

A G E N D A

Environment Scrutiny Committee

Date: **Monday 23 March 2009**

Time: **9.30 am**

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

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

For any further information please contact:

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Herefordshire Council

AGENDA

for the Meeting of the Environment Scrutiny Committee

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

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

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1. APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2. NAMED SUBSTITUTES (IF ANY)	
To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3. 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.	
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PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

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

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

The principal roles of Scrutiny Committees are to

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

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

PUBLIC INFORMATION

Public Involvement at Scrutiny Committee Meetings

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

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

1. Identifying Areas for Scrutiny

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

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

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

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

Remits of Herefordshire Council's Scrutiny Committees

Adult Social Care and Strategic Housing

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

Children's Services

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

Community Services Scrutiny Committee

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

Health

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

Environment

*Environmental Issues
Highways and Transportation*

Strategic Monitoring Committee

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

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- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
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- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
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COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 2 March 2009 at 9.30 am

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

Councillors: CM Bartrum, WLS Bowen, JW Hope MBE, MAF Hubbard, TW Hunt, PM Morgan, PJ Watts and JD Woodward

In attendance: Councillors PJ Edwards, TM James, JG Jarvis (Cabinet Member Environment and Strategic Housing) and AT Oliver

37. APOLOGIES FOR ABSENCE

Apologies were received from Councillor A Seldon, Councillor NL Vaughan and Councillor DB Wilcox (Cabinet Member – Highways and Transportation).

38. NAMED SUBSTITUTES

Councillor JD Woodward substituted for Councillor A Seldon.

39. DECLARATIONS OF INTEREST

No declarations of interest were made.

40. MINUTES

The Committee noted that in relation to minute 33 Capital Budget Monitoring, outstanding claims for the Ross-on-Wye Flood Alleviation scheme were still being pursued with the Environment Agency who had commissioned the works. It was further noted that while there had been additional works, the scheme had been completed under original budget. In relation to minute 34 Revenue Budget Monitoring, it was noted that very limited response had been received from Herefordshire Council members on the question of flooding 'hot spots'.

RESOLVED: That the minutes of the meeting held 24 November 2008, be approved and signed by the Chairman.

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

Public comment was received concerning the lack of a Climate Change Officer in the Council which was debated under agenda item 42 Carbon Management Performance.

42. CARBON MANAGEMENT PERFORMANCE

The Committee were informed of the national indicators on climate change and given an outline of the major sources of carbon emission from the council and its contractors in order to inform sustained efforts to reduce emissions over the next decade and beyond.

The Sustainability Manager presented her agenda report which highlighted: the strong link between ongoing costs and carbon emissions, mainly through energy usage; that the council leads on the Herefordshire Partnership Local Area Agreement target to cut the county carbon emissions, and the risk to the council through not meeting the various targets. The report also described the new National Indicator set namely: NI186 (county carbon reduction per capita), NI185 (Percentage CO2 reduction from Local Authority operations) and NI188 (Planning to adapt to climate change). The report further informed of work to determine the impact of the Council's own vehicle fleet.

On scrutinising the report the following principal points were noted:

- Questioned whether the Council could meet the government stretched target to cut carbon emissions by 80% by 2050 the Sustainability Manager responded that whether this could be achieved was currently unknown.
- In many cases initial financial investment was needed to achieve long term savings and this needed to be costed for each scheme.
- Improvements to building insulation were being made through the new planning legislation. The Council were also offering insulation grants to those on benefits or the elderly to assist in raising property insulation standards. The Committee requested further information on the work underway, and what further work could be done, to raise energy standards of new housing through Forward Planning requirements and building legislation.
- While the Council was currently achieving its carbon reduction target it was pointed out that this was largely due to the one-off gain in including the landfill gas flare. The Committee questioned how continued reductions were to be made. The Director of Environment and Culture commented that while it was currently uneconomic to sell the landfill gas the situation would be kept under review.
- Questioning why the Council no longer used 'green electricity' and what the public perception to this may be, the Cabinet Member (Environment) commented that electricity was purchased via the councils purchasing consortia (West Mercia Supplies) who had ceased this facility. He appreciated the public perception issue and undertook to make further enquiries.
- While a report was planned for the June Committee on street lighting energy consumption the Director of Environment and Culture reported that a grant had been obtained to undertake a pilot study into replacing current lighting with LED lighting.
- Responding to whether the Councils vehicle fleet were entirely diesel powered, the Committee noted that the 2000+ vehicles indicated in the 'fleet summary' were mainly vehicles owned by staff or Councillors and used for business mileage. The remainder, principally owned by Council contractors, were a range of vehicles using a variety of engine types.
- The Committee noted that vehicles in Council ownership were owned by individual directorates rather than centrally under a Fleet Manager and therefore work on determining the impact of the Council owned fleet was continuing. The Director of Environment and Culture acknowledged that a strategic approach was needed. The Cabinet Member (Environment) undertook to raise the fleet manager/fleet management issue with fellow Cabinet Members. The Committee requested that a further report, looking at the number and type of vehicle involved and the potential cost/benefit of appointing a Fleet Manager, be scheduled in the work programme for the June Committee.
- It was suggested that baseline data on vehicle mileages should be compiled now so that a comparison can be made following any relocation to a central

Council HQ.

- While the Council had many hundreds of sites around the County, work was progressing on establishing baseline data on energy and water usage in council buildings which would thereby provide a clearer picture of CO2 and cost.
- Responding to when a replacement Climate Change Officer was to be appointed the Director of Environment and Culture reported that the vacancy was being reviewed as part of the overall review of the directorate which was due to be completed by 1st April 2009.

RESOLVED: That subject to reports on options to increase energy standards through planning requirements and building standards and further information on the Council fleet/fleet management being scheduled into the work programme for the June Committee the report be noted.

43. TRANSPORTATION MATTERS

The Committee were informed about the co-ordination of transport services including those provided by the voluntary sector.

The Interim Transportation Manager presented his report which informed of: public transport contracts; home-to-school transport; social care transport, and transport provided through the voluntary sector. The report also highlighted some of the opportunities or barriers for integration including the integration between public transport and Adult Social Care transport.

On scrutinising the report the following principal points were noted:

- The extension to 16-18 learning, due to be implemented in 2013, had the potential to have a major adverse impact on pupil transport budgets.
- The Committee noted the complexity, arising from the government policy on parental choice for schools, in arranging efficient and economic school transport.
- Adult Social Care provided transport for social care clients on the basis of individual need (taxi/voluntary car/ minibus etc) which depended on what was determined by their individual care package. It was reported that the Scrutiny Review of Day Care Opportunities may provide more information on this aspect of transport. The Committee requested a report on costs and efficiencies identified through the Scrutiny review.
- It was commented that many pupils may decide to cycle to school if routes to school were safe and cycle facilities were provided.
- It was thought that there had been a drop in the number of volunteer drivers in the voluntary sector. This had probably been due to a narrowing of the gap between allowances paid and the costs of fuel and maintenance.
- Public transport contracts were usually for 3 years and normally contained a clause to take account of inflationary factors e.g. fluctuations in fuel prices.
- The typical cost of transporting a statemented pupil to schools by taxi was £20.00 per day - not including any escort costs.
- An average of £1.53 per journey was paid to public transport contractors. It was commented that the public should be made more aware of this subsidy and more use of public transport should be encouraged. Comment was made regarding the need for subsidised bus services to include appropriate information for passengers identifying the Council's financial support for the service. It was confirmed that such notices were routinely included on supported services.
- Questioned on the possibility of co-locating transport facilities, such as rail and bus, the Interim Head of Transportation reported that the Leominster

Taxi Bus scheme had operated until funding for the scheme had run out. He reminded Members that a seminar entitled 'The future of bus services' was due to be held on 23rd March.

- The Low Floor Bus Project which was funded through the Council's Local Transportation Plan and contributions from the Countryside Agency had enabled the Council to support a step change in the quality of the rural bus fleet in the County, providing fully accessible vehicles well in advance of DDA requirements. These newer busses also had the benefit of improved fuel efficiency and hence a reduced carbon footprint.
- The Director of Environment and Culture referred to the earlier carbon management report which stated that the Council's Joint Management Team had recently resolved that:- 'All major projects and briefs to consultants should require calculation of lifetime carbon costs for options to enable better management of emissions and that major contractors be required to show a commitment to environmental management as part of the Pre-qualification Questionnaire (PQQ) process and provide the Council with data for our carbon inventory so progress with our reduction target can be checked'.
- In relation to school transport the Admissions and Transport Manager reported that the government were currently assessing the American style Yellow Bus scheme.

RESOLVED That subject to a report on efficiencies identified through the review of day care opportunities being programmed for the June 2009 meeting the report be noted

At this point the Committee adjourned for 8 minutes and resumed at 11.09am

44. A STRATEGIC APPROACH TO ASSET MANAGEMENT AND ITS POTENTIAL CONTRIBUTION TO THE ACHIEVEMENT OF LONG TERM CARBON REDUCTION TARGETS

The Committee were advised of the potential contribution that a strategic approach to asset management might make to the achievement of long term carbon reduction targets.

The Head of Asset Management and Property Services presented his report. He highlighted that pressure upon asset managers had been progressively growing to critically evaluate policies and practices in respect of carbon management and his report set out how a number of government measures impacted upon how local Authorities conduct their business. He also highlighted that there were six areas where local authorities can take action to reduce carbon emissions, namely new buildings; energy; procurement; water; waste and travel and his report indicated how these translated into a number of key themes and associated challenges. Appendix A to the report set out estimated CO₂ emissions from Council buildings and Council schemes demonstrating commitment to carbon reduction targets.

On scrutinising the report the following principal comments were noted:

- While substantial savings could be made, in both CO₂ and financial terms, to achieve the savings sustained financial investment and a whole organisation commitment to ensure delivery was needed. The report indicated the CO₂ and financial saving reported by four example authorities. The Committee requested further feed back on the cost v benefits experienced by other authorities.
- Responding to questions on national guidance to contractors the Head of Asset Management and Property Services reported that a whole life appraisal approach had been adopted to include building specifications which used the

- Building Research Establishment Environmental Assessment Method (BREEAM) to set standards for new build and large scale adaptations.
- Responding to whether the above approach had been followed for the replacement Minster College, Leominster, the Head of Asset Management and Property Services reported that the Minster College scheme had been subject to external funding pressures. He was able to report that the sharing of various heat/power systems were being investigated for the range of public buildings around The Minster College site.
 - A view was expressed that, in terms of the Council's accommodation strategy, while 'rationalisation/relocation/co-location can reduce reliance on transport' account needed to be taken that this didn't have a major effect on the sustainability of the City centre e.g. by collocating all staff to a new site at Rotherwas.
 - A range of comments were made namely that while a range of schemes were happening, these seemed to be small, and were unlikely to make the significant improvement needed to achieve the targets. Conversely, that small improvements can soon add up. Where possible use should be made of new technology e.g. thin film photovoltaic cells, likewise natural assets should not be overlooked e.g. the use of low head hydropower. In response the Cabinet Member (Environment) referred to planning PPS22 which allowed authorities to mandate on site renewable energy production as a condition of development, an issue that would be progressed further through the Local Development Framework.

Mr A Talbot, Head of Technical Services, Halo Leisure, was invited to report on the energy/CO2 reductions achieved by Halo Leisure.

Mr Talbot reported that energy efficiency had a direct bearing on the commercial viability of sports and leisure facilities as the energy bill could account for up to a third of the operating costs, and after staff costs, was the second largest item of expenditure. Halo Leisure was committed to reducing energy to protect the environment through the reduction of carbon and, ensure that leisure facilities in Herefordshire were sustainable for the future. Halo's strategy was to reduce reliance on fossil fuels by 20% before 2010.

Mr Talbot reported that the first and most important requirement for Halo had been accurate and clean data, not only as a starting point for any strategy, but also to provide the information to review and evaluate results. An Energy Reduction Plan had then been formed which identified targets to be achieved, key projects to reduce carbon, energy use and estimate the return in energy and carbon reduction. He provided, as an example, a comparison between Ledbury Leisure Centre, which was a modern sports facility approximately 10 years, old and the Leisure pool at Ross-on-Wye, which had been built in the 1970's and contained old technology along with poor insulation properties. Due to the work carried out, the Ross pool was now one of the most efficient leisure centres in Herefordshire. A copy of the overview concerning Ross pool, which was issued at the meeting, has been placed in the Committee minute book.

The Director of Environment and Culture commended the good work undertaken by Halo and, while the Council had many more sites than Halo, through the Joint Management Team the Council were striving to achieve similar results.

RESOLVED: That the report be noted and

- a) **The Committee recommend that the Cabinet Member (Environment) consider entering into joint working arrangements with HALO to address/reduce the Council's energy usage/carbon footprint; and**

- b) **the Committee recommend to the Executive that when entering into a contract the contractor be given clear guidance on the need for energy /carbon management efficiency within the contract.**

45. WASTE COLLECTION CONTRACT - UPDATE

The Committee received an oral update on the progress with the Waste Collection Contract.

The Cabinet Member (Environment) and the Interim Head of Culture and Leisure reported that while sixteen pre expressions of interest for the contract had had been despatched, thirteen had been returned. This had resulted in six invitations to tender had been sent out of which three had resulted in formal tenders. These were currently subject to the verification process and therefore, due to the Contracts Procedures Rules, further comment could not be made at this time.

Responding to whether the manufacture of wheele bins could be provided locally the Interim Head of Culture and Leisure reported that the successful tenderer would be responsible for the procurement of the bins, however, he though local procurement would be unlikely due to it being a specialist market.

The Committee noted the current position.

46. COMMITTEE WORK PROGRAMME

The Committee considered its work programme.

The Chairman relayed a suggestion from Councillor NL Vaughan that the Committee look at the implications of the new transport hub being proposed by ESG Ltd as part of the Edgar Street development proposal.

Following brief debate on when firm proposals were expected for this element of the ESG development and the appropriateness for the Committee to debate a potential planning application, the Chairman requested that the Democratic Services Officer contact Councillor Vaughan to ensure that a clear proposal can be considered by the Committee at its March meeting.

RESOLVED: That subject to the inclusion of those items identified earlier in the meeting the work programme be noted and reported to Strategic Monitoring Committee.

The meeting ended at 12.12 pm

CHAIRMAN

SETTING LOCAL SPEED LIMITS

Report By: Director of Regeneration and Director of Environment and Culture

Wards Affected

County-wide

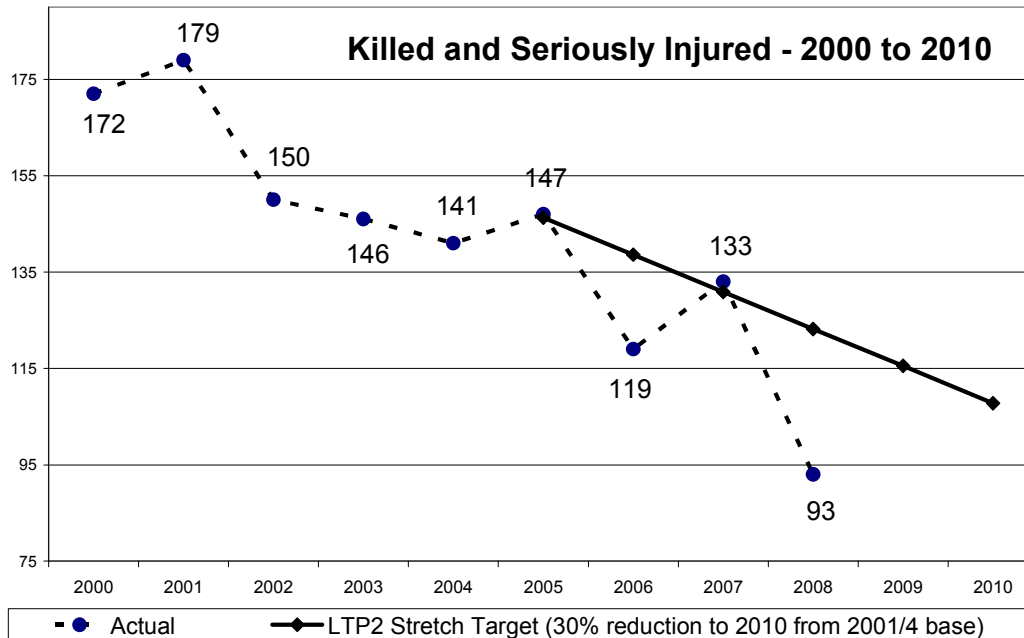
Purpose

1. To inform the Committee on the Council's approach to considering and changing local speed limits and provide an update on how the Council is planning to implement the guidance set out in Circular 1/2006 'Setting Local Speed Limits'.

Background

The Road Safety Strategy

1. The Council's approach to setting local speed limits is part of a wider Speed Management Strategy which forms a key component of our Road Safety Strategy set out in the Local Transport Plan. The Speed Management Strategy works alongside a Minor Safety Improvements Programme and the Road Safety Education Programme.
2. The overall objective of the Road Safety Strategy, and a key Local Transport Plan indicator and Local Area Agreement indicator (National Indicator 47), is to reduce road traffic casualties and in particular the most serious casualties (referred to as killed or seriously injured – KSIs). We are well on track to achieve the challenging target for reducing KSIs by 30% from a base of 154 (the 2001 to 2004 average) by 2010. The chart below sets out the KSIs for the current LTP period. The KSI figure for 2008, 93 is the lowest ever recorded in the County and provides confidence that our Strategy is working.



- The Speed Management Strategy includes the Speed Limit Policy (which is the subject of this report), Traffic Calming policy, Vehicle Activated Signs policy and enforcement of speed limits through the Safer Roads Partnership (formerly the Safety Camera Partnership).

The Current Approach to Setting Local Speed Limits

- Speed plays a significant role in road traffic accidents – research has shown that a 1mph reduction in average speed reduces accident frequency by 5% (Finch et al 1993, Taylor et al 2000). Our Speed Limit Policy is included in the Local Transport Plan and is also attached to this report.
- The policy seeks to ensure that speed limits are appropriate for the road and contribute to improving road safety. Experience shows that by the introduction of a speed limit may not automatically result with the reduction in vehicle speeds desired by residents, parish councils etc. However when introduced in accord with criteria, significant results are obtained.
- Requests for the consideration of any speed limit are investigated against criteria within the policy with respect to:-
 - Identification of terminal points at a location where a driver will see change of character of the road and adjust their speed accordingly, together with ensuring a minimum length of 600m is achievable to enable save enforcement activities.
 - Establish an access rate per kilometre, indicating the density of development and associated hazards.
 - Collision statistics.
 - Existing vehicles speeds as assessed by the 85%ile speed (the speed at which 85 percent of drivers travel at or below).

7. Subject to meeting the above criteria, requests are then processed in line with the our Traffic Regulation Order protocol (attached) and can take up to 310 working days to process. In the three years up to December 2008 approximately 50 speed limits have been either introduced or reduced across the County.

Key Elements of Circular 1/2006 'Setting Local Speed Limits'

8. Government has long recognised the need for a consistent approach for reviewing and setting local speed limits, ensuring that best practice and consistency are inherent in the approaches to setting local speed limits across all highway authorities. The Circular draws on a wide range of research and provides clear advice and recommendations for highway authorities to move towards more consistent approaches to setting speed limits.
9. The Circular acknowledges that speed limits must have regard to the following factors:
 - a. Road function;
 - b. Road geometry;
 - c. Road environment;
 - d. Level of adjacent development; and
 - e. Traffic composition
10. The most significant elements of the Circular relate to:
 - a. Use of 'mean' speeds rather than 85th percentile to help determine limits
 - b. Confirmation of the appropriate minimum length of a speed limit
 - c. A 'higher' and 'lower' tier hierarchy for rural roads
 - d. Speed assessment framework
 - e. 30mph speed limits should be the norm in villages
 - f. The need to review A and B class roads and implement any necessary changes in line with the guidance by 2011.

Use of 'Mean' Speeds to Determine Limits

11. Previous guidance placed an emphasis on the observed 85th percentile speed as an indication of the appropriate limit for the road. The Circular marks a shift away from this to consideration of the 'mean' speed. The 85th percentile would typically provide a slightly higher speed than the mean, however, the two would normally have a close relationship. Where they don't (and where there is a wide spread of speeds) it would indicate that there is confusion in drivers' minds about the appropriate speed for the road. This would indicate a need to consider engineering measures, in addition to setting the speed limit, to help reduce confusion.

Appropriate Minimum Length of Speed Limits

12. The Circular also confirms that the minimum length for a speed limit should be 600 metres and this could be reduced in exceptional circumstances to 400 and 300 metres. The terminal points of the limit should take account of local features which would help clarify the change in environment. The Circular is clear that speed limits should not be used to address isolated hazards such as a single road junction.

Upper and Lower Tier Roads

13. The Circular provides advice on an approach to categorising the rural road network into high and lower tiers. The attached table provides a summary of the hierarchy and the corresponding speed limits recommended by Government. In summary, the Circular suggests that:
- a. Upper tier – typically A and B roads with primary purpose to provide for through traffic
 - b. Lower tier – typically C and unclassified roads with a local access function

Speed Assessment Framework

14. Included as an appendix to the Circular is a suggested assessment framework which provides a consistent tool for highway authorities to assess and set local speed limits. The Framework takes into account
- a. the level of development/accesses,
 - b. level of usage by vulnerable road users,
 - c. the upper and lower tier categories referred to above,
 - d. accident rates on the routes, and
 - e. the observed mean speeds.

15. The new framework differs from our existing policy in that it identifies the type of road, with recommended limits within those tiers, also existing vehicle speeds are to be assessed by the mean, rather than the 85%ile value.

Village Speed Limits

16. The Circular states that the introduction of 30mph limits for villages is Government policy. It sets out clear guidance on the criteria which should be met:
- a. There should be 20 or more houses on one or both sides of the road – if there are fewer allowance could also be made for additional buildings such as churches, schools or a village shop,
 - b. The section of road which the village extends over should be at least 600 metres. This length may be shortened to 400 or even 300 metres if the density of development exceeds 20 houses but the guidance is cautious on this relaxation.
17. Currently whilst our policy within the Local Transport Plan supports the introduction of 30 mph limits in villages, this is subject to the criteria being met.

Review of A and B Roads by 2011

18. The Circular states that one of Governments' priorities for action is for highway authorities to review the speed limits on all of their A and B class roads and implement any necessary changes in accordance with the Circular and its guidance by 2011. The Circular does acknowledge that the focus of attention should take into account roads or routes (not just A or N roads) with the most pressing problems of collisions and injuries or where there is widespread disregard for current speed limits.
19. This review will provide the opportunity to review the Counties major highway network against the desires of the Circular, but may not result with a 'blanket' 50 mph limit across the County. It will, however, confirm that the speed limits on our network are appropriate for the tier of road, helping to reduce collisions and severity of injuries.
20. There has been recent press coverage about the Department for Transport considering a reduction of the 'National' speed limit to 50 mph. As far as can be established there are no firm proposals, or ongoing consultations, with regards to this, however, authorities who have undertaken reviews of limits base upon Circular 1/2006 have raised concerns over the intrusion, cost of installation and maintenance of signage when a 50 mph limit is deemed to be the appropriate limit on rural roads.

The Council's Proposed Response to the Circular and Programme for Review

21. The Council are committed to improving safety upon our highway network, thus the current policies and criteria will be revised and adopted to meet the desires of Circular 1/2006.
22. This will allow for the commencement of the review of 'A' and 'B' class roads which will be included within the terms of reference and service definitions of the service delivery MAC, a priority list of roads to be assessed being approved by the end of August 2009, followed by the start of the review with a programmed date of completion in accord with the approved list, but no later than December 2011.

RECOMMENDATION

That the contents of this report are noted.

BACKGROUND PAPERS

- Herefordshire Local Transport Plan 2: Annex 5 Speed Limit Policy
- DfT Circular 1/2006 'Setting Local Speed Limits' Appendix D Speed Limits for Single Carriageway Roads in Rural Areas
- Highways Services Traffic Order Making Protocol (separate file)

Herefordshire Local Transport Plan 2

2006/7 to 2010/11

Technical Annex 5

Speed Limit Policy

Herefordshire Council Speed Limit Policy

How To Determine Whether A Speed Limit Should Be Introduced And At What Speed It Should Be Set.

- Determine the locations where the speed limit will start.

A speed limit must commence where there is a change in the character of the road; speed limits have to be self-enforcing to a certain degree in order for the limit to be effective.

If drivers can see a reason for a limit, it will generally be adhered to, i.e. if they are entering a built up area.
- Determine the length of the proposed limit.

The minimum length of a limit is just under half a mile (600m).

If the length of the speed limit is too short, this can result in the danger of drivers entering the area and ignoring the speed limit.

Too short a length may also cause difficulty with enforcement by the Police.
- Establish the access rate per kilometre over the requested length.

This is seen to take into account the likely level of perceived risk of conflict on the highway.

No. of accesses per kilometre	Initial limit
Less than 10	National
10 – 15	50 mph

15 - 20	40 mph
More than 20	30 mph

- Once the initial limit has been determined, it is necessary to examine whether the limit needs to be adjusted.

Adjust the limit down by 10 mph if the accident rate exceeds 1 per million veh-km.
Adjust the rate up by 10 mph if the road is a dual carriageway.

- The last stage is to compare the resultant limit with the observed 85%ile speeds.
If the 85%ile speeds are less than the limit, then no speed limit is needed.
If a speed limit is implemented higher than the recorded 85%ile speeds, then this can result in the 85%ile speeds rising to that of the limit.
If 85%ile speeds exceed the limit by more than 10 mph then additional speed reducing measures are needed.
The requirement for any additional speed reducing measures will need to be discussed with the Police and a source of funding will need to be identified before proceeding.
In all other cases the speed limit can be introduced using standard signing.

APPENDIX D:
SPEED LIMITS FOR SINGLE CARRIAGEWAY
ROADS IN RURAL AREAS*

Table 2: Speed limits for single carriageway roads in public areas		
Speed limit (mph)	Upper tier – roads with predominant traffic flow function	Lower tier – roads with important access and recreational function
60	<p>Recommended for most high quality strategic A and B roads with few bends, junctions or accesses.</p> <p>When the assessment framework is being used, the accident rate should be below a threshold of 35 injury accidents per 100 million vehicle kilometres with this speed limit.</p>	<p>Recommended only for the best quality C and Unclassified roads with a mixed (i.e. partial traffic flow) function with few bends, junctions or accesses.</p> <p>In the longer term, these roads should be assessed against upper tier criteria.</p>
50	<p>Should be considered for lower quality A and B roads which may have a relatively high number of bends, junctions or accesses.</p> <p>When the assessment framework is being used, the accident rates should be above a threshold of 35 injury accidents per 100 million vehicle kilometres at higher speeds.</p> <p>Can also be considered where mean speeds are below 50 mph, so lower limit does not interfere with traffic flow.</p>	<p>Should be considered for lower quality C and Unclassified roads with a mixed function where there are a relatively high number of bends, junctions or accesses.</p> <p>When the assessment framework is being used, the accident rate should be below a threshold of 60 injury accidents per 100 million vehicle kilometres.</p>
40	<p>Should be considered where there is a high number of bends, junctions or accesses, substantial development, where there is a strong environmental or landscape reason, or where there are considerable numbers of vulnerable road users.</p>	<p>Should be considered for roads with a predominantly local, access or recreational function, or if it forms part of a recommended route for vulnerable road users.</p> <p>When the assessment framework is being used, the accident rate should be above a threshold of 60 injury accidents per 100 million vehicle kilometres.</p>
30	Should be the norm in villages.	

**Recommended speed limits to which traffic authorities are encouraged to move over a period of time, subject to their meeting local needs and considerations.*



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TRAFFIC REGULATION ORDER MAKING PROTOCOL**

1. Introduction - A Traffic Regulation Order (TRO) is a fundamental requirement of many traffic schemes. TROs are necessary to implement speed limits, waiting and loading restrictions, one-way streets and numerous other traffic restrictions that are increasingly required as part of the management of highway network. This Protocol has been adopted to secure the efficient management of requests for Traffic Regulation Orders. It sets out the stages that will be followed in processing a request for a TRO to its conclusion and indicates the target timescale for the process.
2. The consideration of a TRO and its progression in accordance with this protocol can be initiated by either the Cabinet Member for Highways & Transportation or any other source provided that that source has the support of the relevant Member of Parliament, Town or Parish Council and/or the Local Member(s) and/or one or more of the statutory consultees. Individual requests for a TRO will not be considered further, unless it has the support of one, or more, of the aforementioned bodies.
3. Within 10 days of receipt of a request an initial, desk top, assessment will be undertaken, with reference to the appropriate policy and criteria, and the person or body making the request advised, in writing, whether the request meets with said criteria and will be placed upon the list of items for consideration, or will not be taken forward. If the item is to be considered further the letter will outline the TRO process and indicate the likely timescales involved and will also advise that the final outcome of full investigations may not include the introduction of a Traffic Regulation Order.
4. All requests for Traffic Regulation Order's, that qualify to be considered further under this protocol, are to be logged, and given a unique reference number. This log will include the date of receipt of the earliest notification of the request, along with its original source, a description of the request and the reason for that request i.e. the problem that the TRO is intended to address. All requests will be logged within 5 working days of receipt, regardless of the communication medium used.
5. All requests for TROs will be communicated, by e-mail, in the form of a three monthly report to the relevant Local Members and the Cabinet Member for Highways & Transportation.
6. An initial ranked list of outstanding requests has been established (December 2008) and will formulate the base of program of consideration of requests. All new requests placed upon the list for further consideration will be ranked

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(under the agreed ranking protocols) at either six monthly intervals or when there are twenty requests upon the list, to establish where it should be placed upon the forward program. Should this differ greatly from the time scales originally provided further information will be sent to the originator of the request. This process will not preclude the placing of any item deemed to require early consideration upon the grounds of safety, traffic management, or if associated with other highway schemes within the program of works.

7. In line with the ranked schemes list and program a technical appraisal of the TRO request is to be made, This appraisal will be made within 30 working days using the best information available at the time of the request and allowing for the collection of additional data and will test the following points:
 - Does the TRO as requested fit with the aims and objectives as set within the Council's policies and plans, particularly the Local Transport Plan?
 - Would the TRO as requested provide a solution (at least in part) to the core problem as identified?
 - In outline, what other solutions may exist?
 - Would the TRO in a modified form better fit with the Council's aims and objectives and/or provide a better solution to the core problem as identified?
 - What level of risk does the core problem, as identified, present to the travelling public?
 - What information will be required to further this TRO proposal?

As its conclusion this outline technical assessment (Appendix 2) will make recommendation to either proceed with the TRO as requested, proceed with the TRO in a modified form, investigate alternative solutions or halt the process. If it is decided that the request cannot be taken forward, the applicant will be informed of this and of what, if anything, will be done.

8. If to be progressed, the agreement of the relevant Local Member will be sought in the form of the Local Members Agreement Form (Appendix 3), or confirmation in the form of a letter or e-mail. Upon receipt of this agreement the formal progression of the TRO will commence. The date on which this formal agreement is given shall be regarded as the formal start date for the formal TRO process and shall be recorded as such. It is anticipated that this agreement will be reached within 10 working days.
9. Preparation of formal consultation, including the preparation and communication of letters and detailed drawings outlining the proposals to the Chief Constable, Road Haulage Association, Freight Association, Parish Council's, Emergency Services, Bus Companies (if the proposal effects a Bus Route) and other statutory consultees. . These actions will take place within 10 working days of receipt of the Local Member's agreement.
10. A consultation period of 30 working days is then allowed for all consultees to provide their comment.

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11. A further 10 working days is required to consider all comments received and prepare a first draft of the formal report, recommending the introduction of the proposal (subject to the consideration of objections), to the Cabinet Member for Highways and Transportation.
12. The Highway Network Manager has a further 10 working days to approve the introduction of the recommendation. This process will typically involve discussion with the Cabinet Member for Highways and Transportation, particularly if the TRO proposed is thought to be contentious.
13. Upon gaining agreement of the Cabinet Member for Highways and Transportation the report is passed to Committee Services who will, within 5 working days, prepare a Decision Notice (Appendix 4) and arrange for signing by the Cabinet Member for Highways and Transportation. Within 5 working days of the signing, Committee Services will inform the appropriate officer of the decision and provide a hard copy of the signed decision notice. This decision can formally be delegated to the Director of Environment and Culture.
14. The Draft TRO, including for details of any existing TROs to be revoked, together with the Statement of Reasons (Appendix 5), Drawings and Notice of intention can then be prepared, in line with the approved report. This will be communicated to Legal Services within a further 10 working days. Legal Services will, within a further 15 working days, have checked, amended and communicated the Draft TRO, Statement of Reasons and Notice of intention.
15. The TRO proposal can now be advertised, this will typically be arranged within a further 15 working days* (note there is typically a delay of 5 working days between the deadline for ordering an advertisement and its publication in the press, this duration is included for in the 15 days). Advertisement will include, placing in the relevant local newspapers (typically the Hereford Journal when the TRO relates to a location within its circulation area), sending copies of the public notice to all Info in Hereford 'shops', sending copies of the public notice to the Council's communications team, sending letters to all statutory consultees, placing the notice on the Council's website and placing notices on site.
16. The advertisement period must last the statutory minimum of 21 days*, during this period site notices will be checked and replaced as necessary on a weekly basis. A record of their erection on site and all subsequent checks will be maintained on file.
- ~~17.~~ If objections to the proposed TRO are received during the advertisement period, they will have to be properly considered prior to the introduction of the Traffic Regulation Order. In many cases it will be appropriate to contact the objector, in order to understand the reason for their objection. Through this communication with objectors, their concerns can often be addressed either through the appropriate amendment of the TRO proposal or by their greater

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understanding of the purpose and reasoning behind the TRO as proposed, often leading to the removal of the objection. However, It should be acknowledged that it can be the case that some objection may remain, and this will have to be communicated in a final report and taken fully into account in the final decision on the TRO. To do this a summary of objections will be prepared for inclusion in the final report. This will take place over a period of 20 working days, and in parallel with stage 18 below.

18. Any remaining objections to the proposed TRO are communicated to the Chief Constable and Local Member/s for thier comment/s, this will take place in parallel with stage 14 above. They will be invited to provide comments within 30 working days.
19. When objections to the proposed TRO are received, within 10 working days of the end of the consultation period (Stage 18) a final report will now be drafted. The report will include a clear statement explaining the reason for TRO, a summary of considerations of the objections and comments received, an assessment of risk, a summary of where appropriate a range of viable options that can be taken by the decision maker and clear recommendations to which option best sits with the Council's aims and objectives as set out within the Council's policies and plans (particularly the Local Transport Plan), and provides the best solution, in light of the comments received, to the core problem that the TRO is intended to address. (Appendix 6). It should be noted that the recommendation put forward in the final report will need to take proper account of a range of political, social and technical criteria, as will be represented by the range of comments received from all consultees and objectors. The final report will be finalised through discussion between the Highways Network Manager and the Cabinet Member for Highways and Transportation. The report will typically be finalised within 15 working days*.
20. The final decision rests with the Cabinet Member for Highways and Transportation, and upon gaining agreement of the Cabinet Member for Highways and Transportation the report is passed to Committee Services who will, within 5 working days, prepare a Decision Notice (Appendix 4) and arrange for signing by the Cabinet Member for Highways and Transportation. Within 5 working days of the signing, Committee Services will inform the appropriate officer of the decision and provide a hard copy of the signed decision notice. -
21. If no objections are recieved, or following the signing and receipt of the decision notice with respect to the consideration of any objection, arrangements can be put in place to introduce the proposed Traffic Regulation Order. A Joined Up Programme (JUP) inclusion form will be produced and submitted for each TRO scheme immediately following its advertisement. The timescales included in the JUP will allow for sign and line design, the preparation of working drawings and schedules of work, the consideration Health and Safety and Environmental issues and production of the required documentation will take place. These designs will assume that the final decision will select the preferred option and an order will be placed

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on this basis at the earliest opportunity. However it will need to be understood by all in the Delivery Team, that the details of the order cannot be finalised until such time as the final decision has been reached. Final details will normally be established and an order confirmed within 10 working days* of the Decision Notice.

22. The Delivery Team will typically have 35 working days* to procure and deliver the work associated with the TRO.
23. The TRO will have to be sealed to make it legal and this will need to coincide with or precede the implementation of the works associated with the TRO. The implementation date will have to be agreed with Legal Services, a Notice of Making prepared, this will have to be advertised in the local press and the legal order sealed by Legal Services. The advertisement will need to appear in the local press a minimum of 7 days* before the implementation of the order. This stage will take place in parallel with stage 21 above.
24. Finally many of the timescales stated are indicated as typical (denoted with an *), in many cases any stage need not take as long as indicated, in other cases, but only for good reason, stages may take far longer than indicated. This is particularly likely where the TRO being considered is technically, socially or politically contentious. To account for this a 'buffer' is allowed in the delivery process of 15 working days.
 - The earliest the TRO can be expected to be delivered 'on the ground' is day one of the 'buffer' period and
 - the latest that it can be expected is day 15 of the 'buffer' period.
 - Throughout its delivery the highways Network Management Team will monitor the progress of the TRO and project an anticipated delivery date, based on the progress to date and an assessment of the work that remains.
 - If the anticipated delivery date extends beyond the first 5 working days of the 'buffer' period they will formulate a plan to recover progress, or if this is impractical amend the delivery programme.
 - If the anticipated delivery date extends into the final 5 working days of the 'buffer' period then the Team will action the recovery plan or amend the delivery programme.

Any amendment to the delivery programme will be communicated at the time of amendment to the Local Member and the Cabinet Member for Highways and Transportation, together with the reasons why. The typical maximum delivery period for a TRO is assessed as being between 295 and 310 working days* from the commencement of the process. A typical programme is detailed in Appendix 7.



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Appendix 1 – Standard letter informing persons requesting a TRO that their request has been logged.

Appendix 2 – Outline Technical Assessment – Model Assessment

Appendix 3 – Local Members Agreement Form

Appendix 4 – Decision Notice

Appendix 5 – Statement of Reasons

Appendix 6 – Model Final Report

Appendix 7 – Typical TRO delivery programme – Request to Conclusion.

FLOODING OF ROADS AND PROPERTIES IN HEREFORDSHIRE – VARIOUS ASPECTS

Report By: The Director of Environment and Culture

Wards Affected

County-wide

Purpose

1. To provide information to the Committee on recent flooding events as requested in the meeting of 24th November 2008 and resultant actions.

Financial Implications

2. None as a result of this report. However the implementation of resultant actions identified will need to be considered when determining future programmes.

Background

3. At their meeting of the 24th November 2008, the Environment Scrutiny Committee requested that a report be made to Committee outlining the impact of recent flooding events throughout the County and information on resultant actions.

Impact of recent flooding on Herefordshire

4. In June and July 2007 several periods of extreme rainfall gave rise to widespread flooding, not just in Herefordshire, but also across England and parts of Wales. The period of May to July 2007 was the wettest on record for this period, with a total of 415.1mm falling across this area, more than twice the 1971-2000 average figure of 186.3mm. Widespread disruption was caused. These events were unusual both in their intensity, causing flash flooding as opposed to the frequently occurring fluvial events that occur in Herefordshire, and also in their timing, during what is classed as British summertime. The flooding of July 2007 is by far the most notable weather event to affect Herefordshire within the last ten years. Torrential rain in the period on and around the 20th of July (over 100mm in some places) combined with the wet weather in the preceding months to cause widespread chaos across the county.
5. The key point about both the June and July 2007 flooding events was the widespread flash nature of the flooding. Usual flooding events in the county tend to occur when the main river of the county, the Wye, bursts its banks following several days or possibly even weeks of consistent rainfall. However due to the more intense nature of the rainfall during these events it was not the Wye that flooded but smaller streams and brooks as well as the majority of the Wye's

tributaries. There was also a much larger amount of runoff from fields and urban surfaces as infiltration capacities were exceeded and drains failed to cope with the sheer volume of water that was created.

6. During 2008 two further flooding events occurred in September and November. The first event occurred during the weekend 1 – 3 September 2008 and the second on the weekend of the 8th and 9th November 2008. During both of these events Herefordshire was hit by extensive heavy rainfall but neither event was as severe as the July 2007 flooding events. During each event, roads were closed, several properties were flooded and damage was caused to the highways network and to highway drainage systems.

Herefordshire Council Response to flooding events

7. During each event, the Council response was to open the Emergency Information Line, the local media was kept informed of road closures and advisory notices were issued for the public to 'only travel if necessary'. The Environment Agency, the Police and the Health Protection Agency (HPA) also provided supplementary advice. Many departments of the council as well as external organisations worked together in order to meet the demands that the flooding brought in accordance with Herefordshire County Flood Plan, Major Emergency Response Plan and Emergency Response Procedures.
8. The Bellwin Scheme was also implemented in response to each of these events. This allows Local Government Ministers to make additional revenue available to support local authorities in order to assist with the immediate and unforeseen costs in dealing with the immediate response to the event and repair costs in the short term aftermath of emergency incidents.
9. The flooding events of 2007 cost the Authority in the region of £2 million. Although the majority of immediate costs were recovered through the Bellwin Scheme, such events are not accommodated for in the annual budget of the Highways section.
10. The subsequent flooding events in 2008 cost the Authority approximately £1.2 million. As with the 2007 flood costs the majority of these immediate costs was recovered through the Bellwin Scheme.
11. It is worth noting that the programme of repair works associated with each years flood events could have impacted on the Councils ability to deliver it's Joined Up Programme of highways maintenance and improvement schemes. Through good partnership working with Amey this impact has been minimised across these financial years with the Council's normal programme of works also being delivered.
12. Herefordshire Council secured £130,000 from the Government's Flood Recovery Grant Scheme to support householders most affected by the July 2007 floods. Affected householders were encouraged to register their details with Info By Phone or Environment Services. This information was supplemented by Parish Councils and Elected Members. More than 400 application forms were

distributed. In total, 207 households applied for the grants, 198 of which were successful. The amounts varied depending on the levels of hardship suffered.

13. Herefordshire Council also successfully applied to the British Red Cross for its share of their National Funds Appeal. As a result, the Council was allocated £34,290. Some 17 households who had contacted the Authority after funding from Central Government had been distributed were allocated varying amounts from this funding, depending on the levels of hardship suffered. Some 110 households that received funding from either Central Government or the British Red Cross, deemed to have been the worst affected, were allocated a further payment. In addition, Hereford Citizens Advice Bureau and Rural Support Network were allocated money for the purposes of sending a leaflet to all flooded householders offering them counselling, advice and support.
14. Herefordshire Council also successfully applied to the British Red Cross for a further £8,000 which has provided funding for a Herefordshire Voluntary Action project. This project has provided outreach support to communities affected by the July 2007 floods. It also raised the profile and needs of local communities and helped signpost vulnerable people. A report containing a series of recommendations developed by those people directly affected by the floods has been drafted by HVA. Relevant officers are currently considering how these recommendations could be addressed.
15. Herefordshire Council was also allocated £429,412 from Central Government's Restoration Fund. This funding was awarded in recognition of the expenses the Council incurred as a result of the July 2007 floods and was used to offset the significant additional costs sustained by the Environment & Culture Directorate as a result of these events.
16. Herefordshire Council is currently preparing an application for its share of Defra funding for household-level flood protection and resilience measures.

Data Collection and Analysis

17. Following the July 2007 flooding event Herefordshire Council Environment & Culture directorate began to collate data to compile a comprehensive list of properties (both residential and commercial) that suffered flooding during this event. On 5 September 2007 a proforma with covering letter was sent to all parish councils in Herefordshire (example enclosed in Appendix A) requesting details from each parish of properties that had been flooded in July. The purpose of this form was to allow local information about flooded properties to be added to the list already held by the Council. This data will be shared with the Environment Agency as part of a national review of the effects of the heavy rainfall that year and will assist in the planning for and prevention of a response to future similar events.
18. Following the 2008 flooding events Herefordshire Council Environment & Culture directorate undertook a similar data collection exercise. On 5 December 2008 a proforma with covering letter was sent to all parish councils in Herefordshire (example enclosed in Appendix B) requesting details from each parish of properties that had been flooded in either September or November floods.

19. Furthermore a copy of this request was sent to local members on 26 January 2009 and 06 March 2009 to provide Members the opportunity to add their local knowledge of flooded properties to this compiled list.

The following table details the return of information from parish councils and members:

Data Collection Request	No. of letters sent	No. of returns
Parish Councils (05/09/07)	66	57
Parish Councils (05/12/08)	66	58
Local Members (26/01/09 & 06 March 2009)	58	10

20. The data received was collated and is shown in the table attached in Appendix C. In the long term this information will need to be studied further and a prioritisation exercise will be undertaken to identify the sites most at risk and identify which sites would be of most benefit taking account of available funding at this stage. It is likely that the responsibility for the delivery of any solutions may not sit wholly with the Council. In fact it is highly likely that any solutions found will require the co-operation, involvement and resources from a variety of bodies and individuals, to be successful.

Next Steps

Land Drainage – Current Resource / Current Activities

21. The Councils Flood defence policy was developed and considered by Cabinet in 2001. The Land drainage team's primary functions are detailed below:

- Planning / development control: comment on planning applications, setting standards of drainage issues. Liaison with developers to develop suitable applications. Liaison with other bodies (EA, internal departments etc) as part of this process.
- Expert resource for internal departments: expert advice to Area Teams, advice to planners on policy issues. Advise to legal gaining knowledge of catchment response.
- Responsibilities under the Land Drainage Act: respond to enquires from the public (riparian owners) on how they should comply with their responsibilities. Act on enquiries where there are land drainage problems affecting third parties (ie encouraging/instructing riparian owners to undertake work in accordance with their responsibilities).
- Response to Members and Parishes: provision of expert advice.
- Provision of Sandbags: liaise with parishes to determine annual sandbag requirements.
- Watercourse inspections and reactive work: oversee the regular inspections of watercourses, other sites known to flood, grills, and watercourse structures - instruct reactive works accordingly.

- Programmed work: develop and monitor the annual works programme.
- Emergency response: being within the team at times of emergencies - issue of sand bags, advice, site visits to flooded properties etc, on going response in the clear up period (can be extensive).

Land Drainage – Challenges

22. During the 2007 and 2008 floods a significant number of locations flooded for the first time in many years affecting both individual properties and small communities - flooding came from both watercourses and highways. This is result of climate change, urbanisation, changes to land use and inadequate maintenance of drainage systems (water courses and highway ditches and drainage networks). There is a need to review the flooding sites, consider the action response and then implement any action. A close study of the sites may show that no action or limited action is most appropriate. However where significant works are deemed the correct response then this could generate a sustained period of detailed investigation and capital works. This is a significant challenge for the Council given the current level of resources currently available. The approach to be taken in future will need to reflect any changes required by the Government Bill.

The Pitt Report and Government's response

23. A comprehensive review of the lessons to be learned from the summer floods of 2007 was undertaken by Sir Michael Pitt and his report which was published in June 2008 contained a series of recommendations regarding Flood Risk Management. There are over 90 recommendations within the report –some of the key ones are:

- R14 Local authorities should lead on the management of local flood risk, with the support of the relevant organisations.
- R15 Local authorities should positively tackle local problems of flooding by working with all relevant parties, establishing ownership and legal responsibility.
- R16. Local authorities should collate and map the main flood risk management and drainage assets (over and underground), including a record of their ownership land condition.
- R17 All relevant organisations should have a duty to share information and cooperate with local authorities and the Environment Agency to facilitate the management of flood risk.
- R18: Local Surface Water Management Plans, as set out under PPS25 and coordinated by local authorities, should provide the basis for managing all local flood risk.
- R19 Local authorities should assess and, if appropriate, enhance their technical capabilities to deliver a wide range of responsibilities in relation to local flood risk management.
- R20 The Government should resolve the issue of which organisations should be responsible for the ownership and maintenance of sustainable drainage systems.
- R90 All upper tier local authorities should establish Oversight and Scrutiny Committees to review work by public sector bodies and essential service

providers in order to manage flood risk, underpinned by a legal requirement to cooperate and share information.

R91 Each Oversight and Scrutiny Committee should prepare an annual summary of actions taken locally to manage flood risk and implement this Review, and these reports should be public and reviewed by Government Offices and the Environment Agency.

24. The Government response to the Pitt Review was published on 17 December 2008 and the future role of Local Authorities in the management of local flood risk is to be set out in the draft Floods and Water Bill which will be published Spring 2009 for consultation. This will be key consultation that the Council will need to respond to.

25. In anticipation of this legislation Herefordshire Council has formed a Recovery Group chaired by the Director of Regeneration and a framework put in place. Consequently all relevant departments, organisations and agencies are engaged in the recovery process at the early stages and this should enable better recovery from all emergencies within Herefordshire.

26. Government funding within the current spending review period (2010/11) is being increased to enable local authorities to take action in accordance with their future roles and responsibilities as set out in the detailed response to the Pitt review

27. This action is expected to include:

- assessing and building technical capacity (in line with Recommendation 19);
- starting to build partnerships with all relevant local bodies;
- ensuring that effective Strategic Flood Risk Assessments are in place as required by PPS25;
- setting in place arrangements for understanding and managing local flood risk from all sources; and
- developing Surface Water Management Plans in high priority areas where funding is available

28. In April 2009 Central Government will be asking Local Authorities about the approach they intend to take; what progress has been made with partners; whether there are any barriers to progress that requires help in overcoming and if the necessary support has been provided by partners in advance of the proposed powers and duties that will be introduced through the Flood and Water Bill.

RECOMMENDATION

THAT the Committee consider the content of this report.

APPENDICES

Appendix A – 2007 Flooding Data Request
Appendix B – 2008 Flooding Data Request
Appendix C – Flood Data

BACKGROUND PAPERS

- Herefordshire Council Local Climate Impacts Profile (LCLIP) – December 2008
- Herefordshire Council County Flood Plan
- Herefordshire Council Major Emergency Response Plan and Emergency Response Procedures.
- Hereford Flood Defence Policy
- The Pitt Report Learning Lessons from the 2007 floods – June 2008
- The Government's Response to Sir Michael Pitt's Review of the Summer 2007 Floods – December 2008.

Environment
Director: M. Hainge

Your Ref:
Our Ref: MJ/KLP/Flooding
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E-mail: mjackson@herefordshire.gov.uk

5 September 2007

Dear Sir / Madam

RE: RECENT FLOODING

I am writing to you and all other parishes in Herefordshire for assistance in preparing a comprehensive list of properties within the County that suffered from flooding as a result of the heavy rainfall in July. It is anticipated that the list will include both residential and commercial premises.

Although I hold details of many of the properties that were affected there are obviously some that were not reported to me for one reason or another, and as such do not appear on my database. In order to get an improved overall picture I am therefore writing to you for information you have and can collect readily. As it may be difficult to identify some of the outlying properties it would be helpful if you could also provide the postcode.

For ease of collection and compilation I have prepared the attached pro-forma for you to complete. If you can give a comprehensive list that will be much appreciated but limited details will still be very valuable. Therefore a return, in the level of detail available will be a significant help. If there was no significant flooding then a return stating this will also be welcomed by me.

Your return will be shared with the Environment Agency as part of a national review of the affects of the heavy rainfall this year. It will therefore assist in the prevention of, and response to future similar events. A return by 5 October 2007, or as soon after this date as possible, would be much appreciated.

Yours sincerely,

MARTIN JACKSON
CONSTRUCTION PROJECTS TEAM LEADER



Putting People First **Providing** for our Communities **Preserving** our Heritage **Promoting** the County **Protecting** our Future
County of Herefordshire District Council, Unit 3 Thorn Business Park, Rotherwas Industrial Estate, Hereford. HR2 6JT
Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

FLOODING JULY 2007 – DATA COLLECTION REQUEST

Return from:

Was there significant flooding in the parish in July 2007 (Yes / No)

If yes please provide the following information:

Flooding Location (e.g. property address or street or area or post code):

Reason for Flooding (e.g. from river, from the highway, from fields etc):

Depth and extent of flooding:

Please return this form to:

Brian Lee,
Herefordshire Council,
Unit 3 Thorn Business Park,
Rotherwas,
Hereford
HR2 6JT.

Your assistance is very much appreciated. Thank you.

Environment & Culture Directorate
Director: Michael Hainge

«Mr» «Init» «Surname»
«Parish_Council__Meeting»
«Add1»
«Add2»
«Add3»
«Add4»
«Add5»

Your Ref:
Our Ref: MJ/MM
Please ask for: Mr. M. Jackson
Direct Line / Extension: 01432 261723
Fax: 01432 261983
E-mail: mjackson@herefordshire.gov.uk

5 December 2008

Dear «Mr» «Surname»

FLOODING DATA REQUEST – SEPTEMBER & NOVEMBER 2008.

I am writing to you and all other parishes in Herefordshire for assistance in preparing a comprehensive list of properties and locations within the County that suffered from flooding as a result of the heavy rainfall during the weekends of **5th/6th September and 7th/10th November**. It is anticipated that the list will include both residential and commercial premises.

Although I hold details of many of the locations that were affected there are obviously some that have not been reported to me for one reason or another, and as such do not appear on my databases. In order to get an improved overall picture I am therefore writing to you for information you may have or can collect readily. As it may be difficult to identify some of the outlying properties it would be helpful if you could also provide the postcode.

For ease of collection and compilation I have prepared 2no attached pro-formas, for each of the above incidents for you to complete. If you can give a comprehensive list that will be much appreciated but limited details will still be very valuable. Therefore returns, in the level of detail available will be a significant help. If there was no significant flooding then a return stating this will also be welcomed by me.

Your return will be shared with the Environment Agency as part of a continuing national review of the affects of the heavy rainfall this year. It will therefore assist in the prevention of, and response to future similar events. I appreciate the limited notice but a return by 9th January 2009 would be greatly appreciated.

A response by email would be acceptable under the circumstances.

Yours sincerely,

MARTIN JACKSON
CONSTRUCTION PROJECTS TEAM LEADER



Certificate No. 4392



Putting People First Providing for our Communities **Preserving** our Heritage **Promoting** the County **Protecting** our Future
County of Herefordshire District Council, Unit 3 Thorn Business Park, Rotherwas Industrial Estate, Hereford. HR2 6JT
Main Switchboard (01432) 260000 - www.herefordshire.gov.uk

FLOODING SEPTEMBER 2008 – DATA COLLECTION REQUEST

Return from:

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Was there significant flooding in the Parish in September 2008? (Yes/No)

If yes, please provide the following information:

Flooding Location (e.g. property address or street or area postcode):

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Reason for the flooding (e.g. from river, from the highway, from the fields etc):

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Depth and extent of the flooding

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Please return this form to:

Leonard Swift
Herefordshire Council
Unit 3, Thorn Business Park
Rotherwas Industrial Estate
Hereford
HR4 6JT

Your assistance is much appreciated – Thank you

FLOODING NOVEMBER 2008 – DATA COLLECTION REQUEST

Return from:

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Was there significant flooding in the Parish in November 2008? (Yes/No)

If yes, please provide the following information:

Flooding Location (e.g. property address or street or area postcode):

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Reason for the flooding (e.g. from river, from the highway, from the fields etc):

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Depth and extent of the flooding

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Please return this form to:

Leonard Swift
Herefordshire Council
Unit 3, Thorn Business Park
Rotherwas Industrial Estate
Hereford
HR4 6JT

Your assistance is much appreciated – Thank you

Flood Sites in Herefordshire

Parish/Location	Benefit	Houses	Business	Days	Freq/Yr	A/B Rds	U/C Rds	Private Rd	Sandbags	Type of Flood	Gardens	Rds Awash	Notes	
Bromyard	673	58	1	2	0.5	2				Surcharge		1	EA Flood Zone	
Brimfield	374	32	2	2	0.5		2		100	Surcharge		2	EA Flood Zone	
Bodenham	329	20	1.5	0.5		2			150	Surcharge	60	2	EA Flood Zone	
Withington Marsh	238.3	20	1	0.5	1	2				Surcharge			EA Flood Zone	
Bosbury	230.7	17	1	0.5	1	2			100	Surcharge	15	5	EA Flood Zone	
Much Cowarne (5 Bridges)	225	2	3	5	1	1		1		Surcharge			EA Flood Zone	
Bishops Frome	65.5	4	9	2	0.5	2				Surcharge		3	EA Flood Zone	
Aston Ingham	61.5	5	1	0.5	1			1		Surcharge	8	1	EA Flood Zone	
Eardisland	43.9	4	1.5	0.5	3					Surcharge	15		EA Flood Zone	
Eastnor & Donnington	42.8	10	1	0.5	2							1		
Dornington & Mordiford	40.5	7	2	1.5	0.5	1							EA Flood Zone	
Leintwardine	38.6	6		0.5	1	2				Run off/Surcharge			part of EA Flood Zone	
Ledbury (Fairfield Ave)	37.2	1	1	4						Run off		1	Combined sewer issue	
Leominster (Silurian Clo)	35.5	7	1	0.5	2					Run off	4	3	EA Flood Zone	
Cradley	33.1	3	1.5	0.5	1	2				Surcharge			EA Flood Zone	
Pixley & District	29.5	4	1	0.5						Run off		3		
Leominster (Cheaton Clo)	28.5	7	2	0.5						Run off		2	EA Flood Zone	
Knapton Green (Birley)	26.6	1	1	0.5	1			1		Surcharge		1	Honeylake Brook	
Hatfield & District	26.5	4	1	0.5	1			1		Surcharge		4	EA Flood Zone	
Luston Group	23.1			0.5						Run off	13	3		
Yarpole	20.9			1	3			1					EA Flood Zone	
Humber Ford & Stoke (Humber)	20	3	1	0.5	1	2					2		EA Flood Zone	
Orieton (Millbrook)	19.7	6	1.5	0.5						Surcharge		1	EA Flood Zone	
Putley	19.2	3	1	0.5	3							3		
Brockhampton Group	16.4	5	1	0.5						Surcharge	4	1	EA Flood Zone, Totnor Brook	
Bishopstone	16	2	1	0.5	2					Surcharge		4	EA Flood Zone, Yazor Brook	
Humber Ford & Stoke (Steens Br)	15	4	1	0.5								2	EA Flood Zone, Humber Brook	
Humber Ford & Stoke (Stoke Pt)	15	4	1	0.5								3		
Colwall	14.5			1	0.5					Run off		7		
Langarron	14.2	4	1	0.5						Run off	2	2		
Much Cowarne (Callow Marsh)	14.1	2	1	0.5	2								EA Flood Zone	
Stretton Grandison (Stetton G)	14	4	1	0.5						Run off		1		
Monkland	14	1	1	0.5	1			1			6	1	EA Flood Zone	
Kingsland (Cobnash)	13.4	4	1	0.5								1		
Sutton St Nicholas	13.2	4	1	0.5						Run off	1	1		
Leominster (Ivington)	12.4	2	1.5	0.5						Surcharge			1	EA Flood Zone
Kingsland (Lawton Cross)	11.5	2	1	0.5	1					Run off				
Pixley & District (Poolend)	11.3	3	1	0.5	1			1		Run off				
Whitbourne (Court)	11.3	3	1	0.5	1			1		Run off/Surcharge			EA Flood Zone, Whitbourne Brook	
Marden (church)	11	2	1	0.5	1	1				Surcharge			EA Flood Zone, R.Lugg	
Yarkhill (Watery Lane)	11	3	1	0.5	1			1		Run off/Surcharge			EA Flood Zone, R.Frome	
Much Dewchurch	10.6	1	1	0.5						Run off		2	EA Flood Zone, Worm Brook	
Brockhampton	10.5	2	1	0.5				2						
Much Cowarne (Panks Bridge)	10.3	2	1.5	0.5	1					Surcharge			EA Flood Zone, R.Lodon	
Stretton Grandison (Canon Frome)	10	2	1	0.5	1	2				Surcharge			EA Flood Zone, R.Frome	
Humber Ford & Stoke (Ford)	10	2	1	0.5									EA Flood Zone	

Stretton Grandison (Homend)	10	3	1	0.5	1	0.5	1	0.5	1	1	Surcharge	part of EA Flood Zone, R.Frome
Wellington Heath	9.6		1	0.5	3	0.5	1	0.5	1	80	Run off	
Humber Ford & Stoke (Risbury M)	9.4	2	1.5	0.5	1	0.5	1	0.5	1	1	Run off/Surcharge	EA Flood Zone, Humber Brook
Aymestry	9.1	3	1	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone (not applicable to flooded properties)
Kimbolton	9.1	1	1	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone (no parish return)
Stoke Lacy	9	3	1	0.5	1	0.5	1	0.5	1	2	Surcharge	EA Flood Zone, R.Lodon
Garway	8.6	2	1	0.5	1	0.5	1	0.5	1	5	Run off	
Stretton Sugwas	8.5		1	0.5	1	0.5	1	0.5	1	2	Surcharge	1 EA Flood Zone, R.Yazor
Wigmore Group	8.2	2	1	0.5	1	0.5	1	0.5	1	2	Run off	
Ashperton	8	1	1	0.5	1	0.5	1	0.5	1	1	Run off	physical constraint at railway culverts
Hope-under-Dinmore	8	2	1	0.5	1	0.5	1	0.5	1	1	Run off/Surcharge	
Kingsland	8	2	1	0.5	1	0.5	1	0.5	1	1	Run off	
Leominster (Portna Wy/Hopyard Cl)	8	2	1	0.5	1	0.5	1	0.5	1	2	Run off	
Stretton Grandison (Watery Lane)	8	2	1	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone, R.Frome
Yarkhill (Monkhide)	8	2	1	0.5	1	0.5	1	0.5	1	1	Surcharge	ditch defects
Lea	7.4	1	1	0.5	1	0.5	1	0.5	1	3	Run off	3 EA Flood Zone, Rudhall Brook
Pixley & District (Falcon Lane)	6.5	1	1	0.5	3	0.5	1	0.5	1	1	Run off	
Orleton (Kings Road)	6.4	1	1.5	0.5	1	0.5	1	0.5	1	1	Surcharge	1 EA Flood Zone, Millbrook
Humber Ford & Stoke (Docklow)	6	2	1	0.5	1	0.5	1	0.5	1	1	Run off	
Much Cowarne (Mill)	6	1	1.5	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone, R.Lodon & tributary
Much Cowarne (Bridge End)	6	1	1.5	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone, R.Lodon
Yarkhill (West end of Watery Ln)	6	1	1	0.5	1	0.5	1	0.5	1	1	Run off	1 EA Flood Zone
Walford (Various)	5.4		1	0.5	1	0.5	1	0.5	1	5	Run off	
Ledbury (Bosbury)	5	1	1	0.5	1	0.5	1	0.5	1	1	Surcharge	EA Flood Zone, R.Lodon
Pyons Group (Ledgemore)	5	1	1	0.5	1	0.5	1	0.5	1	1	Surcharge	parts of EA Flood Zone
Yarkhill (Fillingsbridge)	5	1	1	0.5	1	0.5	1	0.5	1	1	Surcharge	1 EA Flood Zone, R.Lodon
Ledbury (Cotton Corner)	4.4	1	1	0.5	1	0.5	1	0.5	1	1	Run off	1 EA Flood Zone, R.Lodon
Leominster (Stretford Bury)	4.2	1	1	0.5	1	0.5	1	0.5	1	1	Run off	1 EA Flood Zone, Stretford Brook
Marden (Walkers Green)	4.2	1	1	0.5	1	0.5	1	0.5	1	1	Run off	
Ledbury (Teme Way)	4	1	1	0.5	1	0.5	1	0.5	1	1	Run off	1 Combined sewer issue
Kinnersley & District	4	1	1	0.5	1	0.5	1	0.5	1	1	Run off	
Moreton Jeffries	4	1	1	0.5	1	0.5	1	0.5	1	1	Run off	
Peterstow	4	1	1	0.5	1	0.5	1	0.5	1	2	Run off	
Stretton Grandison (Gartref)	4	1	1	0.5	1	0.5	1	0.5	1	1	Run off	
Ledbury (North Mead)	3.5		1	0.5	1	0.5	1	0.5	1	1	Run off	
Ledbury (Worcester Road)	3.5		1	0.5	1	0.5	1	0.5	1	1	Run off	
Little Dewchurch	3	1	1	0.5	1	0.5	1	0.5	1	120	Run off	
Stapleton	3	1	1	0.5	1	0.5	1	0.5	1	150	Run off	EA Flood Zone, Hindwell Brook
Staunton-on-Wye	3	1	1	0.5	1	0.5	1	0.5	1	1	Run off	
Ocle Pychard	2.7		1	0.5	1	0.5	1	0.5	1	1	Run off	
Stoke Edith	2.3		1	0.5	1	0.5	1	0.5	1	1	Run off	brook overflows highway
Whitbourne (Meadow Green)	2.3		1	0.5	1	0.5	1	0.5	1	1	Run off	EA Flood Zone, Sapey Brook
Pyon Group (U Verdale)	2		1	0.5	1	0.5	1	0.5	1	1	Run off	
Pyons group (Kinford)	2		1	0.5	1	0.5	1	0.5	1	1	Run off	Wellington Brook
Stony Brook (Staplow B4214)	1.4		1	0.5	1	0.5	1	0.5	1	1	Run off/Surcharge	
Pyon Group (Westhope)	1		1	0.5	1	0.5	1	0.5	1	50	Surcharge	No data
Weobley	0		1	0.5	1	0.5	1	0.5	1	40	Run off	No data
Woolhope	0		1	0.5	1	0.5	1	0.5	1	40	Run off	No data

REVENUE BUDGET MONITORING

Report By: DIRECTOR OF RESOURCES

Purpose

1. To advise the Committee of the financial position for the Environment Programme Area budgets for the period to 31st January 2009. The report lists the variations against budget at this stage in the year.

Financial Implications

2. It is expected that the Environment Revenue budgets for 2008/09 will overspend by £619,000.

Considerations

3. The detailed Budget Monitoring Report to 31st January 2009 is attached at Appendix I for Members' consideration.
4. The total Environment budget for 2008/09 has increased to £25,765,000 from the previous amount reported to previous meeting, which was £25,347,000.
5. This increase of £418,000 is due to:
 - i) A reduction of £28,000 on Highways budget resulting from the re-alignment of Head of Service budgets following the reorganisation of directorates.
 - ii) The Transportation budget has increased by £446,000 from £3,481,000 reported in September 2008 to £3,927,000. This is due to the allocation of the Area Based Grant budget. This budget matches expenditure within Transportation spent on the Rural Access Partnership activity.
6. The summary position is set out in the table below.

2008/09	Annual Budget	Projected Outturn	Over/-Under spend
<u>Service Area</u>	£000	£000	£000
Highways	5,932	7,655	1,723
Restoration Fund		-429	-429
Funding from Bellwin threshold Reserve		-505	-505
Sub-total Highways	5,932	6,721	789

2008/09	Annual Budget	Projected Outturn	Over/Under spend
<u>Service Area</u>	£000	£000	£000
Environmental Health & Trading Standards	2,131	2,131	
Waste Management	11,551	11,126	-425
Directorate Management & Support	358	358	0
Transportation	3,927	3,927	0
Planning	1,866	2,121	255
Environment Total	25,765	26,384	619

Highways

8. The current budget projections include a forecast gross overspend on winter maintenance of £1.065m. The increase of £765,000 since last reported results from estimate of costs for the year following a very cold winter and snow in January.
9. The de-trunking of the A465 has seen £140,000 grant allocated to the council for road maintenance and this will be used to mitigate additional Winter Maintenance costs in 2008/09 resulting in a net overspend of £1.025m.
10. There is also a £500,000 winter maintenance reserve available for one-off funding for exceptional conditions. The Director of Resources will review whether it is appropriate to draw on the Winter Maintenance Reserve as part of the 2008/09 accounts closedown process when the final position is known.
11. The position for the service is assisted by the non-recurring funding available in 2008/09 with the council's £429,000 Restoration Fund allocation being applied to meet costs associated with the 2007 floods.
12. Following the floods in September and November 2008 Highways incurred total emergency repair work costs of £1,238,000. The council is able to apply for funding for this work under the Bellwin scheme, although the first £432,000 and 15% of remaining claim amount has to be funded by the council. A specific reserve of £505,000 was set up to cover this threshold and the forecast assumes that this will contribute to the Council funded element of these costs however there will be a shortfall of £73,000.
13. Car parking fee income was expected to increase in 2008/09 following the introduction of parking fee increases on 1 June 2008. Despite the increase in charges, the overall income received to the end of December indicates a £280,000 shortfall on income target for the year. The assessment is that the economic slow down has affected the level of income.
14. There is pressure on the Highways budgets in relation to contract inflation on Roads Maintenance and Street Cleansing. Whilst every effort is being made to manage these pressures within budget, Street Cleansing is likely to overspend by £90,000.

15. A saving of £150,000 through staff vacancy management will be achieved due to the recruitment freeze pending the service delivery review.
16. Overall there is a projected overspend of £1,723,000 on Highways but after taking into account the known transfers from reserves £505,000 and one off funding £429,000, the net overspend reduces to £789,000.

Environmental Health and Trading Standards

17. There is an expected overspend of £120,000 in relation to Markets & Fairs relating to shortfall on rental income on the Market Hall Hereford and insufficient expenditure budget for the Street Trading.
18. Income from the Crematorium is expected to be in excess of target by £50,000.
19. There is also an expected overspend of £75,000 in relation to the Anti Social Behavior team due to temporary staff costs incurred in setting up the team and on-going salary costs. This is mitigated by through structural re-alignment across the service.
20. These overspends are expected to be managed within the Services through vacancy management and income received above target in relation to Air Pollution, Licensing and Trading Standards
21. The overall assessment is that Environmental Health and Trading Standards will balance to budget.

Waste Management

22. It is projected that Waste Management will underspend by £425,000. This overall position includes contract inflation increases on the Waste Collection contract of £360,000. This will be mitigated by an under-spend on Waste Disposal and forecast increased income of £100,000 for commercial waste.
23. Current estimates from Worcestershire County Council (WCC) of Waste Disposal contract costs project an expected underspend of £800,000 on Herefordshire's Waste Disposal budget for 2008/09. This revised estimate reflects the credits received for the Waste Electrical and Electronic Equipment (WEEE) expenditure following the agreement of the contract variation and a revised forecast for tonnages which in general have reduced.
24. The cost associated with waste disposal and the Integrated Waste Management PFI Contract will be considerably higher than at present. Contract costs continue to grow, along with Landfill Tax, which means that the costs associated with Waste Disposal are far exceeding standard inflation levels. In previous years any in-year underspend on the contract has been transferred to reserves to meet future waste management pressures. In addition the new Waste Collection Contract is likely to be considerably more expensive than the existing contract. The new Contract is due to commence in October 2009 which means the full impact of the increased Contract costs will not be felt until the 2010/2011 financial year.
25. There are risks that if waste growth/reduction between Herefordshire and Worcestershire varies by more than 1% to the detriment of Herefordshire then Herefordshire will need to increase its contract payments by £300,000. Currently Worcestershire's waste tonnages are decreasing at a faster rate than Herefordshire's

and there are risks that the trigger point may be hit. However, at this stage this is not addressed as a likely outcome.

26. The predicted outturn has also been increased by £110,000 to reflect the allocation of costs in relation to Head of Service and Directorate Management & Support Team.

Directorate Management and Support

27. The additional costs related to the 'Big Conversation' will be funded through one-off vacancy savings within the Environment Support Team.

Planning

28. The latest position for Planning shows an increase in the level of overspend against the results reported for September 2008. This is due to a downturn in planning fee income in the October to December 2008 period. January showed a brief upturn, but future income is likely to be affected by the current economic climate so the position is unlikely to improve. The forecast includes a planning delivery grant payment that was not previously anticipated.
29. Current budget pressures continue to include the monthly costs for scanning of plans that will continue until a new system is implemented. Legal and consultant costs of £90k have already been incurred due to planning appeals. Further appeal costs are expected and are under final negotiations. ICT service level agreement costs of £75,000 remain an unfunded pressure.
30. Planning has identified a need for a new system to manage and record applications, as the current system is no longer supported. The new system is planned to be part of Herefordshire Connects programme.
31. There will be significant expenditure in relation to the Local Development Framework; most of this will be funded by government grants. Growth point Initiative funds for 2009/2010 have been secured at £175,000.
32. A saving of £30,000 through staff vacancies will be achieved.
33. The overall position forecast for Planning is currently projected to be an overspend of £255,000.

Recovery Plans

34. Following the initial budget outturn projections for 2008/09 that indicated a £1.671m overspend the Chief Executive gave clear instructions that Directorates are to deliver balanced budgets. As a result all directorates have put together budget recovery plans with the support of Financial Services. The plans are based on the latest projected outturn and include actions to deliver a balanced 2008/09 budget. The plans will form part of directorates routine budget monitoring and will be updated as the year progresses so that actions can be changed if required.
35. Both the Environment & Culture and Regeneration Directorates face significant budget pressures in 2008-09. Action has been taken to identify savings in order to reduce the forecast overspends. Whilst progress has been made around vacancy management and operational costs and the outcome of the contract variation outlined in paragraph 23 has significantly improved the position, recent adverse weather conditions have put additional pressure on Winter Maintenance budgets which are difficult to manage this late in the financial year. There is some spare

budget capacity within Regeneration to manage the Planning overspend however this flexibility has to be balanced across all services within the Directorate.

36. A further allocation of central government funding for the 2007 floods was announced on 17 July 2008 that distributed the £30.6m Restoration Fund. A total of 62 local authorities received an allocation with Herefordshire's funding being £429k. The Government did not issue guidance on how the Restoration Fund should be spent. It has taken this approach because it feels that local authorities are best placed to decide what is best for their areas. The allocation is a one-off source of funding and is to be allocated to the Environment & Culture Directorate to offset budget pressures in Highways this financial year.

RECOMMENDATION

THAT the report be noted.

ENVIRONMENT SCRUTINY COMMITTEE
SUMMARY REPORT YEAR 2008/2009 TO 31st JANUARY 2009

	Annual Budget £000	Predicted Outturn £000	Predicted Over/-Under spend for year £000	Actual to 31.01.09 £000	Budget to 31.01.09 £000	Over/-Under spend to 31.01.09 £000
Summary						
Highways	5,932	7,655	1,723	6,234	4,685	1,549
Restoration Fund		-429	-429	-429	0	-429
Funding from Bellwin Threshold Reserve		-505	-505			
Sub-total Highways	5,932	6,721	789	5,805	4,685	1,120
Environmental Health & Trading Standards	2,131	2,131	0	1,423	1,483	-60
Waste Management	11,551	11,126	-425	6,897	7,571	-674
Directorate Management & Support	358	358	0	596	573	23
Transportation	3,927	3,927	0	3,371	3,731	0
Planning	1,866	2,121	255	1,420	1,393	48
TOTAL ENVIRONMENT	25,765	26,384	619	19,512	19,436	457
Highways						
Public Conveniences	373	373		411	283	128
Highways Running Costs (inc staff)	1,653	1,573	-80	1,671	1,726	-55
Roads Maintenance	1,858	1,858		1,212	1,315	-103
NRSWA (inc staff)	-28	-28		12	17	-5
Emergency Maintenance	126	704	578	987	94	893
Winter Maintenance	785	1,710	925	973	501	472
Land Drainage/Flood Alleviation	168	168		36	22	14
Bridgeworks (inc staff)	92	92		142	150	-8
Shop Mobility	59	59		44	50	-6
Street Lighting (inc staff)	862	822	-40	601	665	-64
Traffic Management (inc staff)	386	356	-30	226	318	-92
Car parks	-1,684	-1,464	220	-1,218	-1,470	252
Decriminalised Parking	164	224	60	213	164	49
Street Cleansing	1,118	1,208	90	924	850	74
Total Highways	5,932	7,655	1,723	6,234	4,685	1,549

ENVIRONMENT SCRUTINY COMMITTEE
SUMMARY REPORT YEAR 2008/2009 TO 31st JANUARY 2009

	Annual Budget	Predicted Outturn	Predicted Over/-Under spend for year	Actual to 31.01.09	Budget to 31.01.09	Over/-Under spend to 31.01.09
<u>Environmental Health & Trading Standards</u>						
Markets & Fairs	-276	-156	120	-127	-239	112
Cemetries	72	72		58	48	10
Crematorium	-277	-327	-50	-255	-226	-29
Commercial Environmental Health	458	458		357	375	-18
Pollution	507	452	-55	327	380	-53
Landfill & Contaminated Land	238	238		170	197	-27
Pest Control	40	40		17	27	-10
Anti Social Behaviour Team	205	280	75	214	157	57
Animal Health & Welfare	166	166		153	139	14
Trading Standards	554	539	-15	404	439	-35
Envt Health Management & Support	395	355	-40	136	174	-38
Licensing	-14	-49	-35	-91	-41	-50
Traveller Sites	63	63		60	53	7
Total Environmental Health & Trading Standards	2,131	2,131	0	1,423	1,483	-60
<u>Waste Management</u>						
Waste Disposal	7,983	7,273	-710	4,250	5,074	-824
Recycling	693	828	135	580	517	63
Trade Waste	-469	-569	-100	-620	-519	-101
Domestic Waste Collection	3,344	3,594	250	2,687	2,499	188
Total Waste Management	11,551	11,126	-425	6,897	7,571	-674
<u>Directorate Management & Support</u>						
Director Of Environment & Culture	91	171	80	254	173	81
Environment Support	267	187	-80	342	400	-58
Total Directorate Management & Support	358	358	0	596	573	23

ENVIRONMENT SCRUTINY COMMITTEE
SUMMARY REPORT YEAR 2008/2009 TO 31st JANUARY 2009

	Annual Budget	Predicted Outturn	Predicted Over/-Under spend for year	Actual to 31.01.09	Budget to 31.01.09	Over/-Under spend to 31.01.09
<u>Transportation</u>						
Public Transport Rural	568	568	-0	768	720	48
Public Transport	2,526	2,526	0	1,972	2,330	-358
Design/Planning	56	56	0	23	47	-24
Road safety	142	142	0	170	118	52
Bus stations	-15	-15	0	-14	-3	-11
S38	-44	-44	0	-65	-38	-27
Searches	-2	-2	0	-3	-1	-2
Accident Investigation	81	81	0	83	77	6
Staff costs	434	434	0	358	382	-24
Running costs	181	181	0	79	99	-20
Total Transportation	3,927	3,927	-0	3,371	3,731	-360
<u>Planning</u>						
Building Control	-98	-39	59	-14	-87	73
Conservation	716	716	0	581	597	-16
Development Control	102	456	354	394	82	312
Forward Planning	487	487	0	271	404	-133
Management and Admin	659	501	-158	188	397	-209
Total Planning	1,866	2,121	255	1,420	1,393	27

REVENUE MONITORING – PLANNING SERVICES EXPENDITURE ON LEGAL AND CONSULTANCY COSTS

Report By: Head of Planning and Transportation

Wards Affected

County-wide.

Specific cases are detailed in the report in the following wards:

Purpose

1. To provide the Committee with the information requested at a previous meeting.

Financial Implications

2. The sums of money spent on legal/consultancy/awards of costs are set out in the body of this report.
3. In the current financial year the budgets for the relevant areas are as follows:

P5200 3401	Court Costs	£0
P5200 3404	Consultants	£0
P5200 3407	Legal	£9740
P5200 3438	Counsel Fees	£0

4. As a context the total development control budget for this year (P5200) is £1,325,879. This is primarily based around staffing and other associated costs. These costs are offset by planning application fees (P1000 9372). The target budget for the year is £1,223,870. As Members have previously been advised this budget is underperforming as economic conditions have become unfavourable to new development proposals coming forward.

Background

5. Members have requested that information be brought to this meeting on expenditure on legal and consultancy costs in the planning arena, and in relation to the costs incurred in pursuing appeals on proposals refused against officer recommendation in particular.

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

6. On this basis the report is divided into three sections as follows:

Part 1. An overview of total expenditure in these areas in the last two financial years.

Part 2. An analysis of costs incurred in appeals where refusal was against officer advice.

Part 3. An analysis of costs incurred in other cases where approval of applications/allocation of land for development generated abnormal expenditure.

Part 1 – Overview

7. In 2007/08 the following expenditure in these areas was incurred as follows:

P5200 3401	Court Costs	£165
P5200 3404	Consultants	£29,949
P5200 3407	Legal	£53,981
P5200 3438	Counsel Fees	£16,370
	Total	£100,465

8. In 2008/09 (to date) equivalent expenditure is:

P5200 3401	Court Costs	£9,935
P5200 3404	Consultants	£29,090
P5200 3407	Legal	£56,814
P5200 3438	Counsel Fees	£1,012
	Total	£164,561

9. As a context the comparable total expenditure in previous years was as follows:

2004/05	£29,302
2005/06	£83,116
2006/07	£61,770

10. Similarly as a context the total budget (for all these budget codes) was/is as follows:

2004/05	£10,890
2005/06	£11,160
2006/07	£11,440
2007/08	£11,440
2008/09	£9,739

11. In previous financial years the overspend on these budgets has been compensated by overperformance on income (i.e. application fees). In this current financial year the overspend on these budgets have combined with the underperformance on planning application fees to generate the evolving service overspend in 2008/09.

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

12. The figures in this part of the report represent the total costs incurred in these areas of activity. They represent many aspects of the normal running of a planning service and include:-
- engagement of counsel for court appearances.
 - engagement of consultants for specialist advice
 - general legal costs of defending both delegated and committee decisions.
13. Part 2 of this report sets out the specific costs (included within Part 1 totals) relating to the defence of decisions to refuse planning applications against officer recommendation, and other abnormal elements of expenditure.

Part 2 – Analysis of costs incurred in appeals where refusal was against officer recommendation

14. Appendix 1 sets out a schedule of appeals that were upheld (i.e. planning permission was granted by a Planning Inspector) when the Council refusal was against officer advice. The associated costs (where appropriate) are set out against each application.
15. Appendix 2 sets out a schedule of appeals that were dismissed (i.e. the Planning Inspector agreed with the Council that the proposal was unacceptable) when the Council refusal was against officer advice. The associated costs (where appropriate) are set out against each application.

Part 3 – Other cases generating abnormal expenditure

16. In addition to the costs set out in Appendix 1 and Appendix 2 there have been three circumstances where abnormal costs have been incurred in these budgets in the last two financial years, and as follows:

Judicial Review into the adoption of the Unitary Development Plan

This matter has been extensively documented. The Bullinghope site has been quashed from the Plan.

Indicative costs incurred in this process are:

Award of Costs	£15,275
Counsel Fees	£ 8,037
Travel/Hotels	£ 930
General Officer Time	

Local Government Ombudsman – Findings of Maladministration Walnut Tree Cottage, Pudleston

Valuation Fees	£2,950
General Officer Time	

Judicial Review – Suspension of Polytunnel Code of Practice and move to Supplementary Planning Document

Legal Fees/Costs £28,787
General Officer Time

Considerations

1. These various expenditure items have stretched the appropriate budgets.
2. The additional officer time spent on resolving these matters has taken away normal capacity to deliver the Planning Service. By definition these matters have taken up a disproportionate amount of senior officer time.
3. With reduced income levels expenditure on these budgets is contributing to the overspend in the Service in this financial year.

RECOMMENDATION

THAT the Committee note the information in the report.

BACKGROUND PAPERS

- None.

Appendix 1

Schedule of appeals upheld

Application No.	Site	Ward	Costs
2007/08			
SE2006/2329/F	Haigh Engineering, Alton Road, Ross-on-Wye	Ross-on-Wye East	Written Representations. No award of costs. Normal officer costs.
CE2007/0624/A	Stirlings Suzuki, Callow	Hollington	Written Representations. No award of costs. Normal officer costs.
CW2006/2743/F	3 Yarlinton Mill, Belmont	Belmont	Written Representations. No award of costs. Normal officer costs.
CE2006/3982/F	Stoneleigh/Rowberry, Lugwardine	Hagley	Written Representations. No award of costs. Normal officer costs.
CE2006/2553/F	Plot 130, Saxon Court, Bullingham Lane	St. Martins & Hinton	Written Representations. No award of costs. Normal officer costs.
NC2007/0623/F	The Bungalow, Rylands Road, Leominster	Leominster South	Written Representations. No award of costs. Normal officer costs.
CW2007/2009/F	The Roods, Marden	Sutton Walls	Written Representations. No award of costs. Normal officer costs.
NC2006/1215/F	Highwell House, Bromyard	Bromyard	Written Representations. No award of costs. Normal officer costs.
CE2006/1978/F	Bartestree Convent, Bartestree	Hagley	Written Representations. No award of costs. Normal officer costs.
NC2007/0656/F	Plot 3, Village Hall, Stoke Prior	Hampton Court	Written Representations. No award of costs. Normal officer costs.
CE2007/0195/F	Access from U72011 road to field OSM	Hollington	Written Representations. No award of costs. Normal officer costs.

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

SE2006/1495/F	The Singing Stud Ltd, Much Marcle, Ledbury	Old Gore	Written Representations. No award of costs. Normal officer costs.
SE2007/0704/F	The Singing Stud Ltd, Much Marcle, Ledbury	Old Gore	Written Representations. No award of costs. Normal officer costs.
SE2007/0705/F	The Singing Stud Ltd, Much Marcle, Ledbury	Old Gore	Written Representations. No award of costs. Normal officer costs.
CE2007/0313/F	Stokes Stores, Holme Lacy Road, Hereford	St. Martins & Hinton	Written Representations. No award of costs. Normal officer costs.
SE2005/3806/O	Singing Stud, Much Marcle	Old Gore	Written Representations. No award of costs. Normal officer costs.
CE2007/1930/F	Frome Court, Bartestree	Hagley	Written Representations. No award of costs. Normal officer costs.
SE2007/1391/F	The Chase Hotel, Ross	Ross-on-Wye East	Written Representations. No award of costs. Normal officer costs.
2008/09			
SE2007/1391/F	The Chase Hotel, Ross	Ross-on-Wye East	Written Representations. No award of costs. Normal officer costs.
CW2007/2834/F	Mulberry Close, Belmont	Belmont	Public Inquiry. Counsel Costs £2,400 Cost Award £37,500. Cost Assessor £150.00.
NC2007/2258/F	44 Vicarage Street, Leominster	Leominster North	Written Representations. No award of costs. Normal officer costs.
NC2007/2869/F	44 Vicarage Street, Leominster	Leominster North	Written Representations. No award of costs. Normal officer costs.
SE2007/3592/F	10 St. Georges, Woolhope	Old Gore	Written Representations. No award of costs. Normal officer costs.
SE2008/0039/F	Green Orchard, Ryefield Road, Ross	Ross-on-Wye East	Written Representations. No award of costs. Normal officer costs.

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

SE2007/3872/F	Hope and Anchor, Ropewalk, Ross	Ross-on-Wye West	Written Representations. No award of costs. Normal officer costs.
CW2007/2684/F	131 Whitecross Road, Hereford	St. Nicholas	Written Representations. No award of costs. Normal officer costs.
CE2007/3542/F	16 Aylestone Hill, Hereford	Aylestone	Written Representations. No award of costs. Normal officer costs.
SE2007/3043/F	Kings Head Hotel, High Street, Ross	Ross-on-Wye West	Written Representations. No award of costs. Normal officer costs.
SE2008/0553/F	Old Canoe Shop, Mill Pond Street, Ross	Ross-on-Wye East	Written Representations. No award of costs. Normal officer costs.
SW2007/2050/F	Shop Barn, Pwl-y- Hunt, Pontrilas	Golden Valley South	Written Representations. No award of costs. Normal officer costs.
CE2008/0959/F	Common Hill Lane, Fownhope	Backbury	Written Representations. No award of costs. Normal officer costs.

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

Appendix 2

Schedule of appeals dismissed

Application No.	Site	Ward	Costs
2007/08			
SE2006/3883//F	West Ridge, Ashfield Park, Ross-on-Wye	Ross-on-Wye West	Written Representations. No award of costs. Normal officer costs.
NC2006/2953/O	78 Castlefields, Leominster	Leominster South	Written Representations. No award of costs. Normal officer costs.
SW2006/3430/O	Steiner School, Much Dewchurch	Valletts	Joined with SW2007/1091/O Consultants Fee £16,216 Counsel Fees £4,100
SW2007/1091/O	Hereford Waldorf School, Much Dewchurch, Herefordshire	Valletts	Joined with SW2006/3430/O Consultants Fee £16,216 Counsel Fees £4,100
2008/09			
NE2007/0966/F	Homend Service Station, Ledbury	Ledbury	Informal Hearing. Partial award of costs to applicant £2,500

Further information on the subject of this report is available from
Andrew Ashcroft on 01432 383098

CAPITAL BUDGET MONITORING

Report By: DIRECTOR OF RESOURCES

Wards Affected

County-wide

Purpose

1. To advise Scrutiny Committee on the progress of 2008/09 Capital Programme for Environment within the overall context of the Herefordshire Council's Capital Programme.

Summary

2. This report is largely based on the latest round of capital monitoring, which involved the examination of all schemes at the end of January 2009. The Environment Capital Working Group is keeping the overall spending position under careful review.
3. The total spent and committed at 31st January 2009 is £19.3 million or 91.5% of the Revised Forecast. The actual amount spent to date is £15.7 million.

Financial Implications

4. The Capital Budgets for Environment for 2008/09 are shown in Appendix I, on an individual scheme basis with funding arrangements indicated in overall terms.
5. The total of the Capital Programme has reduced to £21,056,000 from £21,951,000 notified to the previous meeting (see Appendix I). This is a net reduction of £895,000 and relates to:
 - i) An increase of £116,000 on Ross Flood Alleviation Scheme to agree to profiled expenditure in line with the latest grant claim from DEFRA relating to additional costs associated with tunnelling and shaft sinking works costs. This scheme is being funded by Environment Agency and following the submission of engineer reports to them to support the increase in costs, they have agreed to fund additional costs based on the latest estimates.
 - ii) A reduction of £398,000 in relation to Enhancements to High Street, Hereford. This relates to Widemarsh Street repaving and has been moved to January 2010 to allow time for a Public Realm Design Guide to be produced in conjunction with Edgar Street Grid. This will aim to provide a design that will link Edgar Street Grid to the current city centre. Actual works will not start until January 2010 so this budget will slip into 2009-10.
 - iii) An addition of £85,000 in relation to Public Toilet improvements at Upper Wyche, Malvern funded by Malvern Hill Conservators.
 - iv) A reduction of £32,000 in relation to improvements to Grafton Travellers site. This scheme has now been completed but agreement has been received from Department of Communities and Local Government that the remaining grant funding

can be used for additional improvements to this or other travellers' sites. Schemes will be considered and programmed in 2009/10.

- v) A reduction of £240,000 in current year capital programme in relation to slippage in the Connect 2 project and will be carried forward into subsequent years. The project is estimated to cost £1.75m with £350,000 funding from Lottery Fund and is scheduled for completion in 2012/13.
- vi) A reduction of 390,000 in relation to Waste Infrastructure which is funded by grant from DEFRA. This has been earmarked to be spent in 2009/10 on the purchase of wheelie bins and equipment relating to the new waste collection contract.
- vii) A reduction of £36,000 in the current year capital programme for Pedestrian Improvements in Ledbury Road, Hereford. Funding of £76,000 was received from Festival Housing in the current year and any funding not utilised in 2008/09 will be carried forward into 2009/10 capital programme.
- viii) Minor changes have been made within the Local Transport Plan budget schemes but overall are still expected to come in on budget. These include the re-allocation of additional budget of £145,000 to Rural Transport schemes which includes Pedestrian and Disabled Access Improvements, Footway Improvement and Cycle Routes and Parking schemes, and a reduction of £100,000 on the 2008/09 maintenance budget in relation to Embankments.

RECOMMENDATION

THAT the report be noted.

Environment Capital Programme 2008/09

Scheme	Original	Revised Forecast	Change in	Spend/Known	% Spent/
	Budget 2008-09	as at 31st January 2009		Forecast	Commitments to 31st January 2009
	£000	£000	£000	£000	%
Behavioural Change Countywide					
Travel Awareness Campaign	35	35		28	80.0%
Monitoring	40	40		37	92.5%
Hereford Transport Strategy					
Hereford Intelligent Transport System – Detailed Assessment	20	20		20	100.0%
Rotherwas Access Road (LTP Block contribution to Major Scheme £500k)*	2255	2390	135	2110	88.3%
Hereford Outer Distributor Road – feasibility and support for Local Development Framework Core Strategy development	30	45	15	45	100.0%
Christmas Park and Ride	15	15		15	100.0%
Park and Ride A49 North Site	300	300		205	68.3%
Park and Ride A49 South Site	100	50	-50	101	202.0%
Cycle Network & Parking	200	200		194	97.0%
Accessible Bus Network	35	35		16	45.7%
Hereford Rail Station Access Improvements	30	30		30	100.0%
Other Pedestrian Access Improvements	75	55	-20	41	74.5%
Rural Herefordshire Transport Strategy					
Rural Pedestrian and Disabled Access Improvements	35	55	20	36	65.5%
Rural Footway Improvements	60	100	40	94	94.0%
Rural Cycle Routes and Parking	200	285	85	237	83.2%
Public transport minor improvements	55	55		48	87.3%
Rural Rail Station Access Improvements	120	0	-120	0	
HGV projects	50	50		28	56.0%
ROWIP Access Improvements	25	25		25	100.0%
Accessibility Partnership Development	30	30		30	100.0%
Road Safety Strategy					
Specific Road Safety Grant	73	73		34	46.6%
Minor Safety improvements	300	300		291	97.0%
Traffic Calming	180	40	-140	11	27.5%
Speed Reduction Scheme (Venns Lane)	0	105	105	1	1.0%
Speed Limits	60	150	90	111	74.0%
Safer Routes to School and School 20mph Zones	350	250	-100	255	102.0%
School Travel Plan Support	25	25		25	100.0%
Maintaining the Transport Network					
Maintenance of Principal Roads	2415	2415		2030	
Maintenance of Non-Principal Roads	3790	3790		3672	
Footways	817	817		778	
Embankments	247	147	-100	98	
ROWIP Access Improvements	25	65	40	49	75.4%
Bridgeworks (LTP)	900	900		900	100.0%
Capitalised Staff Costs	301	301		301	100.0%
LTP Total	13193	13193	0	11896	90.2%
Non LTP Schemes					
Ross On Wye Flood Alleviation Scheme	1671	5071	3400	4999	98.6%
Hereford City Centre Enhancements	1161	12	-1149	12	100.0%
Crematorium Hereford	1807	1807		1670	92.4%
Leominster Closed Landfill Site Monitoring Infrastructure	287	287		203	70.7%
Public Convenience improvements	273	358	85	307	85.8%
Grafton Travellers Site	33	1	-32	1	100.0%
Waste Infrastructure	442	52	-390	47	90.4%
Connect 2	300	60	-240	17	28.3%
Pedestrian Improvements - Ledbury Road		40	40	29	72.5%
LPSA2 - Road Safety	24	24		24	100.0%
Stretton Sugwas Closed Landfill Site	53	53		35	66.0%
Strangford Closed Landfill Site	83	83		6	7.2%
Various Planning Obligations for Transport (S106 Contributions)	622	15	-607	14	93.3%
NON LTP TOTAL	6756	7863	1107	7364	93.7%
Expenditure to be Financed	19949	21056	1107	19260	91.5%

Environment Capital Programme 2008/09

Funded by:	Original	Revised Forecast
	Budget 2008- 09	as at 31st January 2009
	£000	£000
Supported Capital Expenditure (Revenue)	10,378	10,378
LTP Grant	780	780
Prudential Borrowing	5,558	4,161
Specific Road Safety Grant	73	73
LPSA 2 Funding	24	24
Waste Performance & Efficiency Grant	442	52
DEFRA	1,671	5,072
AWM Rotherwas Access Road Grant	160	168
Contribution from MH Conservators		85
Festival Housing		40
Capital Receipts Reserve	33	1
s106 Funding	830	222
Total Environment Capital Funding	19,949	21,056

ENVIRONMENT & CULTURE AND REGENERATION DIRECTORATES: PERFORMANCE FOR THE NINE- MONTH PERIOD TO DECEMBER 2008

Report By: Improvement Manager

Wards Affected

County-wide

Purpose

1. To update Members on the progress towards achievement of targets for 2008-09 relevant to the Environment Scrutiny Committee and contained within the Environment & Culture and Regeneration Directorates Plans. This report continues last year's practice of adopting a similar format to that of the Integrated Corporate Performance Report for reporting performance against each indicator.

Financial Implications

2. None.

Background

3. The Council's Corporate Plan sets out its objectives, priorities, targets and key actions for each of the three years 2008-11. It includes all the indicators and targets in the new Local Area Agreement (LAA), as well as those in the Herefordshire Community Strategy (HCS). Each Directorate's plan sets out the contribution, in terms of objectives, priorities, targets and key actions, it will make to achieving the objectives of the Council's Corporate Plan as well as to the achievement of other Directorate priorities. Progress needs to be assessed regularly, together with the risks to achievement and the action being taken to address these and improve performance.
4. The overall position shows an improvement in the number of indicators judged to be Green. The continued provision of more information about actions that should contribute to improved performance has enabled a rating as Green or Amber for a number of previously Red rated indicators. The number of Red rated indicators has decreased to 1. For those indicators where it is possible to show comparative direction of travel the position has improved since September. Overall performance in September was an improvement on that reported in July.

Progress against the Council's Corporate Plan

5. The following is an analysis of performance against target in relation to the Corporate Plan and Directorate plans. For comparison, September's figures are in brackets:

	No. of indicators	On course to achieve target (or establish baseline)	Some progress, but data not available to determine whether the target will be achieved	Not on target / no activity reported
Corporate Plan (including LAA and HCS)	10 (10)	4 (3)	6 (7)	0 (0)
of which				
Local Area Agreement (LAA)	7 (7)	2 (1)	5 (6)	0 (0)
Herefordshire Community Strategy (HCS)	7 (7)	4 (3)	3 (4)	0 (0)
All National Indicators (NIs)	26 (26)	17 (15)	9 (11)	0 (0)
All reported indicators	35 (35)	23 (19)	11 (13)	1 (5)

Direction of travel

6. Analysis of those indicators where it is possible to assess direction of travel is detailed below:

Direction of Travel			
	July	September	December
Improving	8	9	10
No real change	2	0	0
Deteriorating	2	3	2
Total	12	12	12

Overall performance

7. There continues to be little substantive performance information, since many of the indicators are part of the new National Indicator set and have as their target that baselines should be established this year.

Highlights

- In September there was a risk that baselines may not be established for indicators NI 182 'Satisfaction of businesses with local authority regulation services', NI 183 'Impact of local authority regulatory services on the fair trading environment', and NI 184 'Food establishments in the area which are broadly compliant with food hygiene law'. Data is now being collected for these indicators and the situation will be re-appraised when that data has been analysed.
 - Road casualty figures remain below target and compare very well with last year.
 - Performance against waste targets continues to improve.
 - Previously falling performance on planning application determination has been halted and is now on target.
 - There has been a significant improvement in planning appeal decisions allowed against the council's decision to refuse planning applications and this indicator is no longer judged Red.
 - Although street cleanliness performance continues to be generally on target detritus remains a problem.
8. Details of the indicators reflecting each of the Corporate Plan themes are given in **Appendix A**.

Customer satisfaction

9. Some services in both Directorates have had the benefit of regular monthly customer satisfaction surveys since March 2008, with results being available from June based on the new directorate structures. Coverage has gradually increased in the Environment and Culture Directorate, but only covers the Planning and Transportation Division in the Regeneration Directorate. Responses to the December survey have been analysed, the following being highlights:

Environment and Culture Directorate

- For the month of December 70% of the respondents were very or fairly satisfied with the service they received overall (compared with 63% in

September) while 27% were very or fairly dissatisfied (compared with 31% in September). Since June when the survey began in its new form, 72% of the respondents were very or fairly satisfied with the service they received overall while 24% were very or fairly dissatisfied.

- 58% agreed their issue had been dealt with (compared with 49% in September), 8% felt it had been only partially dealt with (compared with 9% in September) and 24% considered the issue had not been dealt with (compared with 35% in September). Since June 60% agreed their issue had been dealt with, 10% felt it had been only partially dealt with and 23% considered the issue had not been dealt with.
- 53% got the outcome they wanted Compared with 45% in September) 31% did not (compared with 42% in September) and 94% considered they only partly received the outcome they wanted (compared with 4% in September). Since June 55% got the outcome they wanted, 28% did not and 10% considered they only partly received the outcome they wanted.

Regeneration Directorate

- For the month of December 2008, 88% of the respondents were very or fairly satisfied with the service they received overall (compared with 98% in September) while 82% were very or fairly dissatisfied (compared with 2% in September). Since June, when the survey began in its new form, 89% of the respondents were very or fairly satisfied with the service they received overall while 7% were very or fairly dissatisfied.
 - 92% agreed their issue had been dealt with (compared with 85% in September), none felt it had been only partially dealt with (compared with 2% in September) and 8% considered the issue had not been dealt with (compared with 6% in September). Since June 80% agreed their issue had been dealt with, 7% felt it had been only partially dealt with and 10% considered the issue had not been dealt with.
 - 96% got the outcome they wanted (compared with 83% in September), 4% did not (compared with 8% in September) and none considered they only partly received the outcome they wanted (compared with 2% in September). Since June 76% got the outcome they wanted, 9% did not and 9% considered they only partly received the outcome they wanted.
10. Across both Directorates' services there continues to be a very high level of satisfaction overall with staff politeness and courtesy, staff helpfulness and people felt listened to and understood.
11. The survey is currently limited to requests for service which are received either through Info by Phone or through the highways inspection system. June was the first month in which data based on the restructured Environment and Culture and Regeneration Directorates was available, so there is no direct comparison with the data collected in previous months.

RECOMMENDATION

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

BACKGROUND PAPERS

- None

NIS LAA	HCS	CP	BVPI	PAF	APA	Indicator	CP Theme	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn			RAG rating			Reason for Judgements
											July	September	December	July	September	December	
Corporate Plan theme: economic development and enterprise																	
167	Yes	7a-b				Congestion – average journey time per mile during the morning peak (Data will be available from the Data Interchange Hub, no date currently specified)	4	Regeneration	6%	Establish baseline	Outturn available April		A	G	G	Activity reported that should impact on the baseline	
168	Yes		Yes	223		Principal roads where maintenance should be considered (Outturn data available April for submission to Data Interchange Hub)	4	Environment & Culture	6%	5%	Outturn available April		A	A	A	Activity showing progress towards target, but no outturn available	
169	Yes		Yes	224a		Non-principal (classified) roads where maintenance should be considered (Outturn data available April for submission to Data Interchange Hub)	4	Environment & Culture	11%	10%	Outturn available April		A	A	A	Activity showing progress towards target, but no outturn available	
						Non-principal (unclassified) roads where maintenance should be considered (Outturn data available April)		Environment & Culture	32%	32%	Outturn available April		A	A	A	Activity showing progress towards target, but no outturn available	
177		7a-b				Local bus passenger journeys originating in the authority area (Outturn data available April)		Regeneration	3.355M	4.017M	Outturn available April		A	A	A	Activity showing progress towards target, but no outturn available	
178	Yes	7a-b	Yes			Bus services running on time (Outturn data available April)	4	Regeneration	67%	69%	Outturn available April		R	A	A	Activity showing progress towards target, but no outturn available	
182						Satisfaction of businesses with local authority regulation services (Outturn data available April for submission to data Interchange Hub)		Environment & Culture		Establish baseline	Due April		A	R	G	Since the last report a mechanism has been put in place to ensure that data is collected to establish a baseline for this indicator.	

NIS	Reference			Indicator	CP Theme	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn		Activity reported	RAG rating			Direction of Travel		Reason for Judgements
	LAA	HCS	CP						BVPI	PAF		APA	July	September	December	July	
183				Impact of local authority regulatory services on the fair trading environment (Outturn data available April for submission to Data Interchange Hub)		Environment & Culture		Establish baseline		Due April	Revised data collection arrangements now in place.	A	R	G			Since the last report a mechanism has been put in place to ensure that data is collected to establish a baseline for this indicator.
184				Food establishments in the area which are broadly compliant with food hygiene law (Outturn data available April)		Environment & Culture		Establish baseline		Due April	Inspection programme on target. Revised data collection arrangements now in place.	A	R	G			Since the last report a mechanism has been put in place to ensure that data is collected to establish a baseline for this indicator.
				The number of days of temporary traffic controls, or road closure, on traffic sensitive roads, caused by roadworks, per km of traffic sensitive road (Data available monthly in arrears)	4	Environment & Culture	0	0	0	0		G	G	G	Δ	Δ	Highest possible performance
				Condition of footways (Outturn data available April)		Environment & Culture	32%	32%		Outturn available April	A detailed analysis of the 2007-08 survey has informed the development of the 2008-09 Joined Up Programme with Aney which is now being delivered. Surveys planned for last quarter.	A	A	A			Activity showing progress towards target, but no outturn available

Corporate Plan theme: safer and stronger communities

47	Yes	52	Yes	99a	5	Regeneration	133 (2007)	129 (2008)	36 (January to June)	56 (January to August)	84 (January to November)	Compared with 128 for the same period last year.	G	G	G	Δ	Δ	Latest outturn is better than last year and on track to achieve target
48				99b	5	Regeneration	11 (2007)	11 (2008)	4 (January to June)	4 (January to August)	6 (January to November)	Compared with 11 for the same period last year.	G	G	G	Δ	Δ	Latest outturn is better than last year and on track to achieve target
				99c		Environment & Culture	713 (2007)	713 (2008)	301 (January to June)	395 (January to August)	572 (January to November)	Compared with 638 for the same period last year.	G	G	G	Δ	Δ	Latest outturn is better than last year and on track to achieve target
				215a	5	Environment & Culture	6.61 days	6.61 days	2.45 days	2.53 days	2.2 days	Compared with 3.5 days for the same period last year.	G	G	G	Δ	Δ	Latest outturn is better than last year and on track to achieve target

NIS LAA	HCS	CP	BVI	PAF	APA	Indicator	CP Theme	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn		RAG rating			Reason for Judgements
											July	September	December	July	September	
186	Yes	58	Yes			Per capita reduction in CO ₂ emissions in the LA area (Data provided by Defra approximately 18 months in arrears)	6	Environment & Culture	13.1% less by 2010 against 2005 baseline	Outturn for 2008 known September 2010	A	A	A	Activity showing progress towards target, but no outturn available		
187						Planning to adapt to climate change (Outturn data available April for submission to data Interchange Hub)		Environment & Culture	Establish baseline April 2009		G	G	G	Activity reported that should impact on the baseline		
188						Flood and coastal erosion risk management (Availability of data determined by Defra)		Regeneration	Data supplied by Defra annually		A	A	A	No data available to determine target or performance		
191	Yes	56a	Yes			Residual household waste per head (Data available monthly in arrears)	6	Environment & Culture	851.85 kg (2006/07)	762 kg	197.6kg to June	312.59kg (to August)	470.63kg (to November)	Latest outturn on track to achieve target		
192						Household waste recycled and composted (Data available monthly in arrears)	6	Environment & Culture	30.26%	32%	31.12% to June	32.68% (to August)	34.25% (to November)	Outturn better than same period last year and on course to achieve target		
193						Municipal waste landfilled (Data available monthly in arrears)	6	Environment & Culture		64.92%	66.4% to June	64.37% (to August)	63.42% (to November)	Outturn better than target		
194						Level of air quality – reduction in NOx and primary PM10 emissions through local authority's estate and operations (Outturn data available April)		Environment & Culture	Establish baseline April 2009		G	G	G	Activity reported that should impact on the baseline		
195	54	Yes	199a-c			Improved street and environmental cleanliness (levels of (a) graffiti, (b) litter, (c) detritus and (d) fly posting) (Data available 4 monthly following survey)	6	Environment & Culture	(a) 10% (b) 12% (c) 2% (d) 1%	(a) 3% (b) 10% (c) 1% (d) 0%	A	G	G	Outturn better than target		
196						Improved street and environmental cleanliness – fly tipping (Data available monthly)	6	Environment & Culture	Grading 3	Grading 2	Grading 2	Grading 3	Grading 2	Outturn better than last year and currently achieving target		

NLS LAA	HCS	Reference			Indicator	CP Theme	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn		RAG rating			Direction of Travel		Reason for Judgements
		CP	BVPI	PAF						APA	July	September	December	July	September	December	
197	Yes	55	Yes	57	Improved local biodiversity – active management of local sites (Outturn data available April for submission to Data Interchange Hub)	6	Regeneration	28.70%	3.5% increase (30 sites)	July	September	December	A	A	A	Activity showing progress towards target, but no outturn available	
					The number of planning appeal decisions allowed against the Local Authority's decision to refuse planning applications, as a percentage of the total number of planning appeals against refusals of planning applications (Data available monthly)	6	Regeneration	36.40%	<36.4%	July	September	December	A	R	G	Outturn better than target and last year	
198					Children travelling to school – mode of travel usually used - Car			33.7%	34.0%				A	A	A	Activity showing progress towards target, but no outturn available	
198					Children travelling to school – mode of travel usually used - Car Share			4.4%	3.0%				A	A	A	Activity showing progress towards target, but no outturn available	
198					Children travelling to school – mode of travel usually used - School / Public Transport			23.8%	24.0%				A	A	A	Activity showing progress towards target, but no outturn available	
198					Children travelling to school – mode of travel usually used - Walk			36.5%	36.0%				A	A	A	Activity showing progress towards target, but no outturn available	
198					Children travelling to school – mode of travel usually used - Cycle			1.6%	2.0%				A	A	A	Activity showing progress towards target, but no outturn available	

ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME

Report By: Assistant Chief Executive - Legal and Democratic

Wards Affected

County-wide

Purpose

- 1 To consider the Committee work programme.

Financial Implications

- 2 None

Background

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

RECOMMENDATION

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

BACKGROUND PAPERS

- None identified.

ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME

Monday 20 April 2009 at <u>2.00pm</u>	
	<ul style="list-style-type: none"> • The findings of the On-Street Parking Review. • The findings of the Planning Services Review. • Clean Streets – to consider performance against targets.
	<ul style="list-style-type: none"> •
Monday 8th June 2009 at 9.30am	
Agenda items	<ul style="list-style-type: none"> • Reducing Energy Consumption – Street Lighting – Update • Greater Energy efficiency through higher building standards. • Councils vehicle Fleet & Fleet Management • Social Care transportation – cost/carbon efficiencies identified through the Day Care Opportunities Review. • Capital Budget Monitoring • Revenue Budget Monitoring. • Report on Performance Indicators. • Committee Work Programme.
Reviews underway	<ul style="list-style-type: none"> •
Monday 14 September 2009 at 9.30am	
Agenda items	<ul style="list-style-type: none"> • Good Environmental Management (GEM) – End of year report. • Capital Budget Monitoring • Revenue Budget Monitoring. • Report on Performance Indicators. • Committee Work Programme.
Reviews underway	<ul style="list-style-type: none"> •
Monday 23 November 2009 at 9.30am	
Agenda items	<ul style="list-style-type: none"> • Capital Budget Monitoring • Revenue Budget Monitoring. • Report on Performance Indicators. • Committee Work Programme.
Reviews underway	<ul style="list-style-type: none"> •

Items for consideration as the programme is further developed:

- The effect on Herefordshire of changes to the Single Farm Payments system (e.g. hedge cutting, drainage ditch clearance)
- Any specific issues arising from Council Strategies or Plans.
- Contribute to policy development of LTP3.
- Consideration of revised/reviewed Flood Defence Policy.
- Safety on the A49 and A465 trunk roads – the Director will update the Committee as appropriate.

