

MINUTES of the meeting of CABINET held at THE COUNCIL CHAMBER, BROCKINGTON, 35 HAFOD ROAD, HEREFORD on Thursday, 29 May 2008 at 2.00 p.m.

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

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

In attendance: Councillors WLS Bowen, GFM Dawe, PJ Edwards, RI Matthews,
SJ Robertson and J Stone

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from a Member in attendance, Councillor ACR Chappell.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. MINUTES

RESOLVED: That the Minutes of the meeting held on 1 May 2008 be approved as a correct record and signed by the Chairman.

The Leader of the Council welcomed Councillor PD Price as the new Cabinet Member Educational Improvement and ICT.

4. DEVELOPMENT OF THE LOCAL AREA AGREEMENT

Cabinet received the final report on the Development of the Local Area Agreement for submission to Government Office and were advised the report would be submitted to the Herefordshire Partnership for approval the following day. Cabinet was reminded the Council was the accountable body and had a key leadership role in ensuring its successful delivery by partner organisations and was being driven forward by the Joint Management Team. Cabinet was informed of updates and advised that the Primary Care Trust (PCT) was in the final stages of agreeing targets for the next three years. The stopping smoking targets for 2008/09 were more challenging and the target for 2010/11 had increased by 1 to 818, which the PCT was confident would be achievable. It was added that government had given new national guidelines that the PCT was working to achieve on alcohol harm related hospital admission rates. Additionally work was being prepared on an action plan and the collation of consistent information. It was stated that the target figures presented had been agreed by all partner organisations.

In response to a question on the absence of some data in the LAA improvement targets, Members were advised that a survey of place would be conducted during the which would set some future baseline information, additionally Government was considering technical specification on some indicators and how information would be calculated.

On a point of correction, the Cabinet Member for Economic Development and Community Services requested that the reference to the value of tourism (page 26 paragraph 4) be amended to state £395 million.

It was stated that the LAA indicators had been negotiated over many months and that during the process and in discussions with GOWM some indicators had been amended. Due to the close working with GOWM it was expected that the indicators would be commended by the Government Office to the Minister for final sign off.

RESOLVED That: Herefordshire's Local Area Agreement be agreed for submission to Government Office for ministerial sign off in June 2008.

5. WEST MIDLANDS REGIONAL SPATIAL STRATEGY, PHASE TWO REVISION

Prior to formally introducing the items 5, 6 and 7 (all of which were linked in part), the Cabinet Member for Environment and Strategic Housing advised Cabinet that Dr David Nicholson, Forward Planning Manager had recently been appointed on secondment to the Edgar Street Grid (ESG) and he wished him well for the future.

Additionally, the Cabinet Member for Environment and Strategic Housing informed Cabinet that Herefordshire Council had been asked to act as a peer for another authority by the Improvement and Development Agency (IDeA) due to the following reasons; the advanced nature of the Core Strategy; the establishment of a Task Group with the Local Strategic partnership; the authority's receipts of PAS training, and the linkages with the Growth Point initiative. The request to act as a peer reflected well on the authority and the Cabinet Member gave particular thanks to Dr Nicholson and Andrew Ashcroft for their work on this.

The report outlined the Council's proposed response to the West Midlands Regional Assembly consultation on the current review of the Regional Spatial Strategy (RSS) Phase Two, which looked ahead to 2026 and which focussed on housing, employment, role of centres, and waste.

The Cabinet was informed that Government had already stated that the amount of housing provision for the region outlined in the RSS Phase Two was insufficient to meet future demand and to deliver affordable housing needs, therefore a further study had been commissioned by Government to reassess the situation and to provide for additional housing figures. The Cabinet was advised that report would be provided later in the year which would outline the study's outcomes.

The report for Cabinet's consideration outlined the need to establish the Council's position on the review proposals, which would provide a basis for the Core Strategy Option (for consideration under agenda item 6). Members were advised that whilst the RSS Phase Two rates proposed were similar those indicated in the UDP, the levels and distribution of housing development proposed in the Phase Two development would have implications for the county. The implications would be that Hereford City would have a significant uplift of over 50% on UDP rates with a downturn in provision for the rest of the County, which may have a direct impact on market town growth and provision for sustainable rural settlements. Members were reminded that Hereford was one of 10 designated 'settlements of significant development' as well as being an area with Growth Point Status (one of 29 areas in England which were identified to deliver higher levels of housing growth).

The proposed response (as outlined in recommendations 1, 2, 3 and 9) generally supported the Phase Two Revisions, but suggested the need to introduce an

element of flexibility. Additionally whilst as much growth as possible would be sought for Hereford (up to the RSS figure) it was essential to emphasise that appropriate infrastructure would be required to support this. It was also stated that any residual figures from the Hereford allocation should be capable of being added to the rest of the county figure should it not be practicably met at Hereford.

Following discussion at Planning Committee on 23 May, an additional recommendation to those listed in the report (recommendation 10) had been proposed to reflect the Council's approach to climate change

The Leader advised Cabinet that Herefordshire had inputted strongly into the regional debates to ensure the strengthening of references to remoter areas (i.e those outside the market towns) and to emphasise that sustainable rural communities did not relate solely to market towns. The pressures to the infrastructure were emphasised together with the need to ensure that early considerations were given to such matters in parallel with the provision of the additional ½ million houses in the region to ensure a robust framework was in place to support infrastructure, employment and housing. Should these factors not be present, it could lead to gridlock and consequently the possibility of economic decline. The Leader additionally advised the Cabinet of the emerging agenda around the integrated regional strategy, whose focus would include the economic strategy and the urban and rural renaissance dimensions.

In response to a comment about the location of housing provision within the County, Dr Nicholson emphasised the requirement for the distribution allocated in the RSS Phase Two revision document which outlined that half the provision should be met in within the boundaries of Hereford, with the remainder being met in the rest of the county, in these cases, whilst there was a certain amount of flexibility, there would be a steer for developing within market towns and larger villages.

Councillor Edwards advised Members that in this role as a representative of the authority on the Regional Planning Partnership, he considered it his constant duty to engage with the region and to emphasise the rural dimension in the development of regional policy in order that these can best deliver the authority's needs. It was emphasised that it was important to ensure a two-way engagement with regional bodies.

In response to a comment on strengthening the public transport infrastructure, especially the rail network, to support the development of housing and employment, the Forward Planning Manager advised Members that the constructive engagement with relevant organisations to consider the possibilities of building new railway stations in the County would be for consideration by transport colleagues; this issue also linked in with other items on the agenda for consideration at the meeting. A member in attendance raised the point that it was constructive that the Cabinet Member for Economic Development and Community Services was engaged in dialogue with the rail companies.

It was stated that the issues raised crossed many Cabinet responsibilities and Cabinet Members worked to ensure that consideration was given to these important issues collectively.

The Leader advised the Cabinet that it was possible that draft legislation would transfer the strategic planning function to Regional Development Agencies, this position would not be supported by the administration as the key function of planning should be maintained and co-ordinated through local authorities.

RESOLVED that the Council submits representations to the Panel Secretary

generally supporting the Phase Two Revision subject to:

The Spatial Strategy should include further recognition of the infrastructure requirements at Hereford if growth is to be achieved; the peripheral expansion of market towns, and their service centre role for their rural hinterlands; and the need to plan for the renaissance of the region's remoter rural areas in a way which sustains their social, economic and environmental character;

Policy CF2 should be amended to recognise that growth may only be capable of being accommodated in some settlements of significant development if infrastructure constraints are removed. The recognition in para. 6.21 in respect of meeting housing needs in smaller settlements is welcomed;

3. In respect of policy CF3:
 - a) the total provision of 16,600 dwellings for Herefordshire be supported;
 - b) the identification of Hereford as a settlement of significant development be supported as reflecting the Council's Growth Point partnership with Government for the delivery of housing growth;
 - c) the provision for Hereford (8,300 dwellings) be expressed as a maxima, recognising that at present the extent to which Hereford can accommodate new development is limited and that the practical achievement of these levels of growth will be dependent on suitable transport and other infrastructure provision, as well as other factors;
 - d) following consideration of the distribution of growth within the County in the Local Development Framework Core Strategy and the Hereford Area Action Plan, dwellings which cannot be accommodated within or adjacent to Hereford be directed to the rest of the County in accordance with the principles in policy CF2;
4. The affordable housing targets in policy CF7 be re-assessed in the light of the emerging Housing Market Assessment for the West Housing Market Area;
5. Policy CF10 be supported and further recognise that in rural areas there are also considerations such as the relatively high proportion of small sites in the overall housing supply;
6. The comparison retail floorspace requirements set out in policy PA12A be supported, with the retail assessment work being undertaken as part of the Local Development Framework offering the opportunity to refine the Phase Two Revision figures at Examination if necessary to ensure suitable provision is made for Hereford city centre;
7. The office development requirement for Hereford in policy PA13A be supported;
8. The revisions to the waste policies be supported, subject to clarification of the implications of the existing joint arrangements for

the principle that each waste planning authority should plan to manage an equivalent tonnage of waste arising within their boundary;

9. The continuing recognition of the need to implement the package of measures identified in the Hereford Transport Review be supported, so as to allow Hereford to fulfil its role as a Settlement of Significant Development; and

10. The 'sustainable region' policies, including that on climate change, be particularly welcomed and supported.

6. HEREFORDSHIRE LOCAL DEVELOPMENT FRAMEWORK: CORE STRATEGY: DEVELOPING OPTIONS PAPER

The Cabinet's approval was sought for the publication of the Herefordshire Core Strategy Developing Options paper for consultation purposes, together with the accompanying Sustainability Appraisal and Habitats Regulations Assessment reports. The Cabinet Member for Environment and Strategic Housing stated that the series of options for how the County could develop up to 2026 assumed the new levels of growth contained in the revised RSS (as discussed in the previous agenda item). It was emphasised that the options themselves were not for consideration by Cabinet at this stage. Initial consultation had taken place during 2007 and it was stated that the plan would be locally distinctive and relevant to Herefordshire. The Local Development Framework (LDF) would be developed in line with the emerging RSS review and links had been made to the Community Strategy through the work of the LDF task group.

A Members seminar had been held in February 2008 to outline the various options and further briefings had been held recently for all Members in Hereford City and the market towns.

The Cabinet Member outlined the four broad options which highlighted the theme of sustainable development; economy (Option A), society (Option B), and environment (Option C), together with Option D which was for a new settlement. It was emphasised that consultation would be undertaken prior to consideration of a preferred option, which could be a mix of the options outlined. It was further stated that the regional housing figures would need to be finalised prior to the consideration of the final option. The methodology behind the adoption of the final option would need to be sound to ensure it met Government's criteria.

The Cabinet Member additionally stated that a sustainability appraisal and habitat regulation assessment accompanied the report, both of which were required by national and European legislation. As part of the Habitat Regulation Assessment consideration would need to be given to cross border issues where there were Internationally important sites e.g. the river Wye (from source to mouth).

It was recommended that the consultation on the Core Strategy paper and the associated appraisals would commence on 16 June for period of eight weeks and the consultees would include parish councils.

In response to a question regarding the summary of workshop comments on within the sustainability appraisal document (appendix 1), Dr Nicholson stated that the workshop comments provided a record of one of the steps in the process of developing the options. The workshop's function was not to 'appraise options' but to demonstrate the process within which communication and consultation occurred as

the authority moved into a preferred option model, the document therefore provided information and evidence. It was emphasised that the workshop was solely an officer group.

A Member in attendance advised Cabinet that a worthwhile seminar was recently held which outlined the principles and methods required within a consultation process. The Cabinet Member for Corporate and Customer Services and Human Resources stated that it had been unfortunate that as the seminar had been arranged at short notice some members were not able to attend. It was reported that those who attended rated the seminar very well and that it was intended to re-run the seminar.

RESOLVED: That the publication of the Herefordshire Core Strategy Developing Options paper be approved for consultation purposes together with the accompanying Sustainability Appraisal and Habitats Regulations Assessment reports.

7. STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT

The Cabinet Member Environment and Strategic Housing presented a report which advised of the ongoing Strategic Housing Land Availability Assessment, which was an important part of the emerging evidence based for the LDF (see previous agenda item). It was emphasised that report's purpose was not to consider prospective development but reflected the factual position of the assessment of potential as required by the national planning policy to demonstrate the requirements of regional housing provision. It was stated that it may be required to dip into land that was eventually confirmed to be available in order to deliver the best sites for the chosen preferred option.

In referring to the maps circulated with the papers, the Cabinet Member advised that the Planning Committee raised concerns in respect of a number of protected open spaces and amenity areas which had been included as potential sites, these areas, outlined in the Unitary Development Plan, had been included in error and revised plans (which excluded these areas) were available to view at the meeting on the display boards. Officers were reminded to ensure that the website was updated with regards to the maps.

Further technical work would be gathered to inform on site suitability. The emerging work would be available to support the forthcoming Core Strategy consultation.

The Leader was advised that all Hereford City and Market Town members had been invited to attend the meeting.

In referring to the amendments to the maps, it was stated that the new maps would be made available on the web and a reference made to the fact that they had been amended to reflect the appropriate status of protected open spaces and amenity areas.

In response to a question about the input of utility services, the Forward Planning Manager advised Members that these services would be engaged as part of the next steps of consultation, following Cabinet's approval.

RESOLVED that Cabinet approve:

- (a) The work carried out to date, as a basis for going forward;**
- (b) The preparation of a more detailed survey report on the identified**

land;

- (c) **Technical consultation on the study when signed off by the Cabinet Member Environment and Strategic Housing.**

8. HIGHWAYS NETWORK MANAGEMENT PLAN 2008/17

Cabinet was informed that the Highway Network Management Plan was a statutory requirement and should not be confused with the Highway Maintenance Plan or the Local Transport Plan. The plan considered how to manage the transport infrastructure and the roads concerned. Cabinet was referred to page 78 of the agenda, bold paragraph, with regard to the duties of a local traffic authority. It was added that the list of partners was not exhaustive and that partner organisations needed to work together to achieve appropriate efficiencies. Cabinet referred to page 86 of the agenda and the list of principle partner organisations on the board. Cabinet also examined the objectives outlined. Cabinet also referred to page 96 of the agenda and the current strategies to tackle congestion in Hereford. It was added that from surveys of the public indicate traffic congestion is the single most important issue to residents in Herefordshire.

Another key issue raised was the accountability of the Highways Agency. Cabinet was advised that officers were looking to develop an Intelligent Traffic System for Hereford building on the existing system for traffic light management. It was estimated that the cost could be in the region of £500k however; this would depend on the number of elements included. Any intelligence gained would be shared with the Highways Agency. A Member in attendance referred to page 83 of the agenda and traffic congestion in Hereford city. The Cabinet Member Highways and Transportation drew attention to page 82 of the agenda, Integrated Transport Policy and stated that all aspects of transport needed to be integrated in order to make a transport system that worked for all stakeholders.

When considering the engagement of stakeholders, the Welsh Assembly should be added.

In response to a statement that if an overarching objective of the transport plan was to provide sustainable means, investment in new road building should be discouraged, the Leader advised that such a Plan should assess and tackle the County's needs whilst also being mindful of sustainability issues. The Cabinet Member, Highways and Transportation emphasised that within an integrated transport system, all aspects of transport had a part in delivering solutions (as outlined in pages 81 and 82 of the agenda).

RESOLVED That: the Highway Network Management Plan be adopted as Council policy.

9. FINAL REVENUE AND CAPITAL OUTTURN REPORT 2007/08

The Cabinet Member Resources presented the Final Revenue and Capital Outturn 2007/08 report stating overall it represented a good outcome for the authority. It was added that to date Herefordshire had submitted and received one of the largest claims under the Bellwin scheme for work undertaken during the summer 2007 floods. Congratulations were expressed to the Benefits team for the amount of benefits subsidy claimed. In reviewing the financial position the Cabinet Member stated Directors should be congratulated on their overall management of budgets at a difficult time. Cabinet was referred to page 166 of the agenda to the list of specific reserves and advised that the use of the underspend to set up a specific reserve was requested to help with future accommodation changes. It was added that it was

anticipated that the financial year for 2008/09 would be challenging. Reference was made to funding in the Environment Directorate and whether reserves were at a level which would support funding for highways. Cabinet was advised that in previous years the directorate had had some underspend however this year the directorate faced significant challenges meaning the specific reserve could not be increased. It was added that within Adult Social Care improvements had been as a result of service redesign to rectify the budget position.

The Cabinet's approval was sought for the use of unspent budget as outlined on page 165, paragraphs 55 and 56 and to the approval of new specific reserves in the accounts as outlined on page 166 of the agenda and detailed in paragraph 59.

RESOLVED that Cabinet approve:

- (a) the final outturn for 2007/08;
- (b) the Joint Management Team's recommendations for carry forward of unspent budget into 2008/09 (page 165, paras 55 and 56); and the movement to new reserves as outlined in the report (page 166, para 59); and
- (c) the movements to new reserves outlined in the report.

10. MINIMUM REVENUE POSITION (MRP) STATEMENT

The Cabinet Member Resources presented the report which sought the approval of the Minimum Revenue Provision Statement for 2008/09 in order to formally comply with the Local Authority (Capital Financing and Accounting) (England) (Amendment) Regulations. Cabinet was advised that whilst the new rules came into effect from the 2007/08 financial year, the Council was, in effect, already following these requirements and demonstrating good practice.

RESOLVED That the Minimum Revenue Provision Statement for 2008/09 be approved.

11. REVIEW OF POLLING STATIONS

The Deputy Returning Officer presented the report of the Returning Officer on the proposed changes to the number and locations of polling stations in Herefordshire as a result of the requirement within the Electoral Administration Act 2006 (EEA 2006) that relevant authorities conduct a review of all polling districts and polling places, with reviews conducted every four years. The Cabinet was informed that this was an apolitical report, and whilst approval in principle was sought from Cabinet, the Returning Officer would publish the final outcomes.

A consultation process had been undertaken between February and March 2008 which had included a number of consultees, the comments from which were attached as Appendix 1 of the report. It was a statutory duty to ensure the provision of appropriate polling stations and Appendix 2 of the report set out the outline of the review proposals, rationale and the recommendations for each ward.

In discussion the issue in finding staff to cover polling stations in very rural areas was considered. All Council employees, at all levels, should be encouraged to support the democratic process. In response, the Returning Officer stated that whilst local authorities were increasingly finding it difficult to staff polling stations, this authority should positively encourage staff to connect with the democratic process

and develop a network of staff with the appropriate skills to support the electoral processes

Specific references were made to the following polling stations:

- Page 184 - Llangarron: Cllr Hyde sought confirmation that no change was proposed; the Registration Services Officer confirmed this to be the case.
- Page 185 - Pembridge and Lyonshall with Titley: The Leader confirmed that the Parish Council supported the submission.
- Page 192 - Burghill, Holmer and Lyde Ward: Cllr Robertson spoke in opposition to the proposal which sought to transfer the polling station for the Pipe and Lyde polling district from Moreton on Lugg Village Hall to Holmer Church Parish Centre. The Registration Services Officer confirmed that the status quo would be maintained pending the conversion of a church to a community facility, which should meet the appropriate standards.
- Pages 223/224 - Upton Ward: Councillor Stone requested that the proposal for the Eye, Moreton and Ashton Polling District to be served by Luston Methodist Chapel to be reconsidered. He expressed the view that Crawley Hall, the current polling station has good access and parking, both of which were lacking at Luston Methodist Chapel. Concerns were also expressed that the change may adversely affect the number of votes cast and so have a negative impact on local democracy in addition to a detrimental impact to the environment as the distance to travel was further.
- Page 219/220 - St Martins and Hinton Ward: Cllr Oliver proposed the possibility of using Saxon Gate as an alternative to Manor Rest Home as the Putson Baptist Church polling station be accommodating in excess of a possible 3000 votes.

Members were thanked for their comments, all of which would be referred to the Returning Officer for consideration.

RESOLVED that:

- (a) **the Returning Officer's recommendations as indicated in Appendix 2 be noted; and**
- (b) **objections raised by Councillors be noted and referred to the Returning Officer for consideration**

Notifications to changes to polling stations would need to be clearly stated when sending out the polling card to minimise the consequences of change.

The Electoral Registration Officer advised the Cabinet that Parish Council vacancies were being advertised proactively through correspondence to all households.

12. REDEVELOPMENT OF DEFECTIVE CONCRETE HOMES AT WOODEDGE, ROSS-ON-WYE, AND ARCHENFIELD, MADLEY

Cabinet considered a confidential report on the replacement of Defective Concrete Homes at Woodedge, Ross-on-Wye and Archenfield, Madley.

Not for publication this information relates to the financial or business affairs of any particular person (including the authority holding that information).