while taking firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly. Everyone will reap the benefits of this policy through better information, choice, enjoyment and safety.

We have adopted the central and local government Concordat on Good Enforcement. Included in the term "enforcement" are advisory visits and assisting with compliance as well as formal enforcement action. By adopting the concordat we commit ourselves to the following policies and procedures, which contribute to best value, and will provide information to show that we are observing them.

### **Principles of Good Enforcement: Policy**

- **Openness**

We will provide information and advice in plain language on the rules that we apply and will disseminate this as widely as possible. We will be open about how we set about our work, including any charges that we set, consulting occupiers, voluntary organisations and members of the public.

- **Helpfulness**

We believe that prevention is better than cure and that our role therefore involves actively working with occupiers to advise on and assist with compliance. We will provide a courteous and efficient service and our staff will identify themselves by name. We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

We will provide a contact point and telephone number for further dealings with us and we will encourage occupiers to seek advice/information from us. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

- **Complaints about service**

We will provide well publicised, effective and timely complaints procedures easily accessible to occupiers, the public and user groups. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and the likely time-scales involved.

- **Proportionality**

We will minimise the costs of compliance for occupiers by ensuring that any action we require is proportionate to the status of the right of way taking into account of the circumstances of the case.

- **Consistency**

We will carry out our duties in a fair, equitable and consistent manner. While officers are expected to exercise judgement in individual cases, we will have arrangements in place to promote consistency, including effective arrangements for liaison with other authorities and enforcement bodies.

### **Principles of Good Enforcement: Procedures**

In consultation with occupier representatives and other relevant interested parties, including technical experts where appropriate, we will draw up clear procedures setting out the level of service and performance the public and occupiers can expect to receive. The procedures will be made available to occupiers and others who are regulated.

Advice from an officer will be put clearly and simply and will be confirmed in writing, on request, explaining why any work is necessary and over what time-scale, and making sure that legal requirements are clearly distinguished from best practice advice.

Before formal enforcement action is taken, officers will provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of health and safety).

Where immediate action is considered necessary, an explanation of why such action was required will be given at the time and confirmed in writing in most cases within 5 working days and, in all cases, within 10 working days.

Where there are rights of appeal against formal action, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken (whenever possible this advice will be issued with the enforcement notice).

## 1.0 Enforcement Procedures – General

1.1 Keeping rights of way open and unobstructed is a vital element in ensuring that paths are well used and enjoyed by all. Much of the legal responsibility for keeping the paths clear of various obstructions rests with the occupiers over whose land the rights of way pass. Unfortunately certain occupiers do not fulfil their responsibilities with a result that many rights of way in the county are obstructed despite there being adequate furniture and waymarking.

1.2 In order to ensure that Herefordshire Council is seen to be dealing with breaches of legislation in a fair and open manner, it is important to set out the Council's approach to enforcement. It is also important to ensure that this approach is widely communicated to occupiers so there can be no confusion or doubts.

1.3 Occupiers will generally be given the opportunity to remove obstructions from paths without recourse to enforcement action by the Council. However, Herefordshire Council have themselves a legal duty to ensure rights of way remain unobstructed and available to use and have been given the tools to carry out this duty. These tools are a wide variety of enforcement powers which allow the Council to serve notice, re-claim costs for direct action and to prosecute.

1.4 In all cases, Herefordshire Council may instigate prosecution procedures if it is considered the matter is sufficiently serious or if the person responsible for the offence is a persistent offender.

1.5 There are two offences which occur regularly within the county; these are ploughing and cropping of rights of way. A more robust approach to enforcement is required if the cycle of repeated non-compliance and requests for improvement is to be broken.

1.6 The following procedures set out the way breaches of legislation will be dealt with and provide a timescale for doing so. It is important to recognise that it may not be possible to strictly adhere to these timescales due to the circumstances of some cases, factors beyond the Council's control and resources.

## 2.0 Procedures for dealing with various obstructions

2.1 In most cases, the occupier will be requested to remove an obstruction within 14 days or a time agreed with the officer dealing with the case. If, after the expiry of that period, the obstruction still remains, the occupier will generally be served a notice or the matter will be referred to the magistrate's court depending on the type of offence. The following are the procedures that will be applied to number of common obstructions.

### 2.2 Overhanging hedges, trees or shrubs

In the event of the landowner not carrying out the work as requested, the following will normally apply. If a hedge, tree or shrub (commonly referred to as vegetation) overhangs a right of way to such an extent that it obstructs or endangers users such that an offence is committed under **section 154 of the Highways Act 1980**, the occupier of the land from which the offending vegetation is growing will be required, by notice, to cut back as much of the vegetation as is required to allow for free passage. In the event of non-compliance the Council can arrange to have the work carried out and recover the costs incurred from the occupier.

### 2.3 Fences

New fences constructed across a right of way can only be authorised by the Council where they are required for stock control purposes. A fence will be regarded as being new if it is not shown on the current 1989 definitive map. If an occupier wishes to erect a new fence and it is for the purpose of stock control, they should apply to the Council for authority to erect the fence under **section 147 of the Highways Act 1980**. If the Council is satisfied that the fence is required for stock control purposes, they may authorise the fence line. This will generally be on the condition that a gate, provided by the occupier, is erected on the legal line. Stiles will only be authorised in exceptional circumstances and following consultation with a senior rights of way officer. Any unauthorised fences will be regarded as an unauthorised structure (see 2.10 below).

### 2.4 Fallen trees

Generally trees that fall across rights of way belong to the occupier of the land adjoining the right of way. The occupier will normally be requested in writing to remove the tree within 14 days. If the occupier subsequently fails to comply, the matter will be regarded as an unlawful deposit (see 2.9 below).

### 2.5 Damage to the surface

Damage caused to the surface of a right of way that causes an inconvenience to users is an offence under section **131A of the Highways Act 1980**. The person responsible will normally be asked to make good the damage within 14 days. If the person responsible fails to comply, the Council will consider a prosecution.

### 2.6 Misleading signs

A person who erects a sign on or adjacent to a public right of way, aimed at deterring users, or provides misleading information, is committing an offence under either **section 132 of the Highways Act 1980**, or **section 57 of the National Parks and Access to the Countryside Act 1949**, depending on the circumstances. The occupier on whose land the notice is erected will in most cases be required to remove the notice within 14 days. If the occupier fails to comply the Council will consider arranging for the notice to be removed within a further 14 days after a notice **under section 69 of the Road Traffic Regulations Act 1984** has been served. Costs will be recovered from the occupier under the said section 69 procedure.

### 2.7 Dangerous animals

Any reports of dangerous animals or attacks on users of a right of way by dangerous animals will be either reported to the Police to be dealt with or passed on to the Health Safety Executive.

### 2.8 Bulls

Any reports of bulls at large in a field that is crossed by a right of way will normally be followed up within 2 working days to ascertain if an offence has been committed. Bulls are permitted in the following circumstances:

All breeds less than 10 months old, alone or with others.  
Non-dairy breeds over 10 months accompanied by cows or heifers.



The following are not permitted:

Dairy breeds over 10 months alone or with others  
Non-dairy breeds over 10 months alone

Upon identification, or following discussion with the occupier, the occupier will be advised of the legislation and requested to comply. A letter will be sent confirming the discussion and advising the owner that any further offences will be reported to the Health and Safety Executive for action. If the landowner cannot be contacted, the matter will be referred directly to the Health and Safety Executive.

### **2.9 Unlawful deposit**

In the event of report being received of something having been deposited on a right of way, which is considered a danger to users, the Council will remove it immediately. If they consider it has been deposited deliberately or as a result of neglect, they may seek to reclaim the costs involved. In most other circumstances the occupier will be requested to remove the deposit within two weeks. In the event of the deposit not being removed, the Council will seek to serve notice under either **sections 149 or 150 of the Highways Act 1980**. Costs will be recovered from the occupier of the land.

### **2.10 Unauthorised Structure**

In the event of a report being received of some form of structure being set up on a right of way and causing an obstruction, the occupier will be asked to remove the structure within 14 days. In the event of non-compliance the Council will serve a notice under **section 143 of the Highways Act 1980**. If the structure remains after one month time the Council will carry out the work and recover the costs from the occupier.

### **2.11 Damaged or inoperable stile and gates**

In the event of the occupier being requested to install the furniture the following will apply. The occupier will be requested to make appropriate repairs within a reasonable time agreed with the warden / officer but not more than 4 weeks. If the occupier fails to carry out the work, the Council may serve notice under **section 146 of the Highways Act 1980** on the occupier requiring them to comply within 14 days. Non-compliance will result in the Council carrying out the work and recovering costs.

### **2.12 Dangerous situations**

If Herefordshire Council considers an obstruction on a rights of way an immediate danger to the public, or it considers that something adjoining a right of way is a danger to users of the right of way, it reserves the right to remove of the source of danger immediately and claim the costs for doing so from the occupier.

### **2.13 Other types of obstruction**

Other obstructions will be dealt with in accordance with the general procedures set out in paragraph 2.1 and in line with statutory legislation and guidance notes.

### **3.0 Ploughing and cropping offences**

#### **General**

**3.1** A large proportion of the Herefordshire countryside is cultivated and planted with various types of crops. All crops across a right of way have the effect of deterring users, causing an inconvenience and in many cases a total obstruction. It is for this reason the government issued legislation in 1990 to provide local authorities with the ability to deal with the problem. Experience has identified that many occupiers will not comply with the legislation until requested to do so by the Council. The Council takes the issue of ploughing and cropping rights of way seriously and land occupiers should be in no doubt that a robust and consistent approach to keeping rights of way clear will be taken. The essence of the procedure set out below is that occupiers will normally be given two warnings and then may be prosecuted without prior notice on the third breach of legislation.

#### **3.2 First Breach of Legislation**

If it is the occupier's first breach of legislation they will be asked to reinstate the path both verbally (if possible) and in writing, advised of their legal obligations and issued details of Herefordshire Council's enforcement policy and procedures. If they comply, no further action will be taken. Note: - In the case of ploughing, an occupier will be deemed to have been advised even if they receive appropriate paper work from the Council before the statutory 14 days allowed to reinstate the path expires.

#### **3.3 Second breach of legislation**

If the occupier has been advised, in writing, of their legal responsibilities in relation to a breach of legislation once in the past 5 years, they will automatically be served a notice under schedule 12a of the Highways Act 1980.

#### **3.4 Third breach of legislation**

If the occupier has been advised of their legal responsibilities at least twice in writing or has been served a schedule 12a notice in the past 5 years, evidence will be gathered with a view to prosecuting the occupier or issuing a formal caution. This applies regardless of whether the occupier has complied with any paper work that has been served on them in the past.

**3.5** In some cases, particularly where the path in question is a field edge path, the occupier may be advised at the second breach of legislation stage that the matter will be referred to the County Secretary and Solicitor for consideration to prosecute, rather than serve a notice.

### **4.0 Procedures for dealing with Ploughing and Cropping Offences**

#### **4.1 Initial action**

4.1.1 Upon receipt of a reported breach of legislation, the report will be logged onto the database. If the report is by letter, email or fax the report should be acknowledged and the reportee advised of the defect number.

#### **4.2 First stage - advisory action**

4.2.1 The Area Rights of Way Warden (the Warden) will inspect the site of the alleged breach within 10 working days of notification. If this is not possible the Warden should advise their line manager of the reasons and agree a timescale for inspection or an alternative approach.

4.2.2 Upon confirmation of a breach of legislation the Warden will ascertain the details of the occupier of the land at the date of inspection. The Warden will then ascertain whether the occupier has been informed about a breach of legislation in the past five years or if a notice has been served.

4.2.3 If it is the occupier's first offence, the Warden will try to seek a meeting with the occupier on site within 5 working days to explain the details of the offence and the occupier's obligations. A confirmation letter will be sent as soon as is practicable following any meeting, such letter to include:

- confirmation of the issues discussed at the site meeting
- details of the offence
- a plan showing the location of the offence
- what is required to comply with the legislation
- details of the Council's enforcement policy and ploughing and cropping procedures.

The occupier will be advised, in the case of a ploughing offence, that the path should be reinstated within 14 days and in the case of a cropping offence reinstatement should be completed within 7 days.

4.2.4 If the occupier has been advised of their obligations in writing in connection to a breach of legislation before within the last 5 years the matter will be considered for enforcement action.

4.2.5 The Warden will re-inspect the right of way within 5 working days of the expiry of the time given to the occupier to reinstate the path. If the work has been carried out to reinstate the path in line with legislation, the Warden will write to the occupier thanking them for cooperation and advising what future action would be taken should any further breaches of legislation be confirmed on land in their occupation.

4.2.6 If no work has been carried out, the Warden will pass on the details of the case to the Area Officer.

### **4.3 Second Stage – Enforcement Action**

4.3.1 The Area Officer will ascertain how many times the occupier has been contacted in writing and advised of their duties in regards to the legislation in the past.

4.3.2 If the occupier has been advised of their obligations once in the past 5 years, the Area Officer will inspect the path within ten working days. If a breach of legislation has occurred, they should write to the occupier setting out the occupier's obligations, and including a Schedule 12a Enforcement Notice. The covering letter should include details of what works are required to reinstate the path. The Enforcement Notice will set out the Council's intention to take direct action and recover costs if reinstatement works are not carried out within the specified period. The specified period will normally be 7 days. The Notice will contain the following:

- That the Council intends to enter onto the land to carry out the necessary reinstatement work.
- The earliest date and time that the work will be undertaken.
- The nature of the work, and the equipment to be used.

- The lines of access that will be used (this does not have to be along the line of the right of way).
- The final date by which the occupier can complete the work and inform the Area Officer without being liable to incur any costs. This date will be 4.00 p.m. two working days prior to the enforcement action being carried out.

The Area Officer will advise the occupier that the reinstatement work by the Council will only be cancelled subject to: -

- The work having been carried out to the satisfaction of the Area Officer, and;
- The Area Officer being advised two working days prior to any enforcement action being carried out that the occupier has completed the works.

4.3.3 The Area Officer will provisionally arrange for the work team to carry out the reinstatement work, with confirmation being given the day before the works are to be undertaken. If the Area Officer is of the opinion that the occupier may cause a breach of the peace, the local police will be requested to attend. A final letter will be sent to the occupier setting out the date the Council intends to carry out reinstatement works. Ideally this will be no more than 5 days after the earliest time set out in the notice.

4.3.4 A final inspection of the right of way will be undertaken the day before the enforcement works are to be carried out to ascertain whether or not the work has been completed. In the event of the works having been completed and the Council not informed, any costs that have been incurred will be recovered from the occupier.

4.3.5 On the day of the enforcement works, if the works have been completed by the occupier to the satisfaction of the Area Officer, any costs that have been incurred will be recovered from the occupier of the land. If the works have not been completed, the Area Officer will meet the work team (and the police if requested) reasonably close to the site where the works are to be undertaken. The Area Officer will brief the work team and, if present, provide the police with copies of the appropriate information.

The following information will be made available: -

- A copy of the Definitive Map and Statement relating to the right of way in question.
- Copies of the schedule 12a notice(s).
- Copies of all other relevant correspondence.

Once briefed, the work team will proceed to the prearranged access point while the Area Officer and the Police, if present, visit the occupier of the land to inform them that the works are to be carried out. The work team will not enter onto the land or commence any work until authorised to do so by the Area Officer.

4.3.6 Before any works are carried out the Area Officer will mark out the line of the path to be reinstated for the work team. This will include the width to be reinstated which will be within the maximum width but no less than minimum width as set out below.

Status	Minimum width*	Maximum width*
Cross-field footpath	1.0m	1.8m
Field-edge footpath	1.5m	1.8m
Cross-field bridleway	2.0m	3.0m
Field-edge bridleway	3.0m	3.0m
*Widths as stated in Rights of Way Act 1990		

4.3.7 The Area Officer will supervise the work team at all times with particular attention being made to the correct line. In the event of any threat of violence, the Area Officer and work team will take the advice of the Police if they are present, or withdraw from the site immediately and contact the Police.

4.3.8 Once the works have been carried out, a letter and bill will be forwarded to the occupier of the land who will be recharged all reasonable costs incurred. The letter will advise the occupier of the action that will be taken should the Council become aware of another breach of legislation occurring on land they occupy. The actions will be recorded on the database and the case closed.

4.4 If the occupier has been advised of their legal responsibilities twice or more within the last five years, including the serving of a schedule 12a notice, the Area Officers will discuss the matter with the rights of way manager with a view to initiating prosecution proceedings (see section 5.0).

## 5.0 Prosecution Guidelines

### 5.1 General principles

5.2.1 Prosecution as a means of enforcement will, in most cases, only be considered as a last resort and after other methods of persuasion and enforcement have failed. In some cases, legislation may dictate prosecution as the only option if negotiation has failed. In other cases direct action may have failed and the occupier persists in maintaining the obstruction.

5.2.2 In the case of ploughing and cropping, prosecution should be regarded as an effective enforcement tool designed to make clear the Council's robust stance on breaches of the Rights of Way 1990 legislation. The general rule will be if an occupier has been notified of their legal obligations twice in a five year period they will automatically be considered for prosecution or issued a formal caution depending on the circumstances. The decision to prosecute will be based on Home Office guidelines to ensure that fair and consistent decisions are made about each potential prosecution.

#### 5.2.3 Prosecution will be considered if:

- There is significant risk to public safety
- There is a history of similar infringements
- All other avenues, including direct action have been considered or exhausted
- There has been a failure to take corrective action
- It is in the public interest
- There is a realistic prospect of conviction and a significant fine
- The offence is widespread
- There is sufficient, admissible and reliable evidence

**5.2.4 A formal caution will be considered if:**

- The required works have been carried out or are likely to be carried out.
- The occupier is willing to accept a formal caution and undertakes to sign a receipt of the caution.
- There are mitigating circumstances for not prosecuting.

**5.2.5 A prosecution or formal caution will not be considered if:**

- There was a genuine mistake.
- The nature of the offence can be considered as minor.
- There has been a long delay between the alleged offence taking place and the decision to prosecute.
- Mitigating circumstance come to light.
- The defendant is or was at the time suffering from significant mental or physical ill health.

**5.2.6 Prosecution Procedures**

The rights of way section will be guided by the Council's legal services as to the appropriate procedures to be adhered to for the prosecution of suspected offenders.

**6.0 Responsibility for implementing policy**

6.1 The Head of Service is responsible for ensuring the policy is implemented and that all staff that might deal with enforcement are fully trained.

The Service Manager and Rights of Way Manager are responsible for ensuring officers wanting to carry out enforcement duties follow the procedures and appropriate Home Office guidelines.

Legal Services will be responsible for offering, guidance and legal representation / support to officers wishing to carry out enforcement.

Officers with an enforcement role must be aware of the policy and guidelines for prosecution.

The decision as to whether to proceed with a prosecution will be taken by the Rights of Way Manager, in consultation with the Service Manager, and Legal Services, after full consideration of the case.

The decision as to whether to proceed with direct action can be made by the Area Officers.

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## Herefordshire Council Public Rights of Way Inspection and Maintenance Plan

### 1.0 Background

Herefordshire has a network of 2100 miles (3358 kms) of footpaths, bridleways and byways open to all traffic. These paths range from those heavily used, by dog walkers, people accessing services and strategically important routes such as the Wye Valley Walk, to those used rarely and with limited public benefit such as cul-de-sac paths. Although Herefordshire Council has a legal duty to maintain all the rights of way within the county, there are limited resources available. In order to maximise resources a system of priorities needs to be put in place, which will form the basis of an inspection and maintenance plan.

### 2.0 Inspection Prioritisation

#### 2.1 Routine Inspections

A Rights of Way Officer will carry out routine inspections once a year on key routes in the county to assess overall condition, signing and safety. Key routes are:

- Wye Valley Walk
- Mortimer Trail
- Promoted loop walks e.g. Lingen Loop

#### 2.2 Reactive inspections

Rights of Way Officers will carry out inspections based on reports received about defects or suggested improvements on the network. They will also make a judgement on matters such as the popularity and amenity value of the route. The timescale within which a problem or proposed improvement on a path will be inspected will be based primarily on the category rating set out in table 1, but also taking into the account the inspection considerations set out in para. 3.0 below. All paths would normally be inspected between highway links i.e. road-to-road, road to path or path-to-path.

Priority	Routine Inspection	Reactive Inspection
<b>Category 1</b>		
• Herefordshire Council promoted routes. E.g. Wye Valley Walk	Yes – Once a year	Within 2 weeks
<b>Category 2</b>		
• Other published routes. E.g. Herefordshire Trail, Three Rivers Ride	No unless by volunteers	Within 3 months
• Well used paths in or around a settlement	No – unless by volunteer Parish Footpath Officers	Within 3 months
<b>Priority</b>	<b>Routine Inspection</b>	<b>Reactive Inspection</b>
• Other paths known to be popular	No – unless by volunteer Parish Footpath Officers.	Within 3 months

• Paths made up specifically for disabled access	Yes – Once a year	Within 3 months
• Links to visitor attractions	No	Within 3 months
Category 3		
• Paths not identified in categories 1,2 and 4	No	Between 3 and 6 months
• Routes identified on the ROWIP as paths to be improved	No	Between 3 and 6 months
Category 4		
• Cul-de-sacs	No	Between 6 and 18 months
• Neighbourly disputes	No	Between 6 and 18 months
• Paths with little or no amenity value i.e. paths that serve little or no value in terms of enjoyment, access or utility	No	Between 6 and 18 months

Table 1 – Inspection Schedules

### 3.0 Other Inspection considerations

The officer dealing with the defect will also consider the following when deciding how quickly a defect needs to be inspected.

- **Hazard** - Defects in all path categories that are identified by the inspecting officer as being hazardous will be inspected and appropriate remedial action taken within 48 hours. At inspection this may involve legally closing the path and /or tasking a works gang or responsible landowner to carry out works to resolve the defect or make the site safe.
- **Inconvenience** – There is a defect on the path but the public are still able to use it. E.g. Missing sign post
- **Complaint volume** - The number of reports, from different sources, that have been received on the same issue or path.
- **Public benefit** - If from officer experience it is known that resolving the issue will be of particular public benefit.
- **Work efficiency** - If an officer can group a number of defects together in an area or along the same path.
- **Other policies and guidelines** – Public Rights of Way Enforcement Protocol for example.
- **Status of route** – Because of the shortage of safe off road routes for cyclists, horse riders and carriage drivers, the inspecting officer will consider prioritising those routes, which are available to different categories of user.
- **Ploughing and cropping** - Reports on ploughing and cropping will be dealt with as detailed in the Public Rights of Way Enforcement Protocol. Alleged breaches of legislation will normally be inspected within 10 working days of receiving the report.



## **4.0 Maintenance**

Once the location, nature and responsibility for rectifying the defect are confirmed, remedial action will be taken either by the landowner or by Herefordshire Council.

### **4.1 Landowner Responsibility**

In terms of maintenance landowners are responsible for maintaining stiles and gates, the cutting back of overgrowth, complying with ploughing and cropping legislation and ensuring paths are kept clear of general obstructions. Once the reported defect has been inspected and identified as being the responsibility of the landowner to rectify, the landowner will generally be requested to clear the obstruction within two to six weeks, depending on the nature of the obstruction. If the defect is not rectified within that time action will be taken in accordance with the Public Rights of Way Enforcement Protocol.

### **4.2 Herefordshire Council Responsibility**

The maintenance and improvement of signposts, watercourse crossings and surfaces (including undergrowth) are the responsibility of Herefordshire Council (unless the surface has been deliberately damaged). These defects or improvements will be dealt with in accordance with the following maintenance prioritisation.

#### **4.2.1 Maintenance Prioritisation**

The Officer dealing with the case can resolve many simple defects immediately. These include small-scale vegetation clearance and waymarking.

However a large amount of maintenance work needs to be carried out by the Public Rights of Way maintenance teams employed by Herefordshire Jarvis Services (HJS). Due to limited resources it is important that work issued to HJS is done so on a prioritised basis. The officer dealing with the case will allocate a priority rating to each job based on the following considerations: -

- **Category of route**
  - See table 1.
- **Nature of defect**
  - Hazardous – Likely to result in serious injury to people.
  - Obstruction – Blocks use of a path.
  - Inconvenience – Minor problem that does not stop a person using the path.
- **Cost**
  - The practical work required to resolve the defect may incur costs disproportionate to the benefit they will provide.

- **Seasonality**
  - The practical work required to resolve the defect may need to be carried out at a particular time of year or in particular conditions. Examples being; large scale vegetation clearance is more efficient when leaves are off trees and hedges, access to sites may need a period of dry weather or river levels need to be low to carry out bridge works.
- **Environmental**
  - The practical work required to resolve the defect may need to be carried out at a particular time of year or in particular conditions to avoid damaging flora and fauna. Licences for work may be required from the Environment Agency or other body.
- **Work efficiency**
  - One piece of work may not justify high priority, however when it is grouped with other outstanding pieces of work of a higher priority it may make more efficient use of available resources to complete all the work at the same time.
- **Deterioration**
  - The condition of the path or furniture may be satisfactory at present but it is apparent that it has a limited life span.
- **Alternative routes**
  - An alternative route may be available ensuring public access
- **Enforcement**
  - If a landowner has been requested to carry out their statutory responsibility such as reinstating a path, it is reasonable to expect Herefordshire to carry out their responsibility at the same time e.g. Install a ditch crossing where the path leaves the field that is subject to reinstatement.
- **Status of route**
  - The clearance of a bridleway for example is likely to benefit a wider section of the community than the clearance of a footpath.

After consideration of the above, the Officer will allocate a priority rating as set out in table 2 below.

1 Priority	2 Timescale
Hazard	Within 48 hours
1	Within 3 months
2	Within 1 year
3	Within 18 months

Table 2 – priority ratings

Once the work has been completed by HJS the defect will be cleared from the database.

## **Resources**

The officer dealing with the case will need to consider alternative methods (other than through HJS or the landowner) for resolving the defect. This will include Parish Paths Partnership Scheme Parish Footpath Officers, volunteers, and private contractors.

### **Parish Paths Partnership Scheme**

The Parish Paths Partnership Scheme enables parishes to carry out maintenance works on the rights of way network, which would normally be the responsibility of Herefordshire Council or a landowner, in return for a grant from Herefordshire Council. The parish can choose how they seek to clear the defect and may involve the use of contractors, volunteers or the landowner. The terms and condition issued to parishes as part of the scheme will be amended in accordance with this Rights of Way Inspection and Maintenance Plan.

The scheme offers local residents the opportunity of becoming involved in the maintenance of rights of way and offers excellent value for money. For these reasons the intention is for the scheme to be expanded in line with resources.

### **Parish Footpath Officers**

Minor works such as waymarking and localised clearance can be passed through to the volunteer Parish Footpath Officer nominated by the parish council to be responsible for local paths. Parish Footpath Officers provide an essential contribution to the maintenance of the public rights of way network. Herefordshire Council will therefore seek to widen the coverage of Parish Footpath Officers and continue to offer training, support and expenses payments.

## **Volunteers**

Herefordshire Council will, whenever practically possible, make use of volunteer resources provided the necessary health; safety and insurance standards are met. Volunteers can undertake a variety of tasks from building bridges, clearance work and waymarking.

### **4.1.1 Access Improvements**

Under s.146 of the Highways Act 1980 Landowners are responsible for the maintenance of stiles and gates and are entitled to claim a grant of a minimum of 25% towards the cost of the works. Under the same section, Herefordshire Council has the power to carry out all the work at their own expense if they so wish.

Herefordshire Council has adopted the principle of the least restrictive option when looking at access points along a path. This means consideration will be given to improving access along a route and upgrading furniture to remove as many obstacles as possible. In practical terms this means removing a stile or gate to leave a gap, replacing a stile with a gate, replacing a kissing gate with a pedestrian or fully accessible gate, or installing an easy access stile.

On receiving a report of a damaged or broken stile, efforts will be made to secure access improvements. To facilitate this Herefordshire Council will offer to supply and install a gate if it replaces a stile, remove a stile or gate if it leaves a gap, install a cross step, or carry out any other work that is regarded as access improvement, at no expense to the landowner. If the landowner does not wish to have access improved, they will be requested to either install a gate or stile supplied by Herefordshire Council in lieu of the 25% statutory grant or requested to install a stile or gate to the satisfaction of the responsible officer and invited to claim a minimum of 25% of the costs incurred.

If the landowner fails to install or repair the furniture, enforcement action is likely to be initiated as set out in the Public Rights of Way Enforcement Protocol.

<b>8E PARISH CONSULTATION EXERCISE</b>
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Dear

**YOUR OPPORTUNITY TO CONTRIBUTE TO THE FUTURE OF COUNTRYSIDE ACCESS IN YOUR PARISH**

We are asking your Parish Council, and the people of your Parish, what improvements you feel are needed within the public rights of way network in Herefordshire over the next 5-10 years. We are currently working to produce the Herefordshire Rights of Way Improvement Plan. The Plan is intended to identify both the priorities for action, and the way in which we work towards achieving the Improvement Plan's objectives.

We need the help of your Parish Council to ensure that the Plan meets the needs of local people, and visitors to your parish, who wish to access the countryside, either for recreation, or simply to get from one place to another. We also want to listen to the needs and views of local landowners, farmers and others who work in the countryside.

We would like to bring this consultation exercise to the attention of your Parish Council. I enclose a Parish Council questionnaire. This is to collect the views of the Parish Council. A copy of the 1989 Definitive Map of your Parish is included with the questionnaire along with a location map. Please feel free to consult widely. If you have a Parish Footpath Officer it would be advisable to involve them in this questionnaire. Later in the year a different questionnaire will be circulated to gather individual views from the general public, tourists and user groups.

**This Questionnaire must be returned to me by 31st May 2004, along with the Definitive Map, in the FREEPOST envelope included.**

All the Parish Councils in Herefordshire are being consulted. Any work your parish has already done towards a Parish Plan should be used to help inform your response.

If you are no longer the relevant contact for your Parish, please pass this letter on, or let us know the current contact details.

Please note that at the end of the consultation period, copies of responses may be made available to the public on request.

Parish Council name: \_\_\_\_\_

**SECTION 1: Parish Council Involvement in Rights of Way**

To what extent is your parish council involved in the development and maintenance of footpaths and bridleways? (please tick which apply)

	Does not wish to have any involvement	Interested in becoming involved	Already Involved	If involved or interested in becoming involved, Please give details below:
Maintenance of existing routes (MR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please indicate location on the map and label MR
Permissive access agreements (PA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please indicate location on the map, and label as PA
Dedication of new access (NA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please indicate location on the map and label as NA
Research to define unrecorded routes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please enclose any related information
Production of information leaflets / maps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Please list leaflets/maps: _____ _____ _____

Are there any other public rights of way related activities that your parish council is or would like to be involved in? (For example: establishing walking groups or work parties.)

Yes  No

If "yes", please give details.

A

**SECTION 2: Improvements Needed to Existing Rights of Way in your parish(es)**

Attached is the Definitive Rights of Way map of your parish(es) with the parish boundary in yellow and a legend denoting type of rights of way. A location map is also enclosed for orientation purposes (with parish boundary in purple).

Please think about improvements your Council would like to see made to existing footpaths and bridleways.

Then take the following steps for each remedial action needed:

1. Mark the large Definitive map with a cross or line at the point where the improvement is needed, preferably in BLUE pen. A point feature is an improvement at a particular place e.g. a stile. A linear feature is an improvement over a given distance
2. Write an 'A' then a number e.g. A1 by the cross. If a line is used, please put A1 at the beginning and end of the line on the map.
3. In the table on the next page write the code e.g. A1 and indicate the improvement that should be made

**EXAMPLE:**  
Section of Definitive Map:

Section of Table:

Your Map Ref.	Path no. (if known)	Signage	Stile/Gate upgrade to improve access	Surface improvement to increase access	Change of status e.g. footpath to bridleway	Identify safer routes, crossings	Locally promoted walks	Routes your parish would like to maintain if resources were available	Improvements of key links to improve access	COMMENTS
A1	AN11		✓							Only stile on route. Gate would make whole route accessible would be happy to maintain if had resources
A2	AN29						✓			Parish promotes short circular walk
A3	AN7/8						✓			Sign with directions & distance to the church
A4	AN7	✓								



Parish Council Name \_\_\_\_\_

**B**

**SECTION 3b Proposals to improve the Adequacy of the rights of way network.**

This is an opportunity for you to propose additions or alterations to the rights of way network in order to improve the network for all users. Please use the definitive map to indicate your proposals and label with the letter 'B'.

Proposals will be analysed using the criteria on the previous page to help provide evidence to identify need. It will also help the proposal if you have, or could identify, funding sources and possible volunteers to assist in implementation.

Then take the following steps **for each remedial action needed**:

1. **Mark the large Definitive map** with a cross or line where the proposed improvement is needed, preferably in RED pen.
2. Write a 'B' then a number e.g. B1 by the mapped feature & then detail the proposal in the table below

**EXAMPLE:**

Map ref	Criteria code met (see previous page)	Details	Status	possible funding identified?	possible volunteers identified?
B1	3, 4 & 10	To provide a route off the busy road (unsafe) Access to local attraction - parish church	Footpath	No	Yes parish councillors

Map ref	Criteria code met (see previous page)	Details	Status	possible funding identified?	possible volunteers identified?

Parish Council name: \_\_\_\_\_

**SECTION 4: Are there any other comments from your parish about access to the countryside?**

**Parish Clerk Details:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

E-mail:

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**THANK YOU FOR YOUR TIME**

Please note that, at the end of the consultation period, copies of responses may be made available to the public on request.

Please return this questionnaire and the Definitive map using the FREEPOST envelope provided.

The FREEPOST address is as follows:  
 Herefordshire Council Research Team  
 FREEPOST SWC4816  
 P.O.Box 4  
 Hereford  
 HR4 0BR



<b>8f LANDOWNER QUESTIONNAIRE</b>
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**Improving public access to the countryside**

We are currently working to produce the Herefordshire Rights of Way Improvement Plan. The Plan is intended to identify both the priorities for action, and the way in which we work towards achieving the Improvement Plan's objectives. As part of our consultation we would like to find out your views as landowners, on the public rights of way network and on how rights of way affect you.

**1. Public rights of way and your land?**

Do you have public rights of way on your land?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, how many of each of the following do you have on your land:			
footpaths	<input type="checkbox"/>		
bridleways	<input type="checkbox"/>		
Byways open to all traffic	<input type="checkbox"/>		

<b>Please indicate your involvement with any form of farm diversification in the table below:</b>			
<i>(PLEASE TICK ONE BOX ONLY IN EACH ROW)</i>	Already involved	Possible future involvement	No involvement
Caravan/camping site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B&B	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm shops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tea rooms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Permissive access	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shooting/hunting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agri-environment schemes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dedicate new access land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please state) _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Do rights of way have an effect on you and/or your business?				
	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Comments:				

## 2. Our existing public rights of way service

As the highway authority for Herefordshire we are responsible for over 2,113 miles (3,400 km) of public rights of way giving access to the countryside.

Our existing service focuses on looking after the rights of way network and is made up of six main areas of work, (listed below). How satisfied are you with each area?

Please indicate how satisfied or dissatisfied you are with the level of service provided in your local area:					
(PLEASE TICK ONE BOX ONLY IN EACH ROW)	Very satisfied	Fairly satisfied	Neither satisfied or dissatisfied	Fairly dissatisfied	Very dissatisfied
<b>a. Definition</b> – maintaining the definitive map and administering legal changes to the path network.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b. Protection</b> – taking statutory enforcement action where paths are obstructed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c. Maintenance</b> – looking after path surfaces and furniture, including bridges, signposts & way marks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d. Improvement</b> – carrying out practical improvements to make access along paths easier.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e. Promotion</b> – providing information about the path network and what we do to look after it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f. Liaison</b> – addressing issues and conflicts regarding rights of way.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important		Second most important		Third most important
<b>Please indicate which of the above areas (a, to f), of our existing service are most important to you.</b>	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	Very satisfied	Fairly satisfied	Neither satisfied or dissatisfied	Fairly dissatisfied	Very dissatisfied
<b>Overall, how satisfied or dissatisfied are you with the Council public rights of way service?</b> (TICK ONE BOX ONLY)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 3. Future challenges

The Countryside and Rights of Way Act reinforces a number of the authority's existing obligations as well as identifying a number of new challenges regarding countryside access.

Please indicate how important each of the following challenges are to you:					
(PLEASE TICK ONE BOX ONLY IN EACH ROW)	Very important	Fairly important	Neither important or unimportant	Fairly unimportant	Very unimportant
<b>3 ACCESS LAND</b>					
<b>a. Management of 'access land'</b> – ensuring there are wardens and resources in place to look after access land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>DEFINITION ISSUES</b>					
<b>b. 'Lost Ways' project</b> – identifying and recording any 'lost ways', (which are old paths that have not been claimed), prior to the 'cut-off' date in 2025.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c. Missing links</b> – the steps we take to identify and add missing links to create complete networks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER CHALLENGES</b>					
<b>d. Quiet lanes</b> - the steps we take to check and 'fill in' any broken parts of the rights of way network – by quiet lanes, verges or footways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e. Practical improvements</b> – making access along paths easier for less mobile users.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f. Standards of information</b> – need for user guides and/or customised maps.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>g. Recreational routes</b> – better provision and management of promoted routes, regional routes and circular walks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important	Second most important	Third most important		
<b>Please indicate which of the above challenges (a, to g), are most important to you.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

### 4. Related areas

The Herefordshire Plan is a community strategy which provides an opportunity to plan for the future and focus efforts on the issues important to the people who live, work and visit the county. Herefordshire Council aims to address those issues which are important by using the Ten ambitions. Rights of way can be directly linked to a number of these ambitions as outlined below.

How important do you feel these different issues are with regard to future developments in rights of way?

<b>Please indicate how important or unimportant these related areas are to you:</b>					
<i>(PLEASE TICK ONE BOX ONLY IN EACH ROW)</i>	Very important	Fairly important	Neither important or unimportant	Fairly unimportant	Very unimportant
<b>a.</b> Protect and Improve Herefordshire's distinctive environment- <i>e.g. by protecting and maintaining historic routes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Develop an integrated transport system for Herefordshire - <i>e.g. maintain routes which can be used in conjunction with public transport or allow users to avoid busy roads.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c.</b> Reduce poverty and isolation in Herefordshire – <i>e.g. create and maintain links to isolated areas.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d.</b> Improve the health and well being of Herefordshire people - <i>e.g. provide routes which can be used for exercise and recreation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e.</b> Encourage communities to shape the future of Herefordshire – <i>e.g. involvement in parish path partnership schemes and parish plans.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f.</b> Support business growth and create more and better paid work in Herefordshire – <i>e.g. promote routes which encourage people to visit local shops and amenities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>g.</b> Partnerships - Development of wider council and community partnerships – <i>e.g. development of voluntary work</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>h.</b> Develop Herefordshire as an active, vibrant and enjoyable place to be – <i>e.g. encourage visitors through access to the countryside and particular attractions or features.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important	Second most important	Third most important		
Please indicate which of the above areas (a to h) are most important to you or the organisation you represent.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**5. Are there any further issues relating to countryside access that you feel should be considered in the production of the Herefordshire's rights of way improvement plan?**

## 8g USER GROUPS QUESTIONNAIRE

### Improving public access to the countryside

We are currently working to produce the Herefordshire Rights of Way Improvement Plan. The Plan is intended to identify both the priorities for action, and the way in which we work towards achieving the Improvement Plan's objectives.

#### 1. Our existing public rights of way service

As the highway authority for Herefordshire we are responsible for over 2,113 miles (3,400 km) of public rights of way giving access to the countryside.

Our existing service focuses on looking after the rights of way network and is made up of six main areas of work, (listed below). How satisfied are you with each area?

Please indicate how satisfied or dissatisfied you are with the level of service provided in your <u>local area</u> :					
(PLEASE TICK ONE BOX ONLY IN EACH ROW)	Very satisfied	Fairly satisfied	Neither satisfied or dissatisfied	Fairly dissatisfied	Very dissatisfied
<b>a. Definition</b> – maintaining the definitive map and administering legal changes to the path network.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b. Protection</b> – taking statutory enforcement action where paths are obstructed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c. Maintenance</b> – looking after path surfaces and furniture, including bridges, signposts & waymarks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d. Improvement</b> – carrying out practical improvements to make access along paths easier.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e. Promotion</b> – providing information about the path network and what we do to look after it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f. Liaison</b> – addressing issues and conflicts regarding rights of way.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important		Second most important		Third most important
<b>Please indicate which of the above areas (a to f), of our existing service are most important to you:</b>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
	Very satisfied	Fairly satisfied	Neither satisfied or dissatisfied	Fairly dissatisfied	Very dissatisfied
<b>Overall, how satisfied or dissatisfied are you with the Council public rights of way service? (TICK ONE BOX ONLY)</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## 2. Future challenges

The Countryside and Rights of Way Act reinforces a number of the authority's existing obligations as well as identifying a number of new challenges regarding countryside access.

Please indicate how important each of the following challenges are to you or to the organisation you represent:					
(PLEASE TICK ONE BOX ONLY IN EACH ROW)	Very important	Fairly important	Neither important or unimportant	Fairly unimportant	Very unimportant
<b>ACCESS LAND</b>					
<b>a. Management of 'access land'</b> – ensuring there are wardens and resources in place to look after access land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>DEFINITION ISSUES</b>					
<b>b. 'Lost Ways' project</b> – identifying and recording any 'lost ways', (which are old paths that have not been claimed), prior to the 'cut-off' date in 2025.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c. Missing links</b> – the steps we take to identify and add missing links to create complete networks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER CHALLENGES</b>					
<b>d. Quiet lanes</b> - the steps we take to check and 'fill in' any broken parts of the rights of way network – by quiet lanes, verges or footways	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e. Practical improvements</b> – making access along paths easier for less mobile users.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f. Standards of information</b> – need for user guides and/or customised maps.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>g. Recreational routes</b> – better provision and management of promoted routes, regional routes and circular walks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important	Second most important	Third most important		
<b>Please indicate which of the above challenges (a to g), are most important to you:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

## 3 Related areas

The Herefordshire Plan is a community strategy which provides an opportunity to plan for the future and focus efforts on the issues important to the people who live, work and visit the county. Herefordshire Council aims to address those issues which are important by using the Ten ambitions. Rights of way can be directly linked to a number of these ambitions as outlined below.

How important do you feel these different issues are with regard to future developments in rights of way?

<b>Please indicate how important or unimportant these related areas are to you or to the organisation you represent:</b>					
<i>(PLEASE TICK ONE BOX ONLY IN EACH ROW)</i>	Very important	Fairly important	Neither important or unimportant	Fairly unimportant	Very unimportant
<b>a.</b> Protect and Improve Herefordshire's distinctive environment- <i>e.g. by protecting and maintaining historic routes.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Develop an integrated transport system for Herefordshire - <i>e.g. maintain routes, which can be used in conjunction with public transport or allow users to avoid busy roads.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c.</b> Reduce poverty and isolation in Herefordshire – <i>e.g. create and maintain links to isolated areas.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d.</b> Improve the health and well-being of Herefordshire people - <i>e.g. provide routes which can be used for exercise and recreation.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e.</b> Encourage communities to shape the future of Herefordshire – <i>e.g. involvement in parish path partnership schemes and parish plans.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f.</b> Support business growth and create more and better paid work in Herefordshire – <i>e.g. promote routes which encourage people to visit local shops and amenities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>g.</b> Partnerships - Development of wider council and community partnerships – <i>e.g. development of voluntary work</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>h.</b> Develop Herefordshire as an active, vibrant and enjoyable place to be – <i>e.g. encourage visitors through access to the countryside and particular attractions or features.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	First most important	Second most important	Third most important		
<b>Please indicate which of the above areas (a to h) are most important to you or the organisation you represent:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**4. Does the organisation you represent have a policy regarding public access to the countryside?**

Yes  No

If so, what is it? (please attach any relevant papers/documents)

**5. What geographical area does your organisation represent? (please tick those which apply)**

National  County  Local  Parish  Other (please specify)   
 .....

**6. Are you or the organisation you represent already involved or would like to be involved in the following:**

	Already involved	Interested in getting involved	Any other comments
a. Maintaining existing rights of way	<input type="checkbox"/>	<input type="checkbox"/>	
b. Permissive access agreements	<input type="checkbox"/>	<input type="checkbox"/>	
c. Dedication of new access	<input type="checkbox"/>	<input type="checkbox"/>	
d. Research to define unrecorded routes	<input type="checkbox"/>	<input type="checkbox"/>	
e. Producing maps, information and/or leaflets	<input type="checkbox"/>	<input type="checkbox"/>	
f. Other activities for improving and/or encouraging access (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	

Would you/your organisation be interested in undertaking any (or any more) rights of way maintenance related tasks?

Yes  No

4 If "yes" which tasks

.....  
 Would you/ your organisation be interested in funding partner projects in your area:

Yes  No

If "yes", do you have any particular projects in mind?

.....



**7. Do you or your organisation need more/different access to the countryside?**

Yes  No

(question continued overleaf)

If, yes:

**Why** do you or your organisation need more or different access to the countryside?  
(Please give examples.)

**Where** do you need this access?

Are there any reasons why this demand cannot be met, and if so, what are they?

**8. Are there any further issues relating to countryside access that you feel should be considered in the production of the Herefordshire's rights of way improvement plan?**

## 8H VISITORS/ PUBLIC QUESTIONNAIRE



### IMPROVING COUNTRYSIDE ACCESS IN HEREFORDSHIRE



We are currently working to produce a Rights of Way Improvement Plan for Herefordshire and would like your help to ensure it meets the needs of all those who wish to access the countryside for travel and recreation, whilst considering the needs of local landowners, farmers and others who work in our countryside. Public rights of way in Herefordshire are footpaths, bridleways and byways open to all traffic. Your answers to this questionnaire will give us an insight into current use of and attitudes towards the rights of way network. Please spare a few minutes to fill in this survey.

1. Are you: (please tick 1 box only)

- A local resident       A visitor to Herefordshire

2. If you are a visitor to the county was Herefordshire's public rights of way network a factor in your decision to visit the county? (tick 1 box only)

- Yes       No       Unsure

3. If you are a visitor did/will you use Rights of Way during your stay? (tick 1 box only)

- Yes       No       Unsure

**If you answered 'No' please go to question 14.**

4. How often do you use public rights of way in Herefordshire? (tick 1 box only)

- never       more than once a week       more than once a month  
 every day       once a week       once a month

**If you answered 'Never' please go to question 14.**

4a. Would you like to use the network, more than you have indicated above?

- Yes       No       Don't know

5. Are you? (tick as appropriate)

- a walker       a horserider       a cyclist  
 Other \_\_\_\_\_



6. When you use the network are you USUALLY (tick 1 box only)

- on your own       with a group of adults       Other \_\_\_\_\_  
 with one other       with a family group

7. What is the MAIN reason you use rights of way? (tick as appropriate)

- pleasure/recreation       dog walking       health & exercise  
 visit attractions       to get to work/shops       Other \_\_\_\_\_

8. When you use rights of way do you NORMALLY go - (tick up to 2 boxes)

- less than 2 miles       4 to 6 miles       8 to 16 miles  
 2 to 4 miles       6 to 8 miles       Over 16 miles



9. Which do you prefer: (tick 1 box only)

- promoted routes       no preference       linear routes  
 circular routes

10. Where in Herefordshire do you walk/ride/cycle/other?

- North East       South East  
 North West       South West  
 Central (Hereford City area)



11. How do you usually access the countryside from home?

- public transport       private vehicle       horse  
 on foot       bicycle       Other \_\_\_\_\_

12. Where would you usually go for information about rights of way?

- tourist information centres       library  
 Herefordshire Council       internet  
 maps       guidebook/leaflet  
 don't get info       Other \_\_\_\_\_

13. How much on AVERAGE will you spend per day when in the countryside?

- less £5       £10-£15       £20-£30  
 £5-£10       £15-£20       £30+

14. What deters you from using the rights of way network more or at all?

- don't know where routes are       feeling intimidated  
 insufficient number of routes       paths obstructed  
 concerned about getting lost       Other \_\_\_\_\_



15. What would you like to see IMPROVED on rights of way in the county?

- surface       signage       greater promotion  
 vegetation clearance       more promoted routes       fewer obstructions  
 status change eg footpath to bridleway       Other \_\_\_\_\_



16. How adequate do you feel the provision of public rights of way is in Herefordshire? Please rate the adequacy below according to each purpose:	Good	Average	Poor
Routes from centres of population which allows easy access to the countryside	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routes used with public transport which allows easy access to the countryside	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routes to enable people to avoid busy roads or developments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to & within areas of countryside or access to a particular feature, attraction etc.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Links which create circular routes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Convenient and safe crossings over roads, rivers, railways and canals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to common land and open access land	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routes accessible for blind or partially sighted people	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routes accessible for less mobile (e.g. wheelchairs, pushchairs) or less agile people	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Attractive routes which support local tourism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routes for local journeys e.g. walking to the shops, doctors & other local amenities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**About you: (please tick which apply)**

17. Gender:  Male       Female

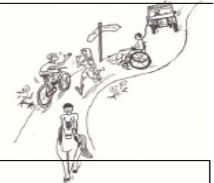
18. What age range are you in?  
 under 16       16-24       25-39  
 40-59       60-74       75+

19. Where do you live? (e.g. Hereford, Weobley)

20. Do you have a disability?  No       Yes  
 If 'Yes', what type?

Physical       Sensory

Other \_\_\_\_\_



21. Any other comments regarding Herefordshire's Countryside Access?

**THANK YOU** for filling in this survey form!! **Please put your form in the box provided in libraries, info shops & Tourist Information Offices. Any queries please ring Pippa Evison on 01432 260794.**







# **Rights of Way Improvement Plans**

## **Statutory Guidance to Local Highway Authorities in England**

Department for Environment, Food and Rural Affairs

November 2002

# **Rights of Way Improvement Plans**

Statutory Guidance to Local Highway  
Authorities in England

**Department for Environment, Food and Rural Affairs**

**November 2002**

Department for Environment, Food and Rural Affairs  
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## **Countryside and Rights of Way Act 2002: Sections 60 - 62**

### **Rights of Way Improvement Plans**

1. I am directed by the Secretary of State for Environment, Food and Rural Affairs to draw your attention to the entry into force of the rights of way improvement plan provisions in sections 60 to 62 of the Countryside and Rights of Way Act 2000 from 21 November 2002.
2. For this purpose the Secretary of State has made, The Countryside and Rights of Way Act 2000 (Commencement No. 2) Order 2002 (S.I. 2002/2833) (C.89).

#### **Statutory Guidance**

3. I am further directed by the Secretary of State for Environment, Food and Rural Affairs to say that she hereby issues the statutory guidance set out below. This guidance is issued under the power in section 61(4) of the Countryside and Rights of Way Act 2000 which states that “Local highway authorities shall, in carrying out their functions under section 60 and this section (section 61), have regard to such guidance as may from time to time be given them by the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales).”
4. This guidance only applies to England. It does not apply to the council of an inner London borough or the Common Council of the City of London unless by resolution they adopt sections 60 to 61 of the Act as respects their area, or any part of it which is specified in the resolution. The National Assembly for Wales is responsible for giving guidance to local highway authorities in Wales.

#### **Purpose of this guidance**

5. This document sets out the Government’s guidance for local highway authorities on preparing, publishing, assessing and reviewing rights of way improvement plans. Section 60 of the Countryside and Rights of Way Act 2000 requires local authorities to prepare and publish rights of way improvement plans within 5 years of the commencement of this section, and to assess and review plans not more than 10 years after publication and at intervals of not less than 10 years thereafter.



## Enquiries

6. Enquiries about this guidance should be addressed to:

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## Further copies

7. Further copies of this guidance may be obtained from:

DEFRA Publications  
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Telephone: 0845 955 6000  
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Email : [Defra@iforcegroup.com](mailto:Defra@iforcegroup.com)

The guidance will also be available on the Department's internet site at:  
<http://www.defra.gov.uk/wildlife-countryside/index.htm>.

It can also be accessed via <http://www.ukonline.gov.uk>

**22 November 2002**

***Susan Carter, Head of Countryside Division,  
Department for Environment, Food and Rural Affairs.***

To:

The Chief Executive  
All local authorities in England

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# Section 1 - Introduction

## 1.1 The importance of the rights of way network

1.1.1 Local rights of way<sup>1</sup> are both a significant part of our heritage and a major recreational resource. They enable people to get away from roads used mainly by motor vehicles and enjoy the beauty and tranquillity of large parts of the countryside to which they would not otherwise have access. They are becoming more important as increases in the volume and speed of traffic are turning many once-quiet country roads into unpleasant and sometimes dangerous places for walkers, cyclists and equestrians.

1.1.2 In many areas, local rights of way help to boost tourism and contribute to rural economies. The closure of public ways as a tool in the containment of the 2001 outbreaks of foot and mouth disease demonstrated the link between the use of public rights of way and rural economies. Many businesses reported losses of income in part because of the reduced numbers of people using rights of way. The 1998 UK Day Visits Survey<sup>2</sup> recorded that in England 66 per cent of the population visited the countryside for a day trip at least once a year and more than 35 per cent of these visits involved walking, cycling or horse-riding. Each person spent, on average, £6.50 on each visit.

1.1.3 Local rights of way can also provide a convenient means of travelling, particularly for short journeys, in both rural and urban areas. They are important in the daily lives of many people who use them for fresh air and exercise on bicycle, foot or horse, to walk the dog, to improve their fitness, or to visit local shops and other facilities.

1.1.4 Research for the Countryside Agency on rights of way use and demand in 2000 revealed that just over 50 per cent of households had at least one member who had used local rights of way in the previous year. The most popular activities were walking and cycling. 30 per cent of households felt that there were not enough paths and tracks while 40 per cent felt that provision was adequate. 70 per cent of households (including a third of those where nobody had undertaken any activities in the countryside in the previous year) said that they would increase activity, particularly walking and cycling, if more paths and tracks were available. In the 44 per cent of households where no use was made of rights of way, 16 per cent cited health and 13 per cent their age as barriers to participation. Other reasons for making no use of rights of way included having no time. The research also revealed that many people believe that public rights of way are frequently obstructed or so poorly maintained as to be difficult to use.

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<sup>1</sup> "Local rights of way" are defined in section 60(5) of CROW Act 2000 as including footpaths, cycle tracks, bridleways and restricted byways within the authority's area and the ways within the authority's area which are shown in a definitive map and statement as restricted byways or byways open to all traffic.

<sup>2</sup> UK Day Visit Survey 1998, Countryside Agency, ref CAX 15

1.1.5 The third national rights of way condition survey undertaken by the Countryside Agency in 2000<sup>3</sup> indicated that no local highway authority had met the target for all rights of way to be properly maintained by the year 2000. It is clear that local highway authorities need to identify and sustain adequate investment to improve the maintenance of their local rights of way. By 2005 the Government aims to achieve a 10 per cent improvement in defining, maintaining and publicising the rights of way network<sup>4</sup>.

1.1.6 Improved management, combined with better information and the creation of new routes in carefully chosen locations would make a significant difference to people who use, or who would like to use, footpaths, bridleways and byways. In areas where rights of way are fragmented, new, short links between existing routes would provide a substantially wider local network than exists at present. In other areas, local highway authorities need to improve the management and maintenance of the existing network. In all areas, in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with mobility problems, local highway authorities will need to understand the use and demand for rights of way. They will, thereby, be able to meet the spectrum of needs and expectations of people with all levels of interest and ability.

1.1.7 Rights of way improvement plans are intended to be the prime means by which local highway authorities will identify the changes to be made, in respect of the managements and improvements, to their local rights of way network in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with mobility problems.

1.1.8 This guidance is for local highway authorities<sup>5</sup> in England. The National Assembly for Wales is responsible for issuing to guidance to Welsh local highway authorities.

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<sup>3</sup> Rights of Way Condition Survey 2000, Countryside Agency 2001

<sup>4</sup> Our countryside: the future A fair deal for England, DETR, November 2000

<sup>5</sup> As defined in s60 (5) of CROW Act 2000

## **Section 2 - The Statutory Guidance**

### **2.1 Context and scope of rights of way improvement plans**

#### **The duty to publish a rights of way improvement plan**

2.1.1 Each local highway authority is required to publish a rights of way improvement plan covering all of their area. In drawing up the plan, authorities are required to: assess the extent to which local rights of way meet the present and likely future needs of the public; the opportunities provided by local rights of way (and in particular by footpaths, cycle tracks, bridleways and restricted byways) for exercise and other forms of open-air recreation and the enjoyment of their area; the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems; and such other matters relating to local rights of way as the Secretary of State may direct (section 60(1)-(2)).

2.1.2 Rights of way improvement plans should also include a statement of the action local highway authorities propose to take for the management of local rights of way and for securing an improved network of local rights of way, with particular regard to the matters dealt with in the assessment and such other material as the Secretary of State may direct (section 60(1)).

2.1.3 The work leading up to the published plan must be conducted to a timetable that enables authorities to have published their improvement plans within five years from the date on which section 60 of the Countryside and Rights of Way Act ("CROW Act 2000") comes into force (section 60(1)). Thereafter, local highway authorities are required to make a new assessment and review their plans, and decide whether to amend them, not more than ten years after first publishing their plans, and subsequently at intervals of not more than ten years (section 60(3)). On such reviews, local highway authorities should, if they decide to amend the plan, publish it as amended and if they decide to make no amendments to it, publish a report of their decision and their reasons for it.

2.1.4 Local highway authorities must, in exercising their functions under sections 60 and 61, have regard to such guidance as may from time to time be given to them by the Secretary of State. After the first plans are published, the Secretary of State intends to review this guidance in consultation with the Countryside Agency and other interested bodies (section 61(4)). She will issue further guidance if she considers that there is a need to do so.

#### **Funding and existing duties**

2.1.5 Local Highway Authorities already have duties under the Wildlife and Countryside Act 1981 and the Highways Act 1980 to maintain and keep the definitive map and statement of public rights of way and to ensure that ways are adequately signposted, maintained and free from obstruction. Rights of way improvement plans should build upon this work and not conflict with these existing duties or reduce the effectiveness with which they are carried out.

2.1.6 The duty to prepare improvement plans is a new duty. Funding is being provided in recognition of this. The additional funding should ensure that there is no need for a reduction in the execution by local highway authorities of their existing duties in relation to public rights of way, although the preparation of improvement plans may highlight the need to strengthen the resources allocated by authorities to these duties.

## **Joint working with district councils and National Park authorities**

2.1.7 Local highway authorities may make arrangements with any district council within their area, or the National Park authority (in cases where there is a National Park in the local authority's area) for the functions of the local highway authority relating to rights of way improvement plans (61(5)), to be discharged jointly).

## **Relation to other plans**

2.1.8 Local authorities (including national park authorities) may be in the process of developing or have in place other plans and strategies for related areas of work. These related areas include healthy living, leisure, recreation, sport, tourism, transport, and community strategies. Rights of way improvement plans should be developed within the context of these and other relevant plans and strategies. Improvement plans should, in turn, influence these areas of local authorities' responsibilities – in particular, they may be relevant to the economic, social and well-being aspect of community strategies.

2.1.9 Many local highway authorities have developed business plans, such as milestones statements, to help them to identify the work needed to fulfil their statutory duties and responsibilities towards rights of way. These will be helpful to authorities as they prepare their improvement plan, and will also provide a mechanism for planning the implementation of the improvement plans. Authorities should be prepared to adapt or develop existing plans in accordance with proposals in their improvement plans.

## **Other statutory duties and responsibilities**

2.1.10 Local highway authorities should also bear in mind that they must make arrangements to secure continuous improvement in the way in which their functions are exercised, having regard to a combination of economy, efficiency and effectiveness. In doing so, authorities must consult, among others, representatives of persons who use or are likely to use services provided by the authority<sup>6</sup>. The preparation and implementation of rights of way improvement plans is one element by which local highway authorities can meet this requirement.

2.1.11 Once plans are published, local highway authorities must have regard to any material provision of a rights of way improvement plan (prepared by any local highway authority whose area includes land over which the order would have effect) in determining whether to confirm orders as unopposed orders made under sections 26 (creation), section 118 (stopping up) or section 119 (diversion) of the Highways Act 1980. Also, the Secretary of State must have regard to any material provisions of

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<sup>6</sup> Local Government Act 1999, section 3

rights of way improvement plans in determining whether to confirm orders made under these sections or to make orders under section 26.<sup>7</sup>

2.1.12 Local highway authorities are reminded of their general duties in exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, that they must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.<sup>8</sup>

2.1.13 Local highway authorities are also reminded of the requirements of European Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (known as the “Strategic Environment Assessment” or SEA Directive). The preparation and review of rights of way improvement plans may come within the scope of the Directive. Strategic Environment Assessment (SEA) of ROWIPs is not likely to be required in many cases, but authorities will need to decide this for themselves on a case-by-case basis.

The full text of Directive 2001/42/EC can be found on the internet at [www.europa.eu.int](http://www.europa.eu.int).

## **Monitoring**

2.1.14 Local highway authorities should put in place arrangements for monitoring progress on preparing and implementing their rights of way improvement plans. In this respect it should be noted that in section 71 of CROW Act 2000, the Secretary of State may make regulations requiring local highway authorities to publish reports on the performance of any of their functions so far as relating to local rights of way. This would enable the Secretary of State to require local highway authorities to report on progress in preparing and implementing their rights of way improvement plans.

## **2.2 Assessing the needs of different classes of user**

### **Introduction**

2.2.1 Local rights of way are the footpaths, cycle tracks, bridleways and restricted byways and the ways shown in definitive maps and statements as restricted byways and byways open to all traffic within each highway authority’s area. (Until the commencement of section 47 of CROW Act 2000 references to restricted byways and to ways shown in definitive maps and statements as restricted byways should be read as ways shown in definitive maps and statements as roads used as public paths). Cycle tracks with or without a right of way on foot other than those in or by the side of a highway consisting of or comprising a made-up carriageway come within the scope of rights of way improvement plans<sup>9</sup>.

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<sup>7</sup> CROW Act 2000, Schedule 6, paras 1, 6 and 9

<sup>8</sup> CROW Act 2000, section 85.

<sup>9</sup> CROW Act 2000, section 60(5) – (6)



## Assessing users' needs

2.2.2 In making their assessments under section 60(1)(a) and 60(3)(a), local highway authorities should consider the needs and circumstances of people with a range of expectations, interests and levels of ability. They should take account of the needs of both local people and visitors to the area. For example, local highway authorities should consider the adequacy of:

- access to and within attractive areas of countryside which might currently have few rights of way such as watersides, coast and woodlands, or access to a particular viewpoint, feature or other attraction;
- attractive routes in order to support local tourism, economic regeneration or community-led initiatives;
- opportunities for cycling, harness-horse driving, horse riding and walking other than on roads used mainly by motor vehicles; and links in the network which enable people to avoid having to use such roads;
- routes from centres of population, or routes which can be used in conjunction with public transport, which allow people to gain easy access to countryside from where they live;
- links which create circular routes and better facilities for walkers, including dog walkers, runners, cyclists, horse riders and harness-horse drivers for leisure and health;
- routes near waterside or coastal paths which may suffer from natural erosion;
- routes to help ameliorate the effect on people's enjoyment of the countryside of a motorway or other major road or development;
- convenient and safe crossings over roads, railways, rivers and canals;
- the current rights of way network such as ways ending in cul-de-sacs or routes carrying different rights along their lengths;
- routes for local journeys, such as walking to work, to the shops, railway stations, doctors surgeries and other local amenities; and
- routes through or around heavily developed areas, to ensure that such development does not prevent or disrupt the continuity of the network.

2.2.3 Authorities should consult widely about the needs of all users and potential users of the rights of way in their areas in order to identify what improvements they should make to their network. Consultations should include both local people and visitors to the area.

2.2.4 The Government expects local highway authorities to make improvements to their networks that will benefit different types and classes of users, making full use of

the powers available to them to do so. (With regard to byways open to all traffic (BOATs), local authorities' powers are limited compared to those for bridleways, cycle tracks, footpaths and restricted byways. Nevertheless, ways shown on the definitive map as BOATs should be included in local highway authorities' rights of way improvement plans. Local authorities should take account of how these routes contribute to the whole network and provide access for all users).

## **Walkers**

2.2.5 A recent Countryside Agency use and demand study<sup>2</sup> showed that in 48 per cent of households, at least one member had walked in the countryside during the previous year. 47 per cent of households said they would walk more if there were better provision.

2.2.6 Despite walkers' entitlement to use all classes of local rights of way, there is scope for local highway authorities to improve provision for them. Local highway authorities should assess the need to provide safe routes, away from busy roads wherever possible, to allow better access to attractions and facilities and in particular to consider the case for more circular routes. They should also examine the means by which the network of footpaths near to where people live can be improved particularly where this would provide better opportunities for exercise or safe routes to school, work, dog walking or other facilities.

2.2.7 Local highway authorities should also consider the extent to which rights of way provide adequate access to land to which a right of access on foot is to be given under Part I of CROW Act 2000. This land will be identified as access land on maps prepared by the Countryside Agency. Local highway authorities should assess the need for additional paths to enable the public to reach access land to which it is currently difficult or impossible to get.

## **Equestrians**

2.2.8 Consideration of the needs of equestrians should include horse riders and carriage drivers (harness horse drivers). The Countryside Agency's rights of way use and demand survey<sup>2</sup> showed that 5 per cent of households have at least one member who participates in horse riding. (The survey did not collect data on carriage drivers.)

2.2.9 Bridleway and higher rights networks tend to be fragmented. Equestrians are frequently forced to use sealed roads. In some areas there may be quiet lanes that they can use but more usually they are forced on to busy roads that are unsuitable for horses. Even allowing for the network of lightly trafficked minor highways in some areas, it is generally more difficult for equestrians to find attractive, convenient and safe networks of routes. It should also be remembered that people who would otherwise have difficulty could achieve access to rights of way on horseback. Many such users require nothing more than gates that can be opened while mounted, and somewhere they can mount and dismount. Local highway authorities are encouraged to consider whether local Riding for Disabled Centres would benefit from improved links to the local rights of way network.

2.2.10 As an additional tool available to them, local highway authorities should bear in mind their duty to provide adequate grass verges or other margins beside a highway where they consider them necessary or desirable for the safety or accommodation of ridden horses and driven livestock<sup>10</sup>. Although provision of such verges is not a substitute for off-road connections between paths, it can be useful where no other solution is available – but only where it is safe for horse and rider.

2.2.11 Local highway authorities should assess the case for additional provision for equestrians through the creation of bridleways and restricted byways. Harness horse drivers are entitled to use restricted byways and byways open to all traffic but access to these does not solve the problem of fragmentation and, in some areas, the lack of sufficient routes to enable them to enjoy safe, sufficiently long routes away from busy roads.

## **Cyclists**

2.2.12 The Countryside Agency's rights of way use and demand survey showed that 23 per cent of households had at least one member who participated in cycling in the countryside in the previous year. 32 per cent of households said they would increase cycling as an activity if more provision was available.

2.2.13 Availability of local rights of way for cyclists is very different in different parts of the country but most cyclists experience difficulty in finding safe, attractive, and sufficiently long routes away from busy roads, for which there is increasing demand, both in urban and rural areas. Local highway authorities should assess the case for additional provision for the full range of cyclists, from those on family outings to experienced mountain bikers, through the creation of bridleways, cycle tracks and (when the necessary powers are exercised under section 52), restricted byways.

## **Motorised users**

2.2.14 The rights of way improvement plan process may identify demand for recreational motoring in the countryside. In so far as motor vehicles are lawfully able to use local public rights of way, local highway authorities will need to consider how to respond to this and whether there are ways to manage demand.

## **People with mobility problems**

2.2.15 The Act requires local highway authorities to assess the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems. Those with mobility problems can include those with children and pushchairs. Family and friends who accompany people with mobility problems are also affected by the accessibility of the network.

2.2.16 The nature of the working countryside and characteristics of the rights of way network itself means that there will always be barriers to some users on many rights of way. Routes in remote or hilly areas may be accessible by only the fittest. But

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<sup>10</sup> Highways Act 1980, section 71

local highway authorities should be aware of the scope for improvements that will open up the network to a wider range of people.

2.2.17 Relatively few rights of way are suitable for use by those with mobility problems. A major limitation on use is the number of stiles, steps, heavy farm gates and narrow bridges on rights of way. Even those rights of way which are free from such barriers, and which could be part of an easy-to-use circular route or a local network of paths, are not generally managed, promoted or maintained with the needs of people with mobility problems in mind. In many cases, it would be relatively easy and inexpensive to open such ways to everybody. The development of accessible, sturdy and stock-proof gates designed for paths to British Standard 5709, and of well-designed robust powered wheelchairs now enables many more people with mobility problems the potential of better access to the open countryside<sup>11</sup>.

2.2.18 Local highway authorities should assess the need for works to existing ways and the need for new ways to enable people with mobility problems, including disabled riders, to enjoy a higher proportion of the network than is currently the case. In making these assessments, local highway authorities should work on the principle that the needs of people with mobility problems should always be taken into account in the management, maintenance and improvement of local rights of way. Authorities should also bear in the mind that needs will differ between individuals with varying degrees of mobility. They should also recognise the importance of publicity and information about access to the network so that people with mobility problems are encouraged to make use of public rights of way and can make decisions about which are suitable for their degree of mobility. Further information about understanding the needs of people with mobility problems is contained in Section 3.

### **Other duties with respect to people with mobility problems**

2.2.19 Section 69 of CROW Act 2000 places (when commenced) a duty on local highway authorities to have regard to the needs of people with mobility problems when authorising the erection of barriers on footpaths or bridleways under section 147 of the Highways Act 1980. New section 147ZA will empower them to make agreements with owners, lessees and occupiers of land for works to replace or improve structures (such as gates or stiles) to make them safer or more convenient for people with mobility problems.

2.2.20 Section 69 applies also to non-metropolitan district councils where they are responsible for maintaining footpaths or bridleways under section 42 or 50 of the Highways Act 1980. Because of this, the Secretary of State may issue separate guidance in relation to the exercise of these powers. Nevertheless, local highway authorities should take account of the requirements of section 69 when preparing their rights of way improvement plans.

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<sup>11</sup> Restrictions on mechanically propelled vehicles on footpaths do not generally apply to invalid carriages – section 20 Chronically Sick and Disabled Persons Act 1970

## **Minimising conflicts between different classes of users**

2.2.21 There is potential for conflict on ways carrying higher rights between different classes and types of users. Wherever possible proposals for improving rights of way should not unduly benefit one class of user at the expense of another. Improvements that are intended to benefit cyclists, harness-horse drivers, horse riders or walkers should not unduly restrict lawful motorised use of public vehicular rights of way. Proactive management to deal with the issues of proper recording of rights, maintenance and shared use, can bring benefits to all users. The management principles set out in *Making the Best of Byways*<sup>12</sup> may be used to avoid conflict over the use of byways that are regularly used by vehicles, and a revised edition is to be issued shortly to assist local authorities in their work.

## **Accommodating other interests - land managers; heritage and nature conservation**

2.2.22 While rights of way improvement plans are concerned with improving rights of way for the benefit of the public, it is nevertheless important that the interests of land managers including those engaged in agriculture and forestry be taken into account, together with those of heritage and nature conservation. Representatives of land management interests should be consulted at an early stage so as to increase understanding of the process, reduce potential conflict and secure a co-operative approach to improving the network. Early consultation may help to identify where there are mutual benefits. A co-operative approach developed at the start of the process will also help in the implementation of the Plan. The new Local Access Forums established under section 94 and 95 of CROW Act 2000 will provide an important means to consult representatives of these interests, in so far as the matters which local access forums need to have regard to in the carrying out of their functions (s 94(6)).

## **2.3 Making the assessment**

### **The process**

2.3.1 To assess the extent to which local rights of way meet the present and likely future needs of the public (s 60(2)(a)), local highway authorities should:

- (a) study the definitive map and statement of rights of way;
- (b) collate and consider data on applications for modifications to the map and statement;
- (c) collate and consider data on requests for improvements to the network;
- (d) collate and consider data on the condition of the network;

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<sup>12</sup> Making the Best of Byways, DETR 1997

- (e) undertake a survey to assess the nature and scale of the present and likely future needs of the public (both local people and visitors to the area) in relation to the rights of way network; and
- (f) identify any other relevant information, including other plans and strategies for the area.

Local highway authorities should arrange for the studies and surveys to be given sufficient publicity to ensure that members of the public in the area are aware that the assessment is taking place and that they have the opportunity to contribute to it.

## **Assessment based on the definitive map and statement and related documents**

2.3.2 Scrutiny of the definitive map and statement together with information about any unrecorded rights of way, including any outstanding applications for definitive map modification orders and public path orders, and past requests for improvements to the network, should allow a preliminary assessment to be made of:

- the extent to which routes and networks are available to different groups of users;
- areas which are deficient in rights of way for all or particular groups;
- obvious inconsistencies or anomalies in relation to individual rights of way; and
- other opportunities to improve the network, including the restoration of severed rights of way due to road building.

2.3.3 A similar assessment should be made in respect of any areas that currently do not have a definitive map. In these areas, local highway authorities will have to rely on such information as is available about the ways that are thought to be rights of way. Consideration should also be given to any unmapped 'islands' that occur in otherwise mapped areas

2.3.4 Local highway authorities should look at the definitive map in conjunction with the wider highway network, cycle tracks and permissive routes including towpaths and routes through woodlands and forests. This overall assessment should help to highlight those rights of way that might be used in combination with unclassified roads and other lightly trafficked minor highways. It should also assist in identifying those rights of way which may effectively be unusable or which put users at risk because they can be reached only along heavily trafficked roads without an adequate verge or footway.

## Other documents and sources of information

2.3.5 Local highway authorities should consider what plans, documents and other sources of information will need to be scrutinised as part of the assessment. These should include:

- structure plans, local plans, unitary development plans and waste and minerals local plans;
- any areas of outstanding natural beauty management plans;
- community strategies and the regional sustainable development framework, regional cultural strategies and regional tourism plans;
- ordnance survey maps and the list of streets;
- assessments that have been made of the utilitarian role of the path network or its potential for development as part of a sustainable local transport infrastructure (e.g. as part of a safe routes to schools strategy or the contribution of rights of way to any local journeys, walking or cycling strategies, including healthy living initiatives);
- plans or proposals for the development of greenways or quiet roads, including research on shared use routes;
- other tourism, economic regeneration, community safety, community development or rural challenge proposals or studies that have been undertaken in the area and which have a bearing on rights of way or the use of the countryside for recreation;
- information about National Trails, the national cycle network, national bridle-route network, regional routes and other nationally or locally promoted walks and rides (including information about the popularity of these routes and the contribution they make to the local economy);
- information about national and local landscape, planning, nature conservation, bio-diversity, archaeological and other types of land with special attributes, together with any strategies, policies or plans associated with those designations. Information about the amenity value, vulnerability, use and management of these areas and sites in so far as it is relevant to rights of way;
- the location, scale and popularity of the main recreational attractions. These might include recreation sites and facilities such as country parks, forest parks and picnic sites, land open to the public owned by bodies such as the National Trust, Forestry Commission, the Woodland Trust, British Waterways, the Environment Agency or water companies;
- land to which there is a public right of access as a result of Part I of CROW Act 2000;

- other open country land to which there is a right of access including Crown land, MOD land, and land owned by other Government departments to which the public are permitted to have access;
- other main features or attractions in the areas (e.g. popular beaches, lakes, river valleys, attractive villages, viewpoints); and
- areas that are open to the public under grant schemes such as Countryside Stewardship, as a condition of exemption from inheritance tax or as part of other programmes.

2.3.6 Local highway authorities will also wish to refer to current guidance on rights of way and planning issues. In particular:

- . Rights of Way Review Committee Practice Guidance Note 5: Investigating the existence and status of public rights of way, published in January 2000; and
- Policy Planning Guidance Note17 (PPG17): Planning for Open Space, Sport and Recreation, published in July 2002.

2.3.7 This should give a preliminary indication of the extent to which local rights of way meet the present and likely future needs of the public. By looking at the local network in relation to the types of landscape and other significant physical or geographical characteristics of the area, the most attractive areas of countryside, the predominant patterns of land use and the main visitor attractions, local highway authorities can begin the task of identifying the opportunities the network affords for exercise and other forms of open-air recreation and enjoyment.

2.3.8 The assessment should also help to set potential use and demand in the context of other relevant plans and initiatives for the area. There may, for example, be initiatives to encourage people to walk as part of a healthy living promotion or to encourage people to cycle to work or school. It should also be possible to draw conclusions about the choice of opportunities to walk, ride, cycle and drive horse drawn vehicles available close to where people live or stable their horses. Other relevant sources of information (such as the planning, economic development and transport policies for the area and social, demographic or other factors) may have a bearing on the recreational use of the area or the current or future demands made on rights of way, whether for recreational or other purposes.

## **Involving the public**

2.3.9 Local authorities have wide experience of using market research and other techniques to test whether, and to what extent, the services that they provide are valued and meet the public demands and expectations. This may involve targeted consultations with specific user groups, for example, disabled people. Local highway authorities might also undertake more general surveys of the public's expectations of local rights of way. These might also help to assess the extent to which visitors are attracted from further afield, their spending patterns and their contribution to the local economy.



2.3.10 Local highway authorities should be aware that the Countryside Agency is considering publishing further guidance on assessing the use and demand for rights of way.

### **Working with other local authority departments, neighbouring authorities and others**

2.3.11 There will be a need for close co-operation between different local authority departments as plans are prepared. It will be important to ensure that rights of way improvement plans take into account the proposals made in structure and local plans, local transport plans and other strategic plans or proposals for the area. In turn, authorities should ensure that proposals contained in rights of way improvement plans are supported by the policies and proposals in structure and local plans, local transport plans and other plans and strategies as appropriate.

2.3.12 Where rights of way in one local highway authority's area are used mainly by the population living within a neighbouring authority's area, the two authorities should liaise closely with each other in making their assessments and in preparing other material for plans. In any event, local highway authorities should also be aware that, before preparing their rights of way improvement plans and in particular in making any assessment under section 61, they are under a duty to consult:

- (a) each highway authority whose area adjoins their area;
- (b) each district council, and each parish council, whose area is within their area;
- (c) the National Park authority for a National Park any part of which is within their area;
- (d) where any part of the Broads is within their area, the Broads Authority;
- (e) any local access forum established for their area or any part of it;
- (f) the Countryside Agency;
- (g) such persons as the Secretary of State may by regulations prescribe in relation to the local highway authority's area; and
- (h) such other persons as the local highway authority may consider appropriate.

2.3.13 The Secretary of State does not propose to exercise her power under section 61(1)(g) for the time being. However, local highway authorities should also consider consulting:

- (a) those bodies that they would normally consult over changes to the rights of way network; the British Horse Society, Byways and Bridleways Trust, Cyclists Touring Club, Open Spaces Society and Ramblers Association. Where relevant also the Chiltern Society, Peak and Northern Footpath Society, Auto Cycle Union and British Driving Society.

(b) Regional Development Agencies (such as English Nature), the Environment Agency, governing sports bodies and groups (such as Sustrans) to identify what plans or strategies might be relevant. The Environment Agency, for example, has a number of plans such as Catchment Flood Management Plans, Shoreline Management Plans and Regional Recreation Strategies that local highway authorities will wish to consider when developing their rights of way improvement plans.

(c) Conservation boards<sup>13</sup> for areas of outstanding natural beauty.

## **The role of local access forums**

2.3.14 Local highway authorities and National Park authorities (“appointing authorities”) are required to establish advisory bodies known as local access forums for their areas. The Local Access Forums (England) Regulations (SI 2002 No. 1836), which came into force on 7 August 2002, give these authorities one year from that date to establish local access forums. Where some of a local highway authority’s area lies in a National Park, the National Park authority will be responsible for establishing a local access forum that covers that part. It is the function of the local access forum, as respects the area for which it is established, to advise on the improvement of public access to land in that area for the purposes of open-air recreation and the enjoyment of the area, and as to other such matters as prescribed in legislation.<sup>14</sup> Before preparing or reviewing a rights of way improvement plan, or in making assessments related to a rights of way improvement plan, each local highway authority must consult any local access forum established for its area or any part of it (section 61(1)(e) of CROW Act 2000 as above). Local highway authorities are among the bodies that must have regard to the advice given to them by local access forums.

2.3.15 Local highway authorities must, therefore, involve local access forums before preparing or reviewing their plans and in particular in making assessments under section 60(1)(a) and 60(3)(a). It would be helpful if the local highway authority also prepared progress reports for local access forums as plans are prepared, published, implemented and reviewed.

2.3.16 The role of local access forums in relation to rights of way improvement plans may include, for example:

- commenting on opportunities for access to open countryside especially where new linear routes may be desirable;
- assisting local highway authorities in setting priorities for implementing their plans; and
- commenting on published draft plans.

The Department issued a circular letter on 26 July 2002 to appointing authorities providing guidance on the establishment and functions of local access forums. It also

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<sup>13</sup> CROW Act 2000, section 86

<sup>14</sup> CROW Act 2000, section 94

plans to issue separate guidance to forums themselves covering their roles and responsibilities, and on the working arrangements of forums.

## **Reporting at this stage**

2.3.17 Before finalising the assessment, it may be helpful to seek views on the information so far gathered. This could be useful in identifying any omissions or addressing any problems at an early stage, which could be beneficial in the long term. If they decide to seek views on the assessment and public surveys, local highway authorities should:

- make clear the purpose of the assessment, the area covered and the timetable being followed;
- provide a summary of the initial assessment;
- summarise what appear to be the main issues to be addressed in their rights of way improvement plans;
- invite representations, particularly to help more accurately identify or quantify the likely future needs of the public; and
- encourage consultees to put forward outline proposals as to how the path network might be improved.

2.3.18 As well as making them available to relevant local authorities, local highway authorities should consider making such reports more widely available to encourage contributions from the general public. Local highway authorities could, for example, publish reports on their web sites and give notice in local newspapers as to where copies are on display, for example at the authority's main offices, public libraries, and information centres.

## **Conclusions of the assessment**

2.3.19 By this stage, local highway authorities should be in a position to make an informed assessment of the matters set out in section 60(2) of the Act. They should be able to reach conclusions about the strengths and weaknesses of the local rights of way network and to identify where action is needed. This assessment should form the basis of the statements of action that are an integral part of local highway authorities' improvement plans. They should, at a minimum:

- describe the existing and likely future needs of different classes of users of local rights of way and the accessibility of local rights of way to blind or partially sighted people and others with mobility problems;
- identify areas where provision for one or more class of user is considered to be deficient or is likely to be deficient in the future and indicate the scale of those deficiencies; and
- specify other shortcomings that have been shown by the review to exist.

## 2.4 Preparing the statement of action

### What is a statement of action?

2.4.1 The Act requires local highway authorities to prepare a statement of the action they propose to take for the management of local rights of way, and for securing an improved network of local rights of way, with particular regard to the matters dealt with in the assessment<sup>15</sup>.

2.4.2 Statements of action should follow from local highway authorities' assessments. These should make proposals for taking the required action and state, in broad terms, how these proposals are to be realised. They should set out objectives and targets for managing and improving local rights of way in respect of each type of user. For each conclusion, local highway authorities should establish:

- their proposed action;
- the estimated costs;
- the key organisations that they intend to involve in the proposed action; and
- the timescale within which they propose to complete the action.

2.4.3 The following table indicates the sorts of issues that might be covered in the action plan. The work that the Countryside Agency are doing on preparing exemplar plans – see section 2.4.11 - should also help authorities to prepare their statement of action.

<b>Conclusion from assessment</b>	<b>Recommended action</b>	<b>Estimated costs</b>	<b>Completion date</b>	<b>Key organisations</b>
Tourism could benefit from more rights of way.	Promote rights of way	£5,000	May 2007	Work with Regional Tourist Board and RDA to promote tourism based on rights of way.
Need to develop health walks near to urban areas.	Develop and promote two health walks in north and east of county.	£20,000	November 2007	Work with Countryside Agency and National Lottery scheme to raise funds.

<sup>15</sup> CROW Act 2000, section 60(1)(b)

<b>Conclusion from assessment</b>	<b>Recommended action</b>	<b>Estimated costs</b>	<b>Completion date</b>	<b>Key organisations</b>
Island access land sites require public access.	Seek to negotiate new footpaths for all island access land.	£20,000	April 2008	Approach landowners to seek a creation agreement.
People with mobility problems encounter too many obstructions on rights of way.	Remove obstructions and maintain 12 identified routes to a standard fit for use by wheel chairs	£15,000	April 2009	Identify priority routes with local disabled user groups.
Not enough off-road routes for horse riders longer than 15 km.	Seek to upgrade footpaths or create ten new bridleways in south and east of county.	£30,000	April 2010	Work with local BHS, Bridleway Groups and equestrian businesses to identify potential routes greater than 15km.
Too few links between urban and rural open space.	Create six off-road links between urban areas and countryside attractions.	£50,000	April 2010	Work with transport planners, user groups, Sustrans and Regional Development Agency to identify scope for new green routes and to raise capital.

## **Small-scale improvements**

2.4.4 In developing their statements of action, local highway authorities should have regard to small-scale improvements that may be identified in the course of assessments and which may be capable of being implemented at an early stage. Small-scale improvements might include creating short sections of footpath, cycle routes, bridleway or restricted byway to link with others to form more useful routes (for example circular routes) or securing the removal or replacement of barriers, such as stiles and gates, on footpaths or bridleways which would otherwise be capable of use by people with mobility problems.

## **Detailed plans and targets**

2.4.5 Assessments and statements of action form the basis for the rights of way improvement plan. The improvement plan should specify where detailed plans will be set out and how progress will be monitored. Local highway authorities should set out more detailed plans and targets on individual schemes in annual business plans or milestones statements. These should include detailed costed and timetabled targets to deliver the improvement plans. Business plans will need to be flexible, working documents and regularly updated. Copies should be made available for inspection under arrangements similar to those for rights of way improvement plans.

## **Securing improvements to the network**

2.4.6 Local highway authorities will be responsible for the implementation of rights of way improvement plans. They are encouraged to achieve this in partnership with others such as district councils, National Park Authorities or the Broads Authority, parish councils, private and state land owners and managers including Government departments, National Trust, Forest Enterprise and British Waterways.

2.4.7 Both capital and revenue funding will be required to put the improvements into practice and to ensure long-term maintenance. Highway authorities are encouraged to be innovative in sourcing funds to support the improvements. Highway authorities should consider seeking funds from lottery bodies, local transport plans, European schemes, agri-environment schemes and some charitable trusts. To be successful the right funding partnerships will normally need to demonstrate that they are making improvements to the public rights of way network for reasons which link into broader policy objectives, such as health, reducing dependence on motor cars, tourism, safe routes to schools/work and accessibility for those with limited or restricted mobility or for those who socially excluded. Further information on sources of funding will be provided by the Countryside Agency, the LGA, CSS and IPROW in the Public Rights of Way Good Practice Guide.

2.4.8 Local highway authorities are encouraged to use voluntary means to secure improvements to their rights of way networks wherever possible. Thus they would seek to negotiate the creation of routes or the addition of higher rights to existing routes by agreement with landowners using their powers under section 25 of the Highways Act 1980. Local highway authorities should approach such negotiations constructively and be prepared to consider changes to the network that landowners might seek as corollaries to agreements, provided they meet the criteria set out in sections 118 and 119 of the Highways Act 1980. They should, however, set a reasonable time limit within which agreement should be reached.

2.4.9 If it becomes clear that there is little prospect in reaching agreement within a reasonable time, authorities should be prepared to make use of their powers under section 26 of the 1980 Act to create public rights of way. Section 26 can be used to create new routes or to add higher rights to existing highways.

2.4.10 Highway authorities would normally take the lead in working-up and implementing proposals for action in their improvement plans though this does not have to be the case. A variety of partnership arrangements are possible, including partnerships with district or parish councils, National Park authorities or the Broads Authority or with other local liaison groups. Local highway authorities are reminded of

the powers available to district councils, National Park authorities and the Broads Authority to agree new footpaths and bridleways and to make public path orders under sections 25, 26, 118 and 119 of the Highways Act 1980. Parish councils also have the power (under section 30 of the 1980 Act) to dedicate footpaths and bridleways by agreement with landowners in their own and adjoining parishes and to carry out or contribute towards any works that are incidental to those agreements. There is, however, no power to pay compensation.

## **Further guidance**

2.4.11 The Countryside Agency will work with a small group of authorities to prepare exemplar rights of way improvement plans between October 2002 and October 2003. The plans will help to develop good practice and the lessons learned will be disseminated to other authorities at regular intervals. It is intended that the exemplar plans will demonstrate the value of preparing plans to improve the network for people of all levels of interest, ability and experience.

## **2.5 Publicising and publishing the draft plan**

### **The draft plan**

2.5.1 Local highway authorities must publish a draft rights of way improvement plan and publish, in two or more local newspapers circulating in their area, notice of how a copy of the draft can be inspected or obtained and how representations on it can be made to them. Local highway authorities must also keep a copy available for inspection free of charge at all reasonable times at their principal offices; and supply a copy to any person who requests one, either free of charge or on payment of a reasonable charge determined by the authority<sup>16</sup>.

2.5.2 Local highway authorities should actively seek representations from neighbouring authorities, parish councils and parish meetings, National Park authorities (where appropriate), regional development agencies, cultural consortia, and national and local organisations representing users, land managers, conservation bodies, businesses, tourism and others as appropriate for their area.

2.5.3 Local highway authorities are encouraged to use such other means as are at their disposal to bring the draft plan to the attention of the public. These might include making summaries of the assessment and action plan more widely available to members of the public and publishing draft plans on their web sites.

### **Dealing with representations**

2.5.4 The draft plan and notices inviting representations should state clearly where comments should be sent and by when. Although no specific timescale is set out in legislation for making representations, it is considered that a minimum of 12 weeks should be allowed for representations. Local highway authorities must consider any representations made<sup>17</sup>. All representations should be acknowledged. The

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<sup>16</sup> CROW Act 2000, section 61 (3)

<sup>17</sup> CROW Act 2000, section 61(2)(c)

Government has set out a code of practice for its own public consultations and this is reproduced in Annex 1 to this guidance. It is suggested that local highway authorities consider applying the principles of the code of practice when consulting on their Rights of Way Improvement Plans.

2.5.5 Consultation on rights of way improvement plans will not replace the need for consultation and negotiation as and when specific proposals for action are taken forward. The publication of rights of way improvement plans does not affect people's right to make representations or objections to public path orders that may be made in the light of plans, nor the opportunity to have those representations or objections heard.

### **Publication of rights of way improvement plans**

2.5.6 When draft plans have been amended and plans agreed, they should be published<sup>18</sup>. Local highway authorities should inform those who contributed to their plans to inform them that they have been published. Local highway authorities are required to keep a copy available for inspection free of charge at all reasonable times at their principal offices; and supply a copy to any person who requests one, either free of charge or on payment of a reasonable charge determined by the authority.

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<sup>18</sup> CROW Act 2000, section 60(1)



## **Section 3 - Understanding the needs of people with mobility problems**

### **3.1 Establishing liaison and networking arrangements**

3.1 It is important that local highway authorities have a clear understanding of the extent and type of demand in their areas by blind or partially sighted persons and others with mobility problems for rights of way, both to underpin their rights of way improvement plans and to inform the day-to-day management and maintenance of the path network.

3.2 Local highway authorities should have a broad idea of the proportion of the population that is likely to be affected by some form of mobility impairment and who might benefit from improvements in the accessibility of the local rights of way network. They should seek to establish where needs are concentrated and be aware of any specific local needs, such as in the vicinity of residential care homes.

3.3 As much local information and advice as possible should be sought from the outset, including information on:

(a) the local network and paths already used by those with mobility problems (if any);

(b) other facilities and features that are valued by those with restricted mobility;

(c) key features and attractions in the area which they may be excluded from, or have only limited access to, and what needs to be done to overcome these barriers;

(d) publicity and information about access opportunities currently available to those with restricted mobility; information that users will need to be able to judge the suitability and make use of opportunities to enjoy rights of way; existing arrangements for disseminating information among the groups who represent them;

(e) sources of practical help and advice available to assist the authority in opening up rights of way to people with mobility problems; identify which groups or individuals might need to provide help and advice. (This might include, for example, local access groups to help carry out access audits of particular rights of way, advise on the works necessary to open up local path networks, prepare or disseminate information, or monitor the condition of paths and provide regular feed-back); and

(f) existing local initiatives or partnerships in place to foster the use of the countryside by people with mobility problems that might be enhanced by improvements to the rights of way network. Such initiatives might have been taken by organisations such as user groups, local community or charity groups as well as by individual land managers or their representative groups.

## **Establishing liaison and networking arrangements**

3.4 A wide range of independent organisations represents people with mobility problems both nationally and locally. Local highway authorities should seek to establish a dialogue with such organisations as part of developing a clear understanding of local needs, circumstances and opportunities.

3.5 Local highway authorities should consult colleagues in their own authorities and other authorities and agencies for the area. For example, social services departments, disability information officers, disabled access advisors employed by many planning authorities, local disability information and advice line (DIAL), and Council for Voluntary Services, Health Promotion Agency and Library Service may be able to give advice and guidance. They will be aware of the established networking arrangements in the area and should be able to suggest the most appropriate local contacts for local highway authorities to approach.

3.6 In some areas, there may be existing countryside access initiatives for people with mobility problems. These include both site based initiatives, such as those attached to some of the larger country parks, and wider initiatives, such as those established in some national parks or by countryside services departments. They may also be able to provide advice and guidance and access to liaison and networking arrangements on which the local highway authority can build.

3.7 Significant issues remain on how to guide highways and rights of way staff into making a suitable balance of provision for the needs of people with mobility problems. For example, it would be possible to concentrate all resources available into providing a few very highly developed paths, very limited in length to enable virtually all to visit an attractive site. An alternative approach would be to concentrate on barrier modification and minor repair work to improve a much longer length of path to a rougher standard. In reality a mix of approaches is needed. The Countryside Agency has produced more detailed draft guidance, in a document called "Increasing Access to the Wider Countryside for Disabled People". This is currently being piloted in five areas and is due for release in 2003.

### **3.2 Further information**

*The BT Countryside for All Good Practice Guide to Disabled People's Access to the Countryside* available from the Fieldfare Trust, 67a The Wicker, Sheffield, South Yorkshire, S3 8HT, telephone 0114 270 1668. A summary of the Guide is also on the Fieldfare Trust's web site at <http://www.fieldfare.org.uk>.

*Sense and Accessibility: How to improve access on countryside paths, routes and trails for people with mobility impairments* (CAX 26) available free from Countryside Agency publications, PO Box 125, Wetherby, West Yorkshire LS23 7EP, telephone 0870 126 6466.

*Paths without Prejudice* (Countryside Agency publications).

*BS 5709:2001 - Gaps, gates and stiles* available from the British Standards Institution, Customer services 020 8996 9001 or from the BSI web site [www.bsi-global.com](http://www.bsi-global.com).

*The BT Increasing Access to the Wider Countryside for Disabled People: draft guidance for countryside managers* available from the Countryside Agency summer 2003.

# Annex 1

## Code of practice on written consultations

### The consultation criteria

Timing of consultation should be built into the planning process so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage.

1. It should be clear who is being consulted, about what questions, in what timescale and for what purpose.
2. A consultation document should be as simple and concise as possible. It should include a summary, in two pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.
3. Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals. Publication of material in alternative formats should also be considered (Braille, audio and large print).
4. Sufficient time should be allowed for considered responses from all groups with an interest. Twelve weeks should be the standard minimum period for a consultation.
5. Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken.
6. Authorities should monitor and evaluate consultations, designating a consultation coordinator who will ensure the lessons are disseminated.

## Annex 2

### Sections 60,61 and 62 of the Countryside and Rights of Way Act 2000

#### *Rights of way improvement plans*

Rights of way improvement plans.

**60.** - (1) Every local highway authority other than an inner London authority shall, within five years after the commencement of this section, prepare and publish a plan, to be known as a rights of way improvement plan, containing-

- (a) the authority's assessment of the matters specified in subsection (2);
- (b) a statement of the action they propose to take for the management of local rights of way, and for securing an improved network of local rights of way, with particular regard to the matters dealt with in the assessment; and
- (c) such other material as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may direct.

(2) The matters referred to in subsection (1)(a) are-

- (a) the extent to which local rights of way meet the present and likely future needs of the public,
- (b) the opportunities provided by local rights of way (and in particular by those within paragraph (a) of the definition in subsection (5)) for exercise and other forms of open-air recreation and the enjoyment of the authority's area,
- (c) the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems, and
- (d) such other matters relating to local rights of way as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may direct.

(3) An authority by whom a rights of way improvement plan is published shall, not more than ten years after first publishing it and subsequently at intervals of not more than ten years-

- (a) make a new assessment of the matters specified in subsection (2), and
- (b) review the plan and decide whether to amend it.

(4) On such a review the authority shall-

- (a) if they decide to amend the plan, publish it as amended; and
- (b) if they decide to make no amendments to it, publish a report of their decision and of their reasons for it.

(5) In this section-

"cycle track"-

(a) means a way over which the public have the following, but no other, rights of way, that is to say, a right of way on pedal cycles (other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988) with or without a right of way on foot; but

(b) does not include a way in or by the side of a highway consisting of or comprising a made-up carriageway (within the meaning of the 1980 Act);

"inner London authority" means Transport for London, the council of an inner London borough or the Common Council of the City of London;

"local highway authority" has the same meaning as in the 1980 Act;

"local rights of way" in relation to a local highway authority, means-

(a) the footpaths, cycle tracks, bridleways and restricted byways within the authority's area, and

(b) the ways within the authority's area which are shown in a definitive map and statement as restricted byways or byways open to all traffic.

(6) In subsection (5) the definition of "local rights of way" has effect until the commencement of section 47 with the substitution for the references to restricted byways and to ways shown in a definitive map and statement as restricted byways of a reference to ways shown in a definitive map and statement as roads used as public paths.

Rights of way improvement plans: supplemental.

61. - (1) Before preparing or reviewing a rights of way improvement plan, and in particular in making any assessment under section 60(1)(a) or (3)(a), a local highway authority shall consult-

- (a) each local highway authority whose area adjoins their area;
- (b) each district council, and each parish or community council, whose area is within their area;
- (c) the National Park authority for a National Park any part of which is within their area;
- (d) where any part of the Broads is within their area, the Broads Authority;
- (e) any local access forum established for their area or any part of it;
- (f) the Countryside Agency or the Countryside Council for Wales (as appropriate);
- (g) such persons as the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales) may by regulations prescribe in relation to the local highway authority's area; and
- (h) such other persons as the local highway authority may consider appropriate.

(2) In preparing or amending a rights of way improvement plan, a local highway authority shall-

- (a) publish a draft of the plan or of the plan as amended,
- (b) publish, in two or more local newspapers circulating in their area, notice of how a copy of the draft can be inspected or obtained and how representations on it can be made to them, and
- (c) consider any representations made in accordance with the notice.

(3) As regards their rights of way improvement plan, any draft plan on which representations may be made and any report under section 60(4)(b), a local highway authority shall-

- (a) keep a copy available for inspection free of charge at all reasonable times at their principal offices, and
- (b) supply a copy to any person who requests one, either free of charge or on payment of a reasonable charge determined by the authority.

- (4) Local highway authorities shall, in carrying out their functions under section 60 and this section, have regard to such guidance as may from time to time be given to them by the Secretary of State (as respects England) or the National Assembly for Wales (as respects Wales).
- (5) A local highway authority may make arrangements with-
  - (a) any district council whose area is within their area, or
  - (b) the National Park authority for a National Park any part of which is within their area,
  - (c) for the functions of the local highway authority under section 60 and this section so far as relating to the area of that council or to the part of the Park within the local highway authority's area, to be discharged jointly by the local highway authority and by that council or National Park authority.
- (6) Regulations under subsection (1)(g) shall be made by statutory instrument, and a statutory instrument containing such regulations made by the Secretary of State shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section-
  - "local highway authority" has the same meaning as in the 1980 Act;
  - "the Broads" has the same meaning as in the Norfolk and Suffolk Broads Act 1988.

Application of ss. 60 and 61 to inner London.

- 62.** - (1) The council of an inner London borough or the Common Council of the City of London may by resolution adopt sections 60 and 61 as respects their area or any part of it which is specified in the resolution.
- (2) On the passing by any authority of a resolution under subsection (1), sections 60 and 61 shall, as respects their area or the part of it specified in the resolution, apply in relation to that authority-
- (a) as they apply in relation to a local highway authority other than an inner London authority, but
  - (b) with the substitution for the reference in subsection (1) of section 60 to the commencement of that section of a reference to the date on which the resolution comes into operation.



PB7560



## **RIGHTS OF WAY IMPROVEMENT PLAN – LIST OF CONSULTEES**

- Natural England (West Midlands)
- Local Access Forum Members \*

### **Neighbouring Local Authorities**

#### **Rights of Way Depts including:**

- Gloucestershire County Council
- Monmouthshire County Council
- Powys County Council
- Shropshire County Council
- Worcestershire County Council
- Hereford City Council
- Malvern Hills District Council
- Forest of Dean District Council

#### **Other Key Organisations:**

- Auto Cycle Union
- Battle for Bridleways Group  
Herefordshire \*
- Black Mountains Graziers Association
- Brecon Beacons National Park
- British Association for Shooting and  
Conservation (BASC)
- British Canoe Union
- British Driving Society
- British Horse Society
- British Mountaineering Council
- Byways and Bridleways Trust
- Campaign to Protect Rural England
- Canal Trust
- Country Landowners Association
- Countryside Alliance
- Cyclists Touring Club
- DEFRA
- Disabled Ramblers Association
- English Heritage
- Environment Agency
- Farming and Wildlife Advisory  
Group
- Forestry Commission
- Forest Enterprise
- Green Lane Association (GLASS)
- Herefordshire Association of Local  
Councils (HALC)
- Herefordshire Landrover Club
- Herefordshire Nature Trust
- Herefordshire Rural Hub – Holme  
Lacy College
- Herefordshire PROBUS
- Herefordshire Rotary Club

- Land Access and Recreation  
Association (LARA)
- Malvern Hills AONB
- Malvern Hills Conservators
- Malvern Hills District Footpath  
Society
- Market Towns Forum for  
Herefordshire
- National Farmers Union
- National Trust
- Open Spaces Society
- Ramblers Association
- Rights of Way Liaison Group \*
- Sport England
- Trail Riders Fellowship
- Sustrans
- Woodland Trust
- Womens Royal Voluntary Service
- Wye Valley AONB
  
- Tourist Information Centres
- Herefordshire Library Service
- Info shops

### **Internal List – HC (e-mail)**

- Tourism
- Tourism Co-ordination Group
- Bill Bloxsome – Conservation Manager
- Herefordshire Biodiversity Partnership
- Natalia Silver
- Geoff Hughes
- George Thompson (Estates)
- Cllr Stockton
- Councillor Library and e-mail to all Cllrs (members)
- Forward Planning
- Highways and Transportation
- Development Control
- Primary Care Trust
- Director of Environment
- Head of Property Services
- Herefordshire Partnership
- Parks and Countryside
- Herefordshire Rivers
- Hereford city Manager

# STAUNTON ON WYE PRIMARY SCHOOL: REPLACEMENT AIDED SCHOOL PROJECT

## PORTFOLIO RESPONSIBILITY: CHILDREN'S SERVICES

CABINET

27 MARCH 2008

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### Wards Affected

Wormsley Ridge

Castle

### Purpose

Cabinet to approve the provision of a new build replacement school for Staunton on Wye.

### 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.

### Recommendations

**THAT Cabinet supports the Governors' project to provide a new school building for 70 pupils in Staunton on Wye.**

### Reasons

In 2000 the Department for Children, Schools and Families (then DfES) made a grant available to the Trustee Governors of this aided school to meet 90% of the net costs of new accommodation. This grant is dependent on the Local Authority supporting the scheme. The Department for Children, Schools and Families require an explicit expression of support from the Local Authority before 31 March 2008. Otherwise they will withdraw their offer, and place the resources back into the national fund used to fund aided schools across the country.

### Considerations

1. Staunton on Wye Primary School is a 3 class school accommodated in a 3 storey Victorian Gothic Listed Building within a complex built and managed by the Jarvis Trust. Although this provides a fascinating local history, the 19<sup>th</sup> Century school accommodation is not appropriate to meeting the needs of all children in the 21<sup>st</sup> Century. There is no disabled access to the upper floors, which also rely on the adjoining but empty building as a means of emergency fire exit.
2. In terms of physical condition and suitability of teaching spaces it is one of the worst Primary Schools in the County, requiring over £177,000 to repair the building fabric. In

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

the past roof materials have fallen into playground areas, and a ceiling in the hall has collapsed. It remains an expensive building for the Governors to maintain.

3. In December 2000 the DCSF recognised this, and offered 90% funding towards the net cost of a new school. Since then there have been difficulties in identifying a site and obtaining outline planning permission. The latter was achieved in January 2004 when outline permission was granted. This was valid for 5 years, subject to 3 reserved matters (approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site) being resolved before January 2007.
4. In this period pupil numbers in the County and in the Weobley Pyramid of schools declined, and questions were raised about the wisdom of proceeding with this scheme. The reserved matters were not resolved, and planning permission has now lapsed. The Planning Service Officer has advised that he is unaware of any changed circumstances. However, the outcome of any further application cannot be pre-judged. Governors would have to reapply and the application should be resolved within 3 months.
5. The site has been purchased. The original owners or their successors are entitled to recover possession if the site is not used for a school within a specified period.

## **Financial Implications**

6. In a project to provide a new aided school on a different site, the Local Authority has a duty to acquire the new site. This has been done at the cost of £92,500, (completed on 12 April 2007); the purchase includes the school's playing field. Within the purchase agreement there is a covenant which requires the new school to be completed and in use by the 12 April 2012. If this is not achieved the original owners have a right for the site to be returned into their ownership, albeit with the sum needed to purchase the site being credited to the Local Authority. The project to build the new school remains the responsibility of the School Governors and the appointed architects, using the 90% grant from DCSF, 10% contribution from Governors and the capital value of the existing site.
7. Upon completion of the works (in accordance with the practice adopted by DCSF for Aided Schools) the freehold ownership of the buildings, car park and all hard play areas would be transferred to the Governors. The Local Authority would retain ownership of the playing field areas. Estimates based on recent primary school buildings suggest that the new school will cost over £1,600,000.
8. The DCSF during the preparation of the project will review costings and its grant offer. The principle of 90% grant to the net cost of the project remains. The DCSF will increase the grant if inflation in the construction industry justifies it. A further valuation of the current site would also be needed.

## **Risk Management**

The project is not a Local Authority project per se. Responsibility and financial risk lies with the School Governors. The Local Authority responsibility lies in its strategic planning and the risks lie in the impact of a decision on Staunton on Wye Primary School on the current and future pupils at surrounding primary schools, and in the reputation of the Local Authority in making a correct judgement on this matter.

Cabinet should be aware that unless the new accommodation is provided, or significant maintenance monies continue to be invested by the Governors, health and safety concerns

for the well being of children will remain, and forced closure of the building (not necessarily the school) at some point in the future could not be ruled out.

## **Alternative Options**

If the Cabinet does not make clear a decision to support the project to provide new accommodation before 31 March 2008, the DCSF will withdraw the funding on offer.

The alternative option is to maintain the school in its existing building, but this does not provide accommodation fit for 21<sup>st</sup> Century teaching and learning, and would require high levels of maintenance monies, and continuing monitoring of the health and safety situation.

## **Consultees**

Numerous responses on the future of Staunton on Wye Primary School were received in the original School Review proposals (now withdrawn). Those who have children at the school and prospective parents argued strongly for the new school buildings. There is nervousness in surrounding schools on the impact that such a development would have over the future. Clearly there are mixed views but with the opportunity to provide such investment in a new school build being rare this is seen as an opportunity to improve the physical learning environment.

## **Appendices**

None

### **Background Papers**

DCSF email

DCSF Offer of Grant Letter

Letters/emails received on Staunton in School Review Process

Outline Planning Permission (9 January 2004)

