

AGENDA

Cabinet

Date: **Thursday 29 October 2009**

Time: **2.00 pm**

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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Agenda for the Meeting of the Cabinet

Membership

Chairman **Councillor RJ Phillips**

Councillor LO Barnett
Councillor AJM Blackshaw
Councillor H Bramer
Councillor JP French
Councillor JA Hyde
Councillor JG Jarvis
Councillor PD Price
Councillor DB Wilcox

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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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.

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AGENDA

	Pages
1. APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the minutes of the meeting held and then adjourned on 24 September and reconvened on 1 October 2009.	1 - 18
4. COMPREHENSIVE EQUALITY POLICY AND DISABILITY EQUALITY SCHEME <ul style="list-style-type: none">• To brief Cabinet on the progress made against the Council's Comprehensive Equality Policy (2007-2010);• To seek Cabinet's approval in the development of a Single Equality Policy that will cover the Council, NHS Herefordshire and Hereford Hospitals Trust; and,• To advise Cabinet on the progress made in developing the first joint Disability Equality Scheme (DES) (2009-2012) across the Council, NHS Herefordshire, and Hereford Hospitals Trust.	19 - 30
5. RISK MANAGEMENT AND ASSURANCE To approve the revised joint Risk Management and Assurance Policy and Guidance documents.	31 - 80
6. RESPONSE TO ENVIRONMENT SCRUTINY COMMITTEE REPORT ON ITS REVIEW OF ON STREET PARKING To approve response to Environment Scrutiny Committee Review of On Street Parking.	81 - 140
7. DATA QUALITY - SIX MONTH PROGRESS REPORT To note progress against the 2009-2010 data quality action plan.	141 - 150

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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Cabinet held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 24 September 2009 at 2.00 pm and the reconvened meeting on 1 October 2009.

Present: Councillor RJ Phillips (Chairman)

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

In attendance: Councillors PA Andrews, WLS Bowen, GFM Dawe, PJ Edwards, TM James, RI Matthews and AT Oliver

24. APOLOGIES FOR ABSENCE

There were no apologies for absence.

25. DECLARATIONS OF INTEREST

There were no declarations of interest received.

NOTE: The Leader of the Council informed the Cabinet meeting of the news reports that Willmott Dixon has been one of the companies fined by the Office of Fair Trading (OFT). As Willmott Dixon has been part of the bidding process for the construction of the new livestock market, Cabinet has been advised by the Monitoring Officer to defer the matter of the livestock market, so that Cabinet can be assured that they can proceed as planned and recommended in the report before them. The Leader proposed that the meeting be adjourned at Agenda Item 7 and reconvened on 1 October at 2.00pm to consider the matter following receipt of advice from the Monitoring Officer. It was not envisaged that there would be any problems as the OFT had advised that those companies fined should not be precluded from such work in future. The Monitoring Officer was requested to publish her advice as soon as it was available, if it was not exempt from publication.

26. MINUTES

RESOLVED: That the Minutes of the meeting held on 10 September 2009 be approved as a correct record and signed by the Chairman.

27. INTEGRATED CORPORATE PERFORMANCE REPORT

Cabinet's attention was drawn to the full text of Appendix 3, which had been distributed separately prior to the meeting. Cabinet was reminded of the ratings for performance, from green, for performance in excess of target, through to red, indicating either not expected to achieve target or because either due data had not been reported or no action plan was yet in place. Cabinet was advised that some 60 indicators were now being used. These were grouped by reference to the themes of the Herefordshire Community Strategy and whether

their prime focus was on citizens, services, partnerships or meeting the Council's statutory duties. It was noted that the percentage of children subject to a child protection plan had improved and was slightly better than target. Improved figures to the end of August for the timely assessment of referred children strengthened the expectation that the year's target should be achieved. In addition reductions in delayed transfers of care from hospitals were reported and, although performance was behind target in respect of clients receiving self-directed support and people supported to live independently, both were moving in the right direction.

Cabinet went on to discuss:

- targets and action plans relating to affordable homes and organisational improvement and greater efficiencies.
- the increase in road accidents in the first five months of 2009, following the record low level in 2008, and the action in hand to continue the underlying downward trend, including through the use of safety cameras.

RESOLVED: That performance to the end of June 2009 and the measures taken to address areas of under performance be noted.

28. SCHOOLS' TASK GROUP UPDATE

The Cabinet Member ICT, Achievement and Education presented the report and informed Cabinet that the Task Group was reporting back to Cabinet following consultation with head teachers and chairs of school governing bodies. Following Cabinet's approval full consultation would be undertaken with the general public with feedback to the Cabinet meeting on 26 November 2009.

Cabinet was advised of the issues discussed by the task group as:

- Falling rolls;
- Statistical data;
- Financial implications;
- Possible alternative models e.g. federating schools;
- Governance and school leadership;
- Rural considerations.

Cabinet was reminded that the work the Schools Task Group was undertaking was part of a national strategy with a timeline for delivery and was fundamental to the future of schools in the county. It was noted that liaison needed to continue with school governors to ensure their continued involvement and provide training for governors.

Cabinet went on to discuss:

- The complexities School funding;
- Falling rolls;
- The high performance of county schools;
- Low national funding received by Herefordshire – 147 out of 149;
- The number of schools in the county and the percentage of small schools;
- How to make funding equitable and fair for all children in Herefordshire.

Cabinet emphasised the importance of Councillors attending parish council meetings to discuss the schools report with them and the community at large and to take back the views of the community to the directorate.

RESOLVED

THAT:

- (a) the process and timescale for consultation on Schools Task Group paper (Appendix 1) be approved;**
- (b) the process followed and progress made by the Schools Task Group in preparing the paper for consultation be noted.**

29. BUDGET MONITORING REPORT

The Acting Head of Financial Services presented the report and advised Cabinet on the overall position on the revenue budget which showed a projected overspend of £1.34m, which was 1% of the Council's £137.718m net revenue budget, excluding dedicated schools grant funding. Cabinet was reminded that directorates had been instructed to keep spending within budget. Income from investments had not been reached due to the economic downturn.

In discussing the Capital Programme Cabinet was advised the forecast outturn for 2009/10 totalled £84.443m, which was an increase of £17,005k from the original programme. The increase was due to slippage identified as a result of the 2008/09 close down and the inclusion of additional funding allocations. Cabinet was advised of early indications of pressures for the year; however, recovery signs were in place and by highlighting now should bring the budget in line by year end.

Cabinet also discussed:

- Potential savings against pay awards;
- Write-offs report;
- Business rates and the fall in the national pool;
- Herefordshire Connects budget.

RESOLVED

THAT:

- (a) the report be noted;**
- (b) the forecast outturn for 2009/10 be agreed with Directors based on service and financial performance in the report, be noted.**
- (c) The continuing efforts of Directors to ensure service targets are met within approved budgets be endorsed.**

Cabinet adjourned at 3.15 pm and agreed to reconvene on 1 October 2009 at 2.00pm to discuss Agenda Item 7 Livestock Market.

30. LIVESTOCK MARKET (Pages 1 - 12)

Reconvened Cabinet Meeting 1 October 2009.

This item was deferred to enable the Cabinet to receive advice from the Monitoring Officer.

Cabinet Members Present: AJM Blackshaw, H Bramer, JP French, JA Hyde, JG Jarvis, RJ Phillips, PD Price, DB Wilcox.

Apologies received from Councillor LO Barnett Cabinet Member Social Care Adults.

The Leader of the Council reminded Cabinet of the reasons for the adjournment of the meeting on 24 September, which related to the recent guidance received from the Office of Fair Trading (OFT) and to receive advice from the Monitoring Officer in relation to the guidance. A copy of the Monitoring Officer's advice is attached at Appendix 1 to the minutes.

The Monitoring Officer reminded Cabinet of the two decisions they were being required to take, namely:

- To approve the allocation of funding for the construction of the new livestock market and associated transport improvements; and
- To delegate authority to the Director of Regeneration to proceed with the procurement and appointment of a contractor to develop the new livestock market.

The Monitoring Officer reported to Cabinet on the guidance from the OFT stating that Willmott Dixon Construction Ltd had been one of the companies that had been fined by the OFT and the guidance had stated that contractors should not be automatically precluded from the tendering processes as a result of being fined, for the reasons set out in her advice note.

The Director of Resources explained the decisions that the Cabinet were asked to consider, the nature of the SCAPE framework contract and the advantages to the Council of using that framework to enter into a contract with the preferred contractor, Willmott Dixon Construction Limited. The Director of Resources also explained that this provided some assurance that local sub-contractors would be used on the contract and that undertaking a full tender process instead of using the established SCAPE framework contract would not secure such reassurance.

The Monitoring Officer made it clear that if the Council chose to utilise the SCAPE framework contract that it was not possible to preclude Willmott Dixon Construction Limited from putting forward a proposal for this work because it was an established contract.

The Monitoring Officer went on to advise Cabinet that even if the Council chose to undertake a full tender exercise instead of using the SCAPE contract it would not be prudent to exclude Willmott Dixon Construction Limited from any tender exercise on the grounds of the OFT fines and in the light of the OFT advice. She added that:

- some companies similar to Willmott Dixon had participated in the OFT leniency programme;
- the levels of fines imposed did not necessarily reflect the level of inappropriate activity by companies;
- Willmott Dixon press release advises of the remedial steps put in place to prevent further occurrences in the future;

- to exclude those companies fined from the procurement process would remove a lot of the market that would normally compete and might effect the quality of the response; and
- companies might seek to take action if excluded for this reason.

The Monitoring Officer went on to state that there was nothing in the OFT report that should stop Cabinet from going ahead with the proposals outlined in the livestock market report and using the SCAPE framework contract.

The Cabinet Member Resources reiterated the significance of the livestock market project to the Council and the county livestock sector and emphasised the contract was designed to control costs and time management of the project. The Cabinet Member went on to emphasis the wish of the authority to use local sub-contractors as part of the overall project. He added that there would be close monitoring of the costs and that under the SCAPE framework agreement the level of additional cost to be met by the Council is “capped” should any overspend arise. A Ward Member raised a question on funding and requested that funds were ringfenced for the development of the infrastructure.

RESOLVED

THAT:

- (a) the allocation of funding for the construction of a new livestock market and associated transportation improvements be approved; and,**
- (b) delegated authority to the Director of Regeneration to proceed with the procurement and appointment of a contractor to develop the new livestock market be approved.**

The reconvened meeting of Cabinet finished at 3.00 pm

CHAIRMAN

CABINET

24 SEPTEMBER 2009

RECONVENED MEETING

1 OCTOBER 2009

ITEM 7 – NEW LIVESTOCK MARKET

ADVICE NOTE

AUTHOR: CHARLIE ADAN, ASSISTANT CHIEF EXECUTIVE – LEGAL AND DEMOCRATIC AND MONITORING OFFICER

DATED: 30 SEPTEMBER 2009

1. This advice note relates to Item 7 on the Cabinet agenda for the meeting held on 24th September 2009 relating to the new Livestock Market. The item is due to be considered at a reconvened meeting of Cabinet on 1st October 2009 following an adjournment of the meeting to enable the Cabinet to receive further advice in relation to this matter.
2. The report at Item 7 asks the Cabinet to take two decisions:
 - a. To approve the allocation of funding for the construction of the new livestock market and associated transport improvements; and;
 - b. To delegate authority to the Director of Regeneration to proceed with the procurement and appointment of a contractor to develop the new livestock market
3. The report recommends that the most timely and cost effective route to procure a contractor to develop the scheme is to make use of the existing local government SCAPE framework agreement. The contractor that will deliver the scheme within the framework are Willmott Dixon Construction Limited.
4. Willmott Dixon Construction Limited is one of the companies who were fined by the Office of Fair Trading (OFT). A copy of the relevant press report is attached at Appendix 1 to this advice note. Willmott Dixon Construction Limited have issued a response which is attached at Appendix 2. The Office of Fair Trading has stated in guidance that contractors should not be automatically precluded from tendering processes as a result of being fined and you are advised later in this report why it would be imprudent to do so.
5. Cabinet are advised therefore that the proposal in the report at Item 7 (Recommendation (b) above) can still be agreed and the Cabinet should have regard to the following additional advice.
6. Recommendation (b) is based on a full assessment by Council officers of the procurement options available to the Council which demonstrates clearly that this is the

most timely and cost effective route to procure a contractor to develop the scheme. In the light of the OFT issues, and in order to reassure the Cabinet, the options and a summary of the pros and cons of each are set out in Appendix 3. The fine imposed on Wilmott Dixon Construction Limited by the OFT does not alter that assessment]

7. The OFT has offered the following advice:

“Parties should not be excluded automatically from future tenders on the grounds that they are Parties to the Decision (meaning the imposition of fines) or be the subject of similar measures making it more difficult for them to qualify for such tenders.”

The reasons for this and the factors that the Cabinet should consider are:

- i. The OFT openly state that many other firms were implicated but resources meant that the OFT focussed on a limited number of companies. Given this, to disqualify those named could be discriminatory.*
- ii. Some of the companies fined participated in the OFT leniency programme by co-operating with the OFT and therefore the level of fines imposed may not reflect the level of inappropriate activity. This could distort the view of the impact of any particular company’s activity and make it difficult for the Council to make a proper assessment of suitability simply on the basis of the fine imposed in each case.*
- iii. The OFT’s view is that the investigation process raised awareness with the companies involved and may have already put in place remedial steps to prevent future occurrences. Wilmot Dixon has confirmed in its press release that it has done so.*
- iv. Practically, exclusion of those companies fined from procurement processes will remove a lot of the market normally available to compete and may have an effect on the quality of the response.*
- v. Companies may well seek to take action if excluded for this reason on grounds of discrimination, particularly in the light of the OFT advice.*

8. The SCAPE framework is an existing contract and it is not possible under the regulations at this stage of this type of proposed procurement arrangement, therefore, to consider whether to disqualify Wilmot Dixon from the procurement. Nor is it recommended that the Cabinet should seek to disqualify the company given the advice from the OFT and the factors set out at paragraph 6 above.

7. It would be possible to choose an alternative procurement option but as set out in paragraph 6 above, the SCAPE framework is the best option. The Cabinet should consider whether the OFT’s actions, the advice from the OFT and the factors at paragraph 7 are sufficient to warrant the use of an alternative procurement process. The

advice from legal and procurement officers is that it is not and that the Cabinet should proceed as planned.

8. The proposed use of the SCAPE framework agreement, the identification of Wilmot Dixon as the preferred contractor and the further procurement process which if authorised by Cabinet will be taken by the Director of Regeneration under the delegation at Recommendation (b) is a lawful procurement method and will ensure that the Council meets its obligations in relation to value for money. The fine imposed on Wilmot Dixon by the OFT does not affect the legality or value for money of this proposal per se.
9. In all the circumstances, the Cabinet are advised to proceed and to agree recommendation (b) in the report at Item 7.

Charlie Adan
Interim Assistant Chief Executive
29 September 2009

Construction firms fined for illegal bid-rigging

114/09 22 September 2009

The OFT has imposed fines totalling £129.5 million on 103 construction firms in England which it has found had colluded with competitors on building contracts.

The decision follows an OFT Statement of Objections in April 2008 after one of its largest Competition Act investigations.

The OFT has concluded that the firms engaged in illegal anti-competitive bid-rigging activities on 199 tenders from 2000 to 2006, mostly in the form of 'cover pricing'.

Cover pricing is where one or more bidders in a tender process obtains an artificially high price from a competitor. Such cover bids are priced so as not to win the contract but are submitted as genuine bids, which gives a misleading impression to clients as to the real extent of competition. This distorts the tender process and makes it less likely that other potentially cheaper firms are invited to tender.

In 11 tendering rounds, the lowest bidder faced no genuine competition because all other bids were cover bids, leading to an even greater risk that the client may have unknowingly paid a higher price.

The OFT also found six instances where successful bidders had paid an agreed sum of money to the unsuccessful bidder (known as a 'compensation payment'). These payments of between £2,500 and £60,000 were facilitated by the raising of false invoices.

The infringements affected building projects across England worth in excess of £200 million including schools, universities hospitals, and numerous private projects from the construction of apartment blocks to housing refurbishments.

Eighty-six out of the 103 firms received reductions in their penalties because they admitted their involvement in cover pricing prior to today's decision.

The OFT has also informed nine companies originally listed in its Statement of Objections that it will not pursue allegations of bid-rigging against them as it considers it has insufficient evidence to proceed to an infringement finding.

Related guidance issued today by the OFT in conjunction with the Office of Government Commerce cautions procurers against excluding the infringing firms from future tenders, as the practice of cover pricing was widespread in the construction industry and those that have already faced investigation can now be expected to be particularly aware of the competition rules.

Simon Williams, the OFT's Senior Director for this case, said:

'Our investigation has uncovered significant infringements of competition law on nearly 200 projects across England. Bidding processes designed to ensure clients and in many cases taxpayers receive the best possible choice and price were distorted, creating a real risk of increased prices. This decision sends a strong message that anti-competitive and illegal practices, including cover pricing, must cease. The OFT welcomes initiatives by the leadership of the construction industry to add weight to that message through a clear compliance code which we hope will help to embed more fully a culture of competition within the construction sector.'

News release

Willmott Dixon statement on OFT investigation

22 September 2009 – This morning the Office of Fair Trading has concluded its investigation into ‘cover pricing’ in the construction industry.

‘Cover pricing’ was the term used to describe the situation where a tenderer submitted a bid at a price intended to avoid winning a contract, perhaps because the tenderer already had too many projects or was unhappy with the quality of tender information provided, usually with the intention of not upsetting a client and so staying on future tender lists.

Because the OFT had evidence that ‘cover pricing’ was endemic in the sector, involving thousands of companies right across the country, we understand that for practical reasons it decided to limit the scope of its investigation to a sample of contractors operating within a defined geographical region. As Willmott Dixon Construction’s operations fell within this sample area, we were investigated and, we regret to say, implicated alongside 102 other contractors in the OFT’s findings.

Having received the OFT’s decision this morning, we note that Willmott Dixon Construction has received a fine of £4.5 million payable over three years. Whilst the Group will now need to carefully consider the detail of the OFT’s findings and contemplate whether any further action is required, including any grounds for appeal, we can confirm that:

Cont’d....

2.

- Of the many thousands of tenders we submitted during the six year period in question, Willmott Dixon Construction was implicated in relation to 3 tenders, each of which was submitted several years ago
- In respect of all three incidences, the price paid by the client was not alleged or found to have been increased
- Willmott Dixon Construction did not, and was not found to have made any financial gain whatsoever
- Willmott Dixon Construction was not alleged or found to have made or received any compensatory payments

The practice of 'cover pricing' has always been in contravention of our working practices and since the three incidences were brought to our attention by the OFT, the company has done everything that it can to ensure that breaches will never occur again.

This included the introduction of a more robust Competition Law compliance policy backed by comprehensive Competition Law training of all relevant staff and new recruits. Willmott Dixon has also adopted and fully supports the Competition Law Code of Conduct for the construction industry promoted by the UK Contractors Group.

We hope that our customers, our staff and our shareholders will recognise that to have been implicated in this investigation 'flies in the face' of everything Willmott Dixon Group stands for.

ends

For more information, please contact

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Visit Willmott Dixon's *web site* at: www.willmottdixongroup.co.uk

APPENDIX 3

The Livestock Market procurement process was driven by the requirement to keep the site build within the quoted cost. There was also a secondary requirement to keep the time to procure as short as possible.

The initial decision was with regard to whether a “design and build” or straightforward “build” contract should be used.

The appraisal of this was carried out by the council’s strategic procurement manager in December 2007. (Results below)

PROCUREMENT ROUTE OPTIONS

DESIGN AND BUILD

An arrangement where one contracting organisation takes sole responsibility, normally on a lump sum fixed price basis, for the bespoke design and construction of a client’s project.

ADVANTAGES:	<ul style="list-style-type: none">❑ Complete service from a single source – one point of responsibility.❑ Easier to integrate the design and construction components resulting in better time and cost performance.❑ Fewer defects due to closer working relationship.❑ Strict adherence to agreed programmes and budgets.❑ Less administrative work for the client (post contract award).❑ Full understanding of design and client requirements.
POINTS TO WATCH:	<ul style="list-style-type: none">❑ Changes to requirements can be very expensive and destroy price certainty.❑ Output specification must be very clear to prevent a reduction in the finished quality of the facility.
RISK:	<ul style="list-style-type: none">❑ Risk of design not working is passed to the supplier.
COST MANAGEMENT:	<ul style="list-style-type: none">❑ Cost certainty with fixed lump sum payment.❑ R.I.C.S. research states 20% cost reduction achievable throughout project.
TIMESCALE CONSIDERATIONS:	<ul style="list-style-type: none">❑ Lost time from re-starting procurement process (PQQ stage and OJEU notice issue = 37 days).❑ End to end procurement time period will be 5 calendar months est.

BUILD ONLY

ADVANTAGES:	<ul style="list-style-type: none"> ❑ Easier to assess and evaluate the tender responses as all based on the same design
POINTS TO WATCH:	<ul style="list-style-type: none"> ❑ Lack of understanding of the design process. ❑ Poor planning of design (budget and time). ❑ Conflict of perception of design between contractors and designers. ❑ Uncertainty over cost and build time.
RISK:	<ul style="list-style-type: none"> ❑ Risk of design not working remains with the Council.
COST MANAGEMENT:	<ul style="list-style-type: none"> ❑ Uncertainty over final build cost. ❑ Cost may be driven down but possibly reducing the quality of the facility. ❑ May not be able to reduce costs without significantly changing the design plans.
TIMESCALE CONSIDERATIONS:	<ul style="list-style-type: none"> ❑ PQQs ready to evaluate then further 3.5 calendar months to contract award.

With the approval of the Council's Property Services department the decision was taken to go down the "Design and build" route in January 2008. At this time the PB looked at using a framework contract as a means of ensuring a rapid "design and build" contractor engagement with a capped cost.

Comparitive Key Issues/Advantages –

Pre-Existing Framework Versus Traditional New Tender Process :

Existing Framework	New Process
Much quicker to establish, simply sign up to use the Framework agreement. Deadlines re vacating the old site make this a vital Issue. Also note it saves Officers a significant amount of time.	Will take three months or more longer to award a Contract from 'scratch' (including the option to set up a new, specific, Framework Agreement). Complex tenders can take many months to conclude.
Opportunity (as in this case) to select a Framework and Supplier set up by Local Authorities and with experience of working with LA's.	In a new Tender Process it would not be allowed to exclude bidders that do not have Public sector experience which adds risk in the suitability of suppliers coming forward .
Opportunity (as in this case) to select ; a). open book arrangement, and b). a capped cost, thus increasing budgetary control and the	Both would have to be negotiated/offered by winning bidder and therefore not guaranteed.

ability to achieve best value.	
<p>Early engagement is possible with the Supplier (as soon as signing up to use the Framework), Thus enabling advice to be sought on ;</p> <p>a) The Programme; b) Costings; c) Specific project details, immediately.</p>	<p>Cannot start on this until after Contract award which would be several months later (see above).</p>
<p>Selecting a suitable Framework offers the chance to include work on Flood Alleviation and seek cost efficiencies on both projects.</p>	<p>Setting up a new Contract that allows this opportunity would take longer (as above), and is not a guaranteed outcome. May require each Project to be separate processes and Contracts.</p> <p>The key benefit of a clean start is, it offers the chance to set up a highly-tailored solution, but takes longer, is not guaranteed re timescales, and quality of outcome, and is only an advantage if a suitable Framework is not already available.</p>

After concluding that a framework contract would be best suited to the needs of the project the SCAPE framework was proposed by the council's property services department as a suitable partner.

The council's strategic procurement and legal departments examined the SCAPE agreement and process. The following assessment was made:

Scap Construction Framework Agreement

What is it?

Scap is a Local Authority controlled company offering a framework agreement for design, build, consultancy for bespoke projects as well as "system build" technology.

The framework supplier is Wilmott Dixon, who have local sites at Birmingham, Bristol and Cardiff.

Flexibilities within the framework

- Ability to conduct pre-build dialogue and use Wilmott Dixon in a consultative capacity to discuss aspects of the project.
- Customer nominated design team or contractor nominated design team.

Legal and procurement considerations

- The framework has been through an "OJEU" tender satisfying requirements of EU Procurement Directives.
- Accessible by any UK public sector organisation.
- Open book costing ensuring VfM can be demonstrated.

- All sub-contract work subject to competitive tendering allowing local suppliers to bid for aspects of the project.

Principle features of the framework

- Cost control and ordering procedures.
- Engaging the client in the process.
- Simple process to follow.
- Risk management.
- Open book and transparent.
- Performance monitoring procedures.

Target costs

- Savings up to 100% of target cost – shared 50:50.
- 100-105% target cost – client pays.
- Over 105% target cost – contractor pays.

Key benefits of framework

- Reduced procurement timescales.
- A framework developed by Local Authorities understanding the needs of Local Authority projects.
- Cost certainty and cost management.
- Value for money
 - Use of open book accounting providing thorough audit trail
 - Works packages subject to competitive tendering
- Buildings which fit the client's needs.
- Pre-build discussions allowed.
- Commitment to sustainable development.

In an update to Community Services Scrutiny committee on 18/04/08 Members were advised that work had started with the SCAPE framework organisation on driving down the cost of constructing the new livestock market.

Informal meetings between officers and lead councillors took place in order to guide officers in taking preliminary steps. It was agreed that the framework contract initial stage be commenced with SCAPE for Willmot Dixon to provide an estimate of the works and other pre-construction services. A contract for these initial stage services was entered into on 4th November 2008.

The result of this initial stage is a capped quote for £7.1m.

MEETING:	CABINET
DATE:	29 OCTOBER 2009
TITLE OF REPORT:	COMPREHENSIVE EQUALITY POLICY AND DISABILITY EQUALITY SCHEME
PORTFOLIO AREA:	CORPORATE AND CUSTOMER SERVICES & HUMAN RESOURCES

CLASSIFICATION: Open

Wards Affected

County-wide.

Purpose

- To brief Cabinet on the progress made against the Council's Comprehensive Equality Policy (2007-2010);
- To seek Cabinet's approval in the development of a Single Equality Policy that will cover the Council, NHS Herefordshire and Hereford Hospitals Trust; and,
- To advise Cabinet on the progress made in developing the first joint Disability Equality Scheme (DES) (2009-2012) across the Council, NHS Herefordshire, and Hereford Hospitals Trust.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT:

- the progress and work that has been achieved through the Comprehensive Equality Policy be acknowledged;**
- the development of a single equality policy across Herefordshire's Public Services be agreed; and**
- the progress to date in developing the Disability Equality Scheme and the timescale for publication be acknowledged.**

Key Points Summary

- The Council has a statutory obligation under equality legislation to eliminate unlawful discrimination, both direct and indirect, against everyone regardless of individual circumstances.

- The statutory requirements include the duty to publish how it is going to fulfil its duties and demonstrate its commitment to equality and diversity and its community leadership role.
- These are being extended as a result of the Equality Act 2009. As a result, we must ensure that our policies meet the new requirements.
- Now that the Council is working in close partnership with NHS Herefordshire it makes sense to meet our statutory requirements together – this will be more cost effective than by doing it separately.
- It is therefore proposed that the updated Comprehensive Equality Policy and the Disability Equality Scheme are developed jointly between the Council, NHS Herefordshire and Hereford Hospitals Trust; to be in place by the time the relevant parts of the Equality Act come into force in April 2010.

Alternative Options

- 1 That each of the three organisations takes responsibility for producing their own individual policies and action plans to ensure their compliance with legislation. This would not be cost effective.

Reasons for Recommendations

- 2 The Comprehensive Equality Policy (CEP) has outlined much of the work Herefordshire Council has undertaken in regards to Equality and Diversity, and there have been a number of significant successes which include:
 - a. Achieving **level 3** of the Equality Standard for Local Government and the **“Achieving Level”** of the Equality Framework for Local Government following a successful peer challenge by the Improvement and Development Agency (IDeA).
 - b. Successfully completing a three-year programme of Equality Impact Assessments which have enabled the organisation to mainstream the equality agenda throughout the organisation.
 - c. Developed and implemented a community consultation group **“Herefordshire 100”** specifically targeted at getting views from minority groups.
 - d. The introduction of Equality and Diversity training for Members and employees, including bespoke training sessions on Disability, Race and LGBT¹ issues.
 - e. A programme of events to encourage social cohesion including LGBT History Month, Holocaust Memorial Day, Safe Sound & Sorted (safeguarding event), and the “No Prejudice in Herefordshire” campaign.
- 3 Organisationally the Council has changed since the last CEP and there is now a Joint Management Team that covers the Council and NHS Herefordshire. We are also working in closer partnership with Hereford Hospitals Trust.
- 4 The draft Disability Equality Scheme (DES) (2009-2012) is the first joint policy designed to span the Council, NHS Herefordshire, and Hereford Hospitals Trust.

¹ LGBT – Lesbian, Gay, Bisexual, Transgender

Introduction and Background

- 5 The changing and diverse nature of the community of Herefordshire should be recognised and acknowledged, along with the challenges this brings. The Comprehensive Equality Policy (CEP) is the umbrella document that sets out the Council's commitment to achieving excellence and meeting its responsibilities to promote and implement equality.
- 6 The Disability Discrimination Act 2005 requires organisations across the public sector to be proactive in ensuring that disabled people are treated fairly. However, this duty is not necessarily about changes to buildings or adjustments for individuals, it's all about including equality for disabled people into the culture of public organisations in practical and demonstrable ways. The tool used to demonstrate how public sector bodies will achieve this duty is the DES.
- 7 The Council has had a CEP in place since 2005 which has set out its commitment to equality and diversity. It has also detailed the actions that it would take to ensure, not only legal compliance with our statutory duties as a public body, but also how the Council will go that step further working in partnership with local leaders to drive the equalities agenda in Herefordshire. It provides a focus to ensure that the detailed requirements of the Equality Standard for Local Government are fully met (CEP Action Plan at Appendix A).
- 8 It is proposed that the CEP is revised to set out the shared commitment of the three partners to the general and specific duties in regards to equality legislation, and produce a Single Equality Policy (SEP) (proposed time line at Appendix B)

Key Considerations

- 9 Over the years we have had to incorporate many new workstreams into the CEP, including new diversity strands², equality schemes, equality impact assessments, community cohesion issues and tension monitoring. With the new Equality Bill (2009) we will be expected to strengthen our equality policies and incorporate a number of new work programmes including the "Prevent agenda", health inequalities, the new Equality Framework and world class commissioning.
- 10 The DES is currently in draft format, with additional content awaited from colleagues and partners before intended publication in November 2009.

Community Impact

- 11 It is vital that the Council demonstrates its commitment to implementing equality across the county and ensures equitable access to all its service.
- 12 The DES will set out our commitment to disability equality, and details how we plan to respond to the feedback given to us through the consultation process carried out earlier this year.

Financial Implications

- 13 There are no financial implications for the Council.

² Diversity Strands; Age, Religion and Belief, Race, Gender, Disability, Sexual Orientation, Transgender

Legal Implications

- 14 Public bodies have a duty to eliminate all discrimination, both direct and indirect, against everyone regardless of individual circumstances, in the promotion of their services and in the employment of their workforce. There are additional duties relating specifically to the Disability Discrimination Act (DDA), namely to:
- Eliminate discrimination that is unlawful under the DDA
 - Eliminate harassment that is unlawful under the DDA
 - Promote equality of opportunity between disabled persons and other persons
 - Take steps to take account of disabled person's impairments, even where that involves treating disabled persons more favourably than other people

Risk Management

- 15 All three organisations have a statutory responsibility to ensure that equality and diversity are adequately embedded within their organisation. Failure to do this could leave the organisation vulnerable to litigation, unwitting discriminatory practice and reputational risk.

Consultees

- 16 Joint Management Team
Joint Corporate Diversity Group
Diversity working groups (re. the Disability Equality Scheme)
Service managers from across all three organisations (re. the Disability Equality Scheme)

Appendices

- A) Comprehensive Equality Policy - Action Plan (2007-2010)
- B) Proposed timeline for the development of a Single Equality Policy

Background Papers

Draft Disability Equalities Scheme

Herefordshire Council Comprehensive Equality Policy (CEP) Action Plan 2007-2010

Introduction

The Comprehensive Equality Policy (CEP) is the umbrella document that sets out the Council's commitment to achieving excellence and meeting its responsibilities to promote and implement equality when it is:

- Providing services
- Purchasing services
- Employing staff or
- Working in partnership with other organisations

The CEP provides the focus to ensure that the Council meets the criteria needed to reach Level 5 of the Equality Standard for Local Government by 2010.

This Action Plan is the document that sets out how we are going to achieve this. It is the action plan that brings all the strands of the diversity agenda together. It should be noted that the Race Equality Scheme (RES), the Gender Equality Scheme (GES) and the Disability Equality Scheme (DES) are sub-sections of the CEP and therefore their action plans sit as appendices to this Plan.

It should also be noted that both the RES and the DES are driven by single focus steering groups where performance and progress is monitored. These steering groups make reports to the Diversity Group, which has overall responsibility for progress on mainstreaming diversity issues through the Council, and achievement of the Equality Standard for Local Government.

This document sets out specific actions to achieve corporate objectives based on service need. It is a tool that will be used to monitor progress and report on levels of achievement. It will focus on ensuring that the Council has mechanisms, processes and procedures in place to achieve Level 5 of the Equality Standard.

The Equality Standard is split into four main areas, and this action plan has been designed to reflect this:

1. Leadership and Corporate Commitment
2. Consultation, Community Development and Scrutiny
3. Service Delivery and Customer Care
4. Employment and Training

Key

- BV:** Best Value
BVPI: Best Value Performance Indicators
CDT: Corporate Diversity Team
CEP: Comprehensive Equality Policy
DES: Disability Equality Scheme
EIA: Equality Impact Assessment
HCS: Herefordshire Community Strategy
HEP: Herefordshire Equality Partnership
HR: Human Resources
ICPR: Integrated Corporate Performance Report
GES: Gender Equality Scheme
GOWM: Government Office West Midlands
LAA: Local Area Agreement
LGBT: Lesbian, Gay, Bisexual, Transgender
RES: Race Equality Scheme
DCEO: Deputy Chief Executive Office
C&YP: Children & Young people
A&CS: Adult and Community Services
HR: human resources
JMT: Joint management team

Commitments shown in red are performance indicators that are reported externally.

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
1. Leadership & Corporate Commitment					
1.1. BV 2b: The level of the Equality Standard for Local Government reached	Carol Trachonitis	Internal audit and external verification by IDEA	Level 3 March 2008 Level 4 March 2009 Level 5 March 2010	ICPR	Declared at level 3 March 08 – External assessment verified Feb 2009. April 2009 declared level 4 working towards excellence for the New framework.
1.2. BV 174: The number of racial incidents reported to the Local Authority and subsequently reported, per 100,000 population	Carol Trachonitis/ Neville Meredith	ICPR/BVPI		ICPR	Reported quarterly
1.3. BV 175: The percentage of racial incidents reported to the local authority that resulted in further action	Carol Trachonitis/ Neville Meredith	ICPR/BVPI	100%	ICPR	All incidents reported result in further action
1.4. Ensure that all equality schemes are reviewed and implemented (RES, GES, DES)	CDT and diversity groups	New schemes published. Actions implemented.	RES – March 2008 DES – Dec 2009 GES – March 2010	RES, DES, GES	RES 08/11. New RES adopted 1 May 2008. DES 2006/09 reviewed yearly. New DES on track for publication Nov 09. GES 2007/10.

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
1.5. Monitor and assess use of EIA action plans in directorate service planning	Performance Managers	Action plans in all service plans. Evidence of changes to service delivery documented	Service planning cycle service plans 2008/09	Performance planning framework Service and Directorate Plans. Central list/database of EIAs	218 Equality Impact assessments completed by Council Services over the last 5 years. New guidelines and toolkit being developed to support NHS Herefordshire. EIA's incorporated into service planning cycle and performance improvement in service delivery has been evidenced.
2. Consultation, Community Development & Scrutiny					
2.1. HCS 63: Percentage of adult residents who feel that Herefordshire is a place where people from different back-grounds get on well together	HEP	Customer satisfaction survey	March 08	Community Strategy LAA	Targets agreed for the LAA. Local associations have been established and supported (x4). Work with the HEP has included some community cohesion events. The council has supported a number of awareness raising events and a yearly calendar is available.
2.2. HCS 87: The percentage of people who feel that people in their area treat them with respect and consideration	HEP	Customer satisfaction survey	March 08	Community Strategy LAA	Targets agreed for the LAA. Working with the HEP to raise awareness.

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
2.3. Develop a consultation group specifically to support the diversity agenda (Herefordshire 100)	Martin Heuter	Groups set up and consulted on	October 2007	Consultation Strategy	The Herefordshire 100 has been established and is in its second phase. Reports from the community consultation are available to all staff on the website
3. Service Delivery & Customer Care					
3.1. BV 2b: The quality of the authority's Race Equality Scheme and improvement	Neville Meredith	Review and re-written	April 2008	RES, ICPR	The scheme has been reviewed and re-written and improvement has been maintained.
3.2. Ensure that equality policy and objectives are incorporated in "partnership" and procurement arrangements	Dean Hogan	Equality clauses written into contracts	April 2008	Corporate Procurement Strategy	This is still an area of work that needs to be improved. The corporate strategy now includes diversity information but currently we do not have any diversity clauses that are mandatory for all contracts. This will be reassessed when the new director for integrated commissioning takes up post

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
3.3. Ensure planned programme of service area impact assessments are carried out	Carol Trachonitis	EIAs carried out and action plans developed	Rolling programme 2007/09	Service plans/local databases	218 Equality Impact assessments have been completed over the duration of the rolling programme. Currently need to review how EIA's are rolled out across the new management arrangements.
3.4. Ensure that planned agreed service area equality targets and objectives are incorporated into service plans	Carol Trachonitis/ Performance Managers	Directorate and Service plan action plans	2008/09	Performance management framework. Directorate and Service Plans	Service plans signed off by improvement managers and policy & performance and diversity proofing completed for 08/09 plans. Individual service targets set by Service managers
3.5. Ensure that each service area has approved and established monitoring and information systems in place	Connects/ Performance Managers	Central/local database and associated reporting system?	C&YP March 08 A&CS March 08 HR March 08	EIA guidance document	Central database not yet in place due to the suspension of the Connects programme.
4. Employment & Training					
4.1. % top paid 5% of wage earners that are female	Richard Beavan-Pearson	BVPI/IPR	2007/10	Pay & Workforce Dev Strategy, ICPR	Reported via ICPR
4.2. % top paid 5% of wage earners with a disability	Richard Beavan-Pearson	BVPI/IPR	2007/10	Pay & Workforce Dev Strategy, ICPR	Reported via ICPR

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
4.3. % employees with a disability	Richard Beavan-Pearson	BVPI/IPR	2007/10	Pay & Workforce Dev Strategy, ICPR	Reported via ICPR
4.4. % employees from ethnic minority community	Richard Beavan-Pearson	BVPI/IPR	2007/10	Pay & Workforce Dev Strategy, ICPR	Reported via ICPR
4.5. Review personnel information systems for monitoring including supporting the Council's statutory ethnic monitoring duties	Richard Beavan-Pearson	Accurate data produced	March 08	Pay & Workforce Dev Strategy	New software system to be purchased to address this issue through the Connects work stream
4.6. Develop a programme of equality training to support the CEP and service area objectives. Ensure that the training programme is consistent with the Council's equality schemes	Liz Wallace / Carol Trachonitis	Equality training incorporated into induction process/ management competencies.	Dec 07	Pay & Workforce Dev Strategy, DES, RES, GES	Disability training sessions; 6 delivered April-July 08. Joint central induction developed Oct 08. Diversity session; Member training included at induction and through the member development programme. Bespoke sessions for JMT & governors. EIA training for managers and staff

Commitments	Lead Officer	Evidence	Target/Date	Cross-ref to other documents for specific action	Progress by September 2009
5. Tension Monitoring					
5.1. Monthly returns to GOWM through the HEP	CDT	Monthly return	25 th of each month		Returns completed from April 08. All returns completed on time. Currently investigating how we can get a broader community base to feed into this process
5.2. Support any interventions as deemed necessary	CDT/HEP	Minutes of HEP meeting			No interventions deemed necessary as of October 09
6. Community/Social Cohesion					
6.1. Develop, promote and host events to encourage social cohesion across all strands of diversity	CDT	Support given to a number of events eg. LGBT History Month, International Day of Disabled Persons, Black History Month, Holocaust Memorial Day	Minimum of 3 events each year	DES, RES, GES	Facilitated LGBT history month programme of events Feb 09. Holocaust Memorial Day supported Jan 09. Safe sound and sorted event April 09, Launch of the No Prejudice in Herefordshire campaign. Wyeside Music festival Black History Month event in place (Oct 09).
6.2. Develop an Equalities Forum	Neville Meredith	Event hosted	March 2008		A forum took place in November 2008

Herefordshire’s Proposal to Comply with the Equality Bill

The Corporate Diversity Team proposes that the Comprehensive Equality Policy (CEP) is revised to set out Herefordshire’s public services¹ commitment to the general and specific duties in regards to equality legislation. We propose to develop a Single Equality Policy (SEP) that will set out the ethos and culture of the organisations and state how we define and tackle specific issues including social cohesion, integration, anti-radicalisation, and tension monitoring.

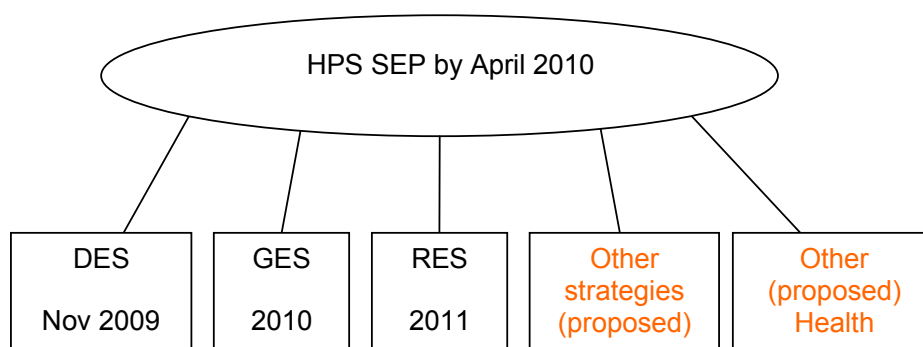
The SEP will give clear definitions of equality terminology and make these issues relevant to local need. It will outline responsibility, accountability and governance for this agenda. It will also set out the time frames.

Underpinning the SEP will be specific, single-focus action plans. These action plans will outline what each organisation will undertake to deliver what local people want from their public services. The action plans will be reviewed annually, and re-written every three years. Currently these action plans include Race, Disability and Gender but will be expanded to include other strands and key work areas, for example the Prevent programme, anti-poverty, and socio-economic disadvantage.

Timeline (each of these documents will span Herefordshire’s public services):

- Disability Equality Scheme November 2009
- SEP re-written and endorsed by Council, PCT Board and HHT March 2010
- Single-focus action plans to be introduced as required
- Gender Equality Scheme May 2010
- Race Equality Scheme April 2011

This timeline will ensure our compliance with the Equality Bill, which becomes law in 2011.



The diagram above shows the following schemes sitting beneath an overarching HPS Single Equality Policy by April 2010:

- Disability Equality Scheme, November 2009 (exists)
- Gender Equality Scheme, 2010 (exists)
- Race Equality Scheme, 2011 (exists)
- Other strategies can be incorporated.(proposed)

¹ Herefordshire Public Services (HPS) includes Herefordshire Council, NHS Herefordshire, Hereford Hospitals Trust



MEETING:	CABINET
DATE:	29 OCTOBER 2009
TITLE OF REPORT:	RISK MANAGEMENT AND ASSURANCE
PORTFOLIO AREA:	CORPORATE AND CUSTOMER SERVICES

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To approve the revised joint Risk Management and Assurance Policy and Guidance documents.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT:

- (a) the revised joint Risk Management and Assurance Policy be approved;
- (b) the joint Risk Management Assurance Guidance be approved;

Key Points Summary

- If strategic priorities are to be met and if positive assurances are to be given in response to external drivers then a robust risk management process must be embedded within the authority.

Alternative Options

1. There are no Alternative Options.

Reasons for Recommendations

2. As stated within the current Risk Management Policy a review of the risk management documents should be undertaken at regular intervals to ensure that they are still fit for purpose.
3. The new Comprehensive Area Assessment (CAA) process calls for a more robust

Further information on the subject of this report is available from
Andrew Rewell Corporate Risk Manager on (01432) 260295

management of risk across the organisation. Within the Use of Resources assessment one of the three themes, 'Governing the Business' highlights the need to have clear and robust processes in place for managing risks, particularly those relating to partnerships and fraud and corruption.

Introduction and Background

4. Since February 2007 the Council and NHS Herefordshire have had an integrated risk management team. A shared Risk Management Strategy, Policy and Toolkit, were approved by Cabinet in May 2008.
5. In April 2009 a review of the existing tool kit was undertaken with a view to developing a single risk assessment process for both risk management and health and safety across the partnership. An internal audit of risk management practices within the Council was also undertaken in 2009. The key recommendations highlighted the need to refocus on the responsibilities for risk management, risk management training, use of the corporate risk management process and to further align business plans with the risk management policy.
6. The introduction of the revised quarterly performance reporting process has provided an opportunity to review the Council's corporate risks. This has resulted in a more focused look at risks that could have a strategic impact on the achievement of corporate objectives as identified within the corporate plan. The revised documents will enable us to develop this process further.

Key Considerations

7. The need for a clear policy and procedure in order to embed the management of risk is essential if corporate priorities are to be met, and to provide positive assurance that risks are being identified and managed.
8. The main changes to the policy reflect the need to develop a positive culture in which the management of risk is seen as a day to day activity and not considered as a separate and bureaucratic task.
9. The revised policy promotes the positive aspects of managing risk so as to add value: achieving the balance between under-managing risks i.e. unaware and therefore no control, (which could damage performance and use limited resources unnecessarily), and over management i.e. an obsessive level of involvement in the fine details, which could become overwhelming and stifle innovation and creativity.
10. The revised guidance document is intended to be used at all levels of the organisation and guides the user through the 5 steps of managing risks:
 - 1) Identify Hazards and Threat events
 - 2) Evaluate the level of risk based on adequacy of existing controls
 - 3) Determine additional controls required – this emphasises the need for a risk owner and describes in more detail than previously the 4 T's of risk control – Terminate, Tolerate, Transfer, Treat.

- 4) Implement control measures and an action plan.
 - 5) Monitor controls, record and review.
11. A new section has been included that introduces the concept of applying the same assessment process to opportunity management and provides an opportunity scoring matrix. This section describes how, as risk management becomes embedded and managers becomes confident about managing risk, then in addition to the 4 T's of Risk Control there is a fifth T namely "Taking the opportunity".

Community Impact

12. In order for the Council to to deliver its top priorities, challenges will have to be overcome and opportunities maximised. The identification and management of strategic risks and opportunities identified through a corporate policy, along with a comprehensive training programme will enable Members and officers to make clear and safe decisions.

Financial Implications

13. None

Legal Implications

14. None

Risk Management

15. Unless the risks to the achievement of corporate priorities are identified and managed, the limited resources available cannot be channelled in the right direction, thus resulting in a decline of service provision, reputation and customer satisfaction.

Consultees

16. Internal consultation has been undertaken across the partner organisations

Appendices

Appendix A - HPS Risk Management and Assurance Policy

Appendix B - HPS Risk Management and Assurance Guidance

Background Papers

None identified.

<i>Reference number</i>	G031
<i>Approved by</i>	Cabinet and PCT Board
<i>Date approved</i>	March 2008
<i>Version</i>	3
<i>Last revised</i>	October 2009
<i>Review date</i>	October 2010
<i>Category</i>	General
<i>Owner</i>	Deputy Chief Executive
<i>Target audience</i>	All Staff

Herefordshire Public Services Risk Management and Assurance Policy

After the Review Date has expired, this document may not be up-to-date. Please contact the document owner to check the status after the Review Date shown above.

If you would like help to understand this document, or would like it in another format or language, please contact the document owner.

Contents

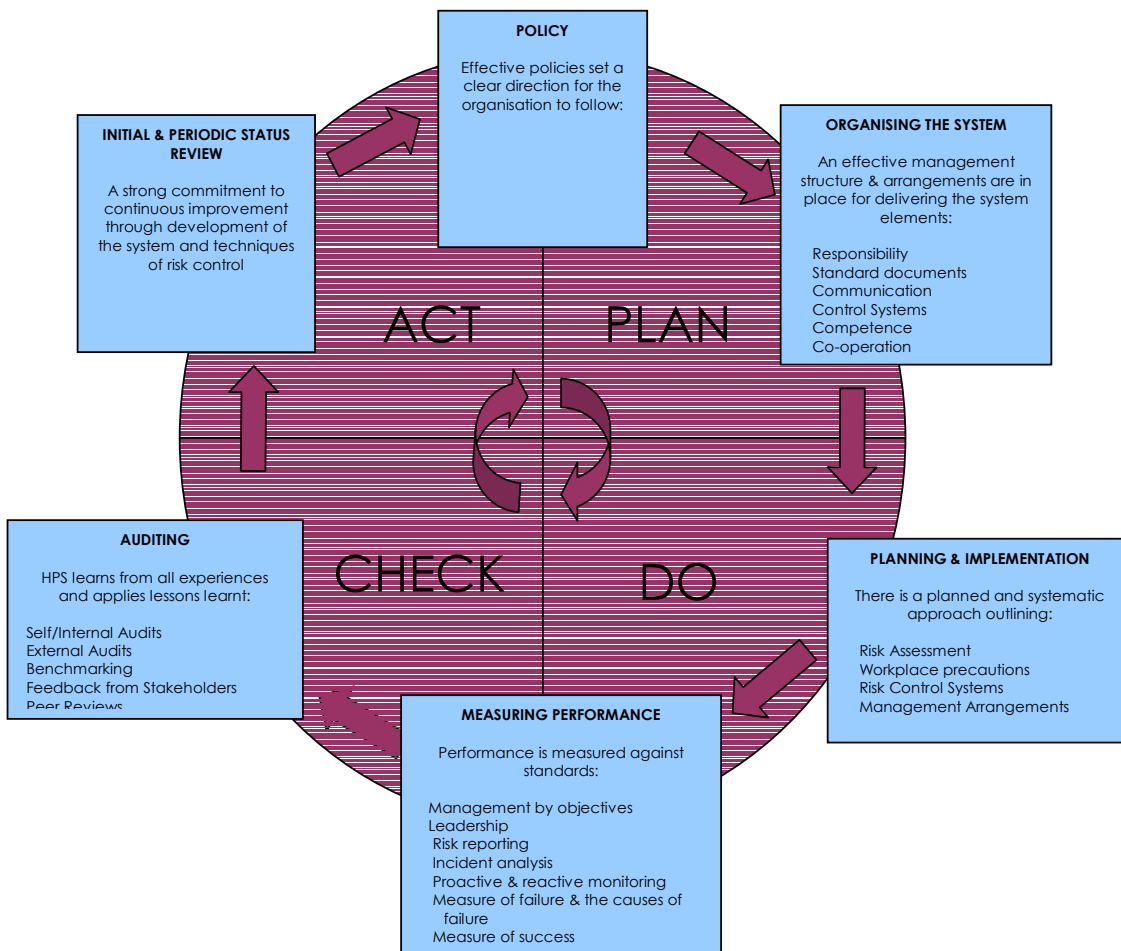
- 1.** Introduction & Purpose of Policy
- 2.** Policy Statement
- 3.** Organisation & Responsibilities
- 4.** Planning & Implementation
- 5.** Monitoring of this policy
- 6.** Audit
- 7.** Reviews at initial and periodic stages
- 8.** Cross Reference documentation

1. Introduction & Purpose of Policy

This policy clearly identifies the accountability arrangements and processes to be used for identifying and managing risks and opportunities in Herefordshire Council (HC) and Herefordshire Primary Care NHS Trust (HPCT). Where they are referred to together they are described here as Herefordshire Public Services (HPS).

This policy covers all areas of risk within HPS: organisational; clinical; service provision; financial, strategic and the wider, non organisational risks to the achievement of their individual or collective objectives and priorities.

The diagram below shows the key stages of policy development based on a continuous improvement cycle.



Who does the policy apply to?

This document applies to all employees of HPS, and to managers at all levels to ensure that risk and opportunity management is a fundamental part of the total approach to quality, corporate and clinical governance. In addition HPS will actively promote and support good practice in risk and opportunity management particularly within primary care and education.

2. Policy Statement

HPS is committed to having a shared system in place to understand, monitor and minimise the risks within our organisations and the services they provide and which will contribute to continued improvement.

Effective risk and opportunity management will help to ensure:

- clarity in our plans about what we need to do to achieve our objectives and priorities
- the delivery of our plans through effective performance management
- a safe environment for all our staff, clients and members of the public
- best service provision for clients and clinical care for patients
- the reputation of the partner organisations is maintained
- costs are saved by reducing dissatisfaction and claims
- the promotion of innovation to achieve objectives
- the realisation of opportunities
- a positive report on risk management in the Annual Governance Statement, Statement of Internal Control and compliance with external accreditation bodies – Audit Commission, Care Quality Commission

HPS aim to take all reasonable steps in the management of risk with the overall objective of protecting service users, staff and assets.

Approach to Risk and Opportunity Management and Assurance

Herefordshire Public Services' approach to risk and opportunity management and assurance has been developed to support the key requirements of good corporate governance:

Open and Transparent: The HPS approach to managing risks will be open and transparent and blame will not be attributed if decisions made in good faith turn out to be the wrong decision. Staff, Directors, PCT Non-Executive Director, Councillors, members of the public, partners and outside organisations should have access to information on our current risks and opportunities and how they are being managed. Risk management supports and enhances the decision making process and Board and Cabinet reports include information on the risks and opportunities in taking or not taking a recommended course of action.

Consistent: There will be consistency in the approach to identifying, assessing and managing risks across the organisation. Risks will be reviewed regularly and any changes in circumstances will be recorded and acted upon.

When managing and controlling risks, actions will be proportionate - the cost and time of efforts should be in balance with the potential impact of the risk.

Accountable: There will be clear accountability for HPS risks. This will include a public statement on risk management as part of our decision making process; an annual statement of internal control signed by the Chief Executive, approved by the Board and Cabinet, included in the Annual Finance Statement; and the risk register will be open to regular internal audit and audit inspection by external agencies (e.g. External Auditors, SHA, Department of Health, Audit Commission).

Appropriate risk-taking and innovation will be encouraged and promoted through a 'no blame' culture.

HPS will manage risk to add value, i.e. it will aim to achieve the balance between under-managing risks i.e. unaware and therefore no control, which could damage performance, and over-managing them i.e. an obsessive level of involvement in the fine details, which could become overwhelming and stifle innovation and creativity.

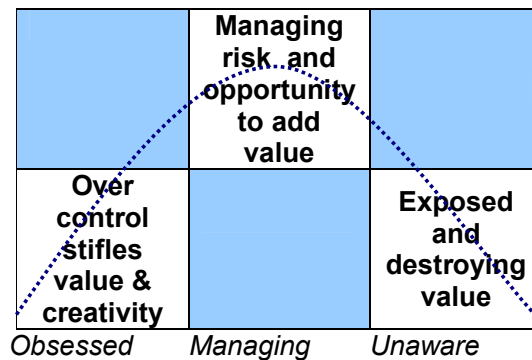


Figure 1: Managing risk and opportunity to add value

Risk and Opportunity Management goals for HPS are to:

- Minimise chances of adverse incidents, injuries or losses to patients, service users, staff and the general public
- Improve the quality of services, care and outcomes for people, bettering their life-chances and quality of life
- Encourage and train staff to identify risk areas and become involved in reducing risk
- Reduce risks by developing evidence based clinical and professional practice
- Reduce risks by maintaining a skilled and properly trained workforce.
- Encourage open communication and support staff in order to promote the policy of being a transparent and “no blame” organisation which can learn from incidents.
- Promote good risk management practice amongst independent contractors, suppliers and partners.
- Avoid damage to reputation, including through complaints, litigation or failures in organisations from which services have been commissioned
- Achieve key corporate objectives including National Performance targets
- Ensure compliance with the Annual Health Check and Comprehensive Area Assessment.
- Ensure the best interests of the public are served by the continuation of the organisations to commission and deliver required services
- Minimise avoidable financial losses, or the cost of risk transfer, e.g. Increased insurance premiums or the failure to win discounts.
- Work in conjunction with other organisations’ risk management strategies and policies when undertaking joint pieces of work or managing projects on behalf of others.

In order to meet these general and specific objectives, HPS will adopt a pro-active risk management programme which has our total support and we look to each member of staff for your complete commitment to and co-operation in its implementation.

3. Organisation and responsibilities

The Cabinet and Board Commitment to Risk Management

The Cabinet and Board recognise that risk management is an integral part of good management practice and to be most effective must become part of the culture of both organisations. The Cabinet and Board are therefore, committed to ensuring that risk management forms an integral part of their philosophy, practices, business plans and performance management rather than being viewed or practised as a separate programme, and that responsibility for implementation is accepted at all levels within both organisations.

The Cabinet and Board believe it is important to recognise that risk taking can bring both rewards and penalties. Modernisation and innovation cannot be achieved without risks being taken. But by understanding fully the consequences of taking those risks staff can have greater confidence in what they do. We aim to fully identify, evaluate and respond to those risks that may prevent us from achieving our objectives and to enable us to take advantage of opportunities in a “risk informed” manner.

Responsibility of HC Cabinet and HPCT Board

HC Cabinet and HPCT Board are responsible for reviewing the effectiveness of internal controls and for monitoring the work of the Committees with delegated responsibility for risk management.

The Cabinet and Board are required to produce annual statements of assurance that they are doing their “reasonable best” to manage the organisation’s affairs efficiently and effectively and managing its risks through the implementation of internal controls. They must “sign off” their organisations Statement of Internal Control and HPCT’s self assessment against the Healthcare Commissions Core Standards for Better Health.

Board and Cabinet members are responsible for:

- approving the risk management strategy and policy
- ensuring that risk information is available to them to support their decision making processes
- participating in the identification and evaluation of risks appropriate to the decisions they are asked to make.

HC Members and HPCT Non Executive Directors

Members/Non Executive Directors have a key role to play in monitoring executive management of risk within their organisation and contributing to the development of the HPS strategy for managing risk.

They must satisfy themselves that the systems of risk management each organisation has in place are robust and defensible.

HC Member Champion and PCT Non Executive Director

The Leader of the Council shall actively support the risk management process and encourage all Councillors to play their full part.

The Non Executive Director who chairs the PCT Audit and Assurance Committee shall actively support the risk management process and encourage all PCT Board Members to play their full part.

The Chief Executive

The Chief Executive has overall responsibility for Risk Management within HPS.

Directors

The Director of Quality and Standards has overall accountability for Clinical Risk and together with the Clinical Governance GP Lead is responsible for Clinical Governance systems and processes in HPCT.

HPS Directors of Resources are accountable for Financial Risks and the preparation of the annual financial statements which will include the Annual Governance Statement and Statement of Internal Control for their respective organisations.

Directors and Managers

HPS are working towards ensuring that all levels of management understand and implement the Risk Management Policy and Guidance. Directors/managers:

- Are responsible for managing risks assigned to them on the Assurance Framework and Risk Register
- Must ensure all new employees, through local induction, are made aware of the Risk Management Policy and Guidance. They must also ensure existing employees are made aware of any revisions to the policy.
- Are responsible for ensuring that appropriate and effective risk management processes are in place within their designated area(s) and scope of responsibility; and that all staff are made aware of the risks within their work environment and of their personal responsibilities.
- Are responsible for ensuring that all necessary risk assessments are carried out within their directorate/department in liaison with appropriate identified relevant advisors where necessary e.g Health and Safety, Infection Control, Security, Environmental, which may include the preparation of specific departmental policies and guidance.
- Are responsible for implementing and monitoring any identified and appropriate risk management control measure within their designated area(s) and scope of responsibility. In situations where significant risks have been identified and where local control measures are considered to be potentially inadequate, or where the cost of implementation exceeds locally agreed limits and/or requires capital expenditure, Executive Directors/managers are responsible for bringing these risks to the attention of the relevant Committee/Board if local resolution has not been satisfactorily achieved.
- If control measures which were originally believed to be adequate fail and lead to realisation of the risks, Executive Directors/managers must follow relevant policies (Incident reporting, Major Incident Plan) and inform the Chief Executive/ Executive Directors.
- Have the authority to accept risks within their scope of responsibility. This must follow completion of a full risk assessment and adhere to the definition of Acceptable Risk on page 13.
- Must ensure that all staff must be given the necessary information and training to enable them to work safely. These responsibilities extend to any one affected by HPS operations including sub-contractors, members of the public, visitor's etc.

Executive Directors/managers or their designated representatives will implement the policy by:

- a. Ensuring that they have adequate knowledge and/or access to all legislation relevant to their area and as advised by appropriate experts ensure that compliance to such legislation is maintained.
- b. Ensuring that adequate resources are made available to provide safe systems of work. This will include making provision for risk assessments, appropriate controls measures, raising outstanding concerns, ensuring safe working procedures/practices and continued monitoring and revision of same.
- c. Ensuring that only suitably trained and accredited personnel are appointed into posts.
- d. Ensuring that appraisals are completed for their staff according to HPS policies

- e. Ensuring that there is a core of appropriate mandatory training for all employees to attend e.g. Health and Safety, Fire, Moving and Handling, Dealing with Violence and Aggression, Conflict Resolution, Child Protection, etc, and that appropriate mandatory updates are maintained.
- f. Identifying and releasing suitable staff to be trained as risk assessors, first aiders, moving and handling, health and safety co-ordinators etc.
- g. Monitoring clinical and professional performance, health and safety standards including risk assessments, infection control measures, use of personal protective equipment, lone worker arrangements, stress at work assessments etc and ensuring that these are reviewed and updated regularly.
- h. Ensuring that risk issues are considered when setting individual staff objectives which reflect their role in the organisation.

Individuals Supporting HPS in Risk Management

A number of individuals have key roles in supporting HPS to achieve this policy and contact details are included in Appendix 1 and Appendix 2:

HC Corporate Risk Manager and HPCT Head of Corporate Risk

Co-ordinate and facilitate the risk management process and raise staff awareness of risk management through educational programmes. They are responsible for the maintenance and development of the overall risk registers and Board Assurance Framework and support risk owners and project boards in the identification and management of their risks.

HC Corporate Risk Manager ensures that appropriate insurance arrangements are in place to manage significant financial risks and to comply with the relevant legal framework for the handling of third party claims.

HPCT Head of Corporate Risk manages claims under the Employers Liability, Property Expenses, Liability to Third Parties and Clinical Negligence schemes according to the NHS Litigation Authority requirements.

HPCT Clinical Governance Manager

Highlights and presents quality, audit and patient incident information and trends.

HPCT Deputy Director of Resources (Financial Governance) and HC Head of Financial Services

Co-ordinates work with internal audit in order to achieve a satisfactory Statement of Internal Control for their respective organisations.

Responsibilities of all Employees

- a. Be familiar with this Policy
- b. Attend risk management training relevant to their post and maintain clinical or professional skills where appropriate
- c. Report incidents/accidents and near misses using HPS procedures
- d. Lead or participate in risk assessment processes, and develop and implement plans to address risks identified in their area (according to the nature of their post)
- e. Comply with all HPS policies and procedures aimed at eliminating or reducing risk e.g. health and safety, fire, emergency procedures, handling equipment safely
- f. Provide safe clinical or professional practice within their area of competence
- g. Be involved in appraisal.

Committee Structures:

Audit & Assurance Committee (HPCT)

The Audit and Assurance Committee is a statutory committee with expanded responsibility for Integrated Governance. The committee will also seek assurance on the organisational preparations for the World Class Commissioning (WCC) Assurance process. In particular its remit includes:

- Core functions of audit including financial systems, financial information and compliance with laws and regulations governing the NHS; governance, risk management and control.
- Delivery of core audit committee functions, including carrying out an independent, objective and informed review of financial systems, information and control.
- Assessment of internal systems, policies and procedures.
- Reviewing and maintaining effective systems of integrated governance, risk management and internal control.
- Seeking support and advice from external and internal audit and any other professional expertise as required
- Assurance of organisational development planning and delivery.

The Audit and Assurance Committee is chaired by a Board Non-Executive Director.

The Commissioning Performance and Quality Committee (HPCT)

The Commissioning Performance and Quality Committee will have oversight of health economy performance and the overall finance and contract performance of the PCT as a commissioner will be reported routinely to this Committee. In particular its remit includes:

- Measurement, monitoring and management of performance, including: finance, activity, quality of health and healthcare, including safety, clinical outcomes and patient experience secured through commissioned services
- Directing the development, monitoring and managing of integrated measures of performance – including finance, activity and quality – across all providers in line with commissioning plans.
- Compliance with statutory and regulatory duties particularly in the commissioning of safe and appropriate clinical care

The Commissioning Performance and Quality Committee is chaired by a Board Non-Executive Director.

Strategy and Planning Committee (HPCT)

The Strategy and Planning Committee has a key role in recommending strategy for NHS Herefordshire to the Board. As such it will be active in identifying opportunities and therefore applying the risk management process to Opportunity Management.

Audit and Corporate Governance Committee (HC)

This committee will monitor the effective development and operation of risk management and corporate governance in the Authority.

Responsibilities include:-

- Consider the effectiveness of the risk management arrangements, the control environment;
- Seek assurances that action is being taken on risk related issues identified by auditors and inspectors;
- Be satisfied that the Authority's assurance statements, including the Statement on Internal Control, properly reflect the risk environment and any actions required to improve it;
- Review and update of the risk management policy statement every year
- Annual review of the risk management framework; and
- Quarterly review of progress against any risk management action plans.

Provider Board (PCT Provider Services)

The Provider Board is responsible for reviewing the effectiveness of internal controls and for monitoring the work of the Provider Committees with delegated responsibility for risk management.

The Provider Board is required to produce annual statements of assurance that they are doing their "reasonable best" to manage the organisation's affairs efficiently and effectively and managing its risks through the implementation of internal controls. They must "sign off" their self assessment against the Healthcare Commissions Core Standards for Better Health.

Provider Board members are responsible for:

- approving the risk management strategy and policy
- ensuring that risk information is available to them to support their decision making processes
- participating in the identification and evaluation of risks appropriate to the decisions they are asked to make.

HPS Steering Group (HPS)

The HPS Steering Group sets the strategic direction for HPS development and the priorities for realising that strategy. It does this by establishing the criteria for measurement of success including the identification, quantification and effective delivery of benefits to be achieved through the development of an integrated approach to services in Herefordshire. It also holds the partnership system to account for progress against those success criteria

The risk management responsibilities of the Steering Group include:

- Ensuring that robust partnership arrangements are in place
- Holding Joint Management Team to account for the development and implementation of a framework for the prevention and prompt resolution of disputes presenting significant risk to the integrity of the HPS partnership
- Maintaining an effective system of integrated governance, internal control and risk management, across the whole of its activities (both non-clinical and clinical), in support of the achievement of its aims and objectives

Joint Management Team (HPS)

This is a high level management group with specific risk management responsibilities to:-

- Identify strategic and cross cutting risks;
- Promote a culture of risk awareness.

Whistle-blowing

If staff are concerned that there are very serious risks in the organisation, which they have raised through the normal management channels without response, it may be appropriate for them to use HPS Whistle-blowing policy.

Specific links to other policies are detailed in **appendix 5**.

4. Planning and implementation

Risk Management Process

General Principles

HPS is committed to developing a pro-active and systematic approach to risk management. A separate document – **Risk Management and Assurance Guidance** - sets out in detail the approach to identifying and assessing risks – whether they be risks to achieving strategic, corporate, programme, project, operational or partnership objectives.

The process will:

- be multi-faceted, drawing on the experience of multi-disciplinary teams, with knowledge of the range of HPS functions and risks
- be iterative, i.e. improving and refining over time
- ensure the stages are clearly recorded

The stages of the risk management process are to:

- a. identify any actual and potential risks
- b. identify the controls in place and evaluate the level of risk remaining
- c. determine what action may be necessary - this could range from stopping the activity, to reducing the risk, to transferring some of the risk to another party, to accepting the risk (see definition in 9.2)
- d. implement the additional control measures
- e. monitor that actions are completed and these, together with existing controls are effective i.e. **Assurance**

Risk and Opportunity Assessment

Each directorate, service, department or operational area needs to complete a risk and Opportunity assessment in order to identify operational and strategic risks and opportunities. Directorate and Operational managers are responsible for ensuring that risk assessments are completed as an ongoing process and reviewed quarterly following the steps in the Risk Management and Assurance Guidance, a proforma template for undertaking a risk assessment is included in the guidance to ensure a consistent approach to the risk assessment process.

Risk assessments will address a range of issues – operational, service delivery, strategic as well as financial, health and safety and staffing risks. The process is the same for all and an example list of areas to consider can be found in appendix 1 of the Guidance. This is not an exhaustive list but is initial guidance.

It is important that risk management is integrated into the existing business processes and risks identified as part of the following must be included on risk registers:

Strategic /corporate /service planning - At the time of the development of corporate/directorate/service plans and “in year” corporate policy development the risks to the achievement of objectives need to be identified and managed.

Financial planning - Risk registers will inform the financial planning process in relation to:

- allocation of resources required to improve the management of unacceptable risks
- allocation of resources to the change programme, projects, ongoing operations and partnerships
- taking into account the impact of budget decisions, both for budget plans and in year budget changes, on the risk profile of the organisation.

Performance management - At the operational level risk registers will be developed alongside the annual business plans for directorates and the service plans for service areas. The registers will be reviewed when monitoring performance against objectives to identify any risk related causes of underperformance and act as an early warning.

Organisational Change Programme - Managing a change programme will bring a range of risks relating to strategic alignment, partnerships, programme planning, competing demands of day to operations and projects and the availability of appropriate skills and capabilities. These will be considered when the business case for major projects within the programme are being reviewed.

Major projects including major procurements and major partnerships - Risk will be assessed and registers created to support project initiation documents (or business cases) for major projects, procurements and partnerships. These risk registers should inform the business case decisions. The risk registers will demand ongoing review throughout the life of the project/procurement/partnership life cycle.

Where risk registers are shared, we will work in conjunction with the risk management strategy and policy of our partners. When undertaking projects on behalf of others, we will manage risks consistent with their strategies and policies.

ICT Programmes and Projects - Where ICT Programmes and Projects are managed under MSP or PRINCE2 Programme and Project Management Methodologies, Risks and Issues will be managed according to these methodologies, consistent with this policy and the Risk Management Strategy. Where risks and issues are required to be escalated to the Board/Cabinet, they will conform to the standards laid out in this policy.

Health and Safety - Those groups designated to monitor Health and Safety are responsible for ensuring the annual health and safety audits are completed.

Incident Reporting - All reported incidents (and near misses), will also be assessed by the person completing the form and reviewed by an appropriate manager as described in HPS Incident Reporting Policy.

Following assessments within any of the above, any high ranking risks and those which could impact on whether or not HPS can meet a strategic objective must be included on the Assurance Framework and reported to the Cabinet/Board.

Risk Register

The Risk Register is a record of all the risks identified (a blank example is in appendix 3 of the Risk Management and Assurance Guidance) through the Risk Management process, their score and risk treatment. It is a dynamic document which will cover all risks. It will inform the decision making of the risk committees and managers by providing them with a central reference of all risks and will be regularly updated. It will be held centrally by the HPCT Head of Corporate Risk and HC Corporate Risk Manager but will be accessible and available to all managers.

Assurance Framework

Risks scored as extreme which could impact on HPS achieving their strategic or principal objectives are known as principal risks and additional information on these is required to be reported to the Board and Cabinet. This is termed the Assurance Framework and an example is included in appendix 4 of the Risk Management and Assurance Guidance. The Assurance Framework provides assurance about those risks which are being managed effectively and objectives are delivered and will also identify which of HPS objectives are at risk because of gaps in controls or assurance about them. The Board and Cabinet will formally review the Assurance Framework twice a year as a minimum.

Principal risks cannot be considered in isolation, they will be derived from the prioritisation of risks fed up through the whole organisation and in this way the Risk Register will contribute to the Assurance Framework

Risk Quantification and Acceptability

HPS has adopted a common approach to quantifying risk as described in the Risk Management Guidance. Each risk will be assessed and scored on the likelihood of occurrence and the severity/impact in the current circumstances, a matrix of the quantification of risk is detailed in the Risk Management and Assurance Guidance.

The score of a particular risk will determine at what level decisions on acceptability of the risk should be made and where it should be reported to within HPS. The Board and Cabinet have defined as “Significant” any risk that has the potential to damage the organisation’s objectives

General guidelines are:

Extreme Risk	Score 15 - 25	Report to a Director for more detailed analysis of the risk, to be included on the Assurance Framework and reported to the Board and Cabinet with proposed treatment/action plans
High Risk	Score 8 - 12	Report to a Director and then to an appropriate Risk Committee with proposed treatment/action plans
Moderate Risk	Score 4 – 6	Report to Senior Manager with proposed treatment/action plans, for particular monitoring.
Low Risk	Score 1 – 4	Report to local manager for local action to reduce risk

Acceptable Risk

Setting levels of acceptance is referred to as **risk tolerance or risk appetite** and is defined as follows:

- the likely consequences are insignificant
- a higher risk consequence is outweighed by the chance of a much larger benefit (e.g. In rehabilitation people may accidentally burn themselves while learning how to prepare food and drink but the benefit of independence outweighs that risk)
- occurrence is rare
- the potential financial costs of minimizing the risk outweighs the cost consequences of the risk itself
- reducing the risk may lead to further unacceptable risks in other ways

Therefore a risk with a high numerical value may be acceptable to the organisation, but that decision would be taken at an appropriate level.

Analysis of Risks

All Directors, Managers, Non Executive Directors and Councillors will be trained in risk analysis using HPS Risk Scoring Matrix.

The HC Corporate Risk Manager and HPCT Head of Corporate Risk are responsible for ensuring that information on incidents, claims, complaints, risks and hazards are analysed for trends and that such information is made available to the appropriate Director/manager so as to be included in the Risk Register and also reported to the committees with delegated responsibility for risk management within HPS.

Unacceptable Risk

Where control measures are deemed unacceptable to control the risks from the hazards identified, additional control measures must be implemented, these should be detailed within the risk assessment documentation and transferred into the action plans and the risk register where applicable.

Communication

All staff will be made aware of the Risk Management Policy and Guidance through induction, team brief and mandatory training. A copy will also be placed on the intranet site of HPS. The policy will be distributed to HPS sites to ensure that staff with specific management responsibilities receive a copy.

Other stakeholders will be made aware of the Risk Management Policy and will be involved and consulted as appropriate. For example, this could be during consultation on development of other policies or strategies, or through coverage of Risk Management in the HPS Annual Report and public Board and Cabinet papers. Stakeholders will include:

- Users and Carers
- The General Public
- Local GPs, Dentists, Pharmacists, Optometrists
- Schools
- Strategic Health Authority
- Regional Government
- Hereford Hospitals Trust and West Midlands Ambulance Trust
- PALS
- The Third Sector
- Fire Brigade and Police
- The Utility Companies
- Chamber of Commerce, Hereford
- Chamber of Commerce, Powys
- Audit Commission
- Herefordshire Partnership

Training

The Board and Cabinet acknowledges that the provision of appropriate training is central to the successful implementation of the risk management process.

Training needs will be identified and a suitable programme implemented for all staff including those with specific responsibilities under this policy, including members of the Board, Cabinet, Governance Committees and managers in HPS.

5. Monitoring of this policy

In order to ensure that this policy is effective all risk registers and action plans must be reviewed at appropriate intervals along with this policy. The monitoring process should confirm:

- all current risks have been reviewed and any additional action/s identified have been entered on the Action Plan;
- that the Action Plan has been reviewed and actions are on track for completion within agreed deadlines;
- whether any risks need to be removed, e.g. the end of a specific project;
- whether any new risks have been identified that need to be added to the register;
- that the risk register is up to date for new and existing risks;
- whether any operational risks have been identified by heads of service/key managers that could, if not managed become a risk for the directorate; and
- that updated Risk Registers and Action Plans have been entered onto each organisations central database or passed to the relevant Risk Manager after updating and review.

6. Audit

In order to measure the successful implementation of the Risk Management Policy the following Key Performance Indicators have been agreed for 2009/2010:

- The establishment of an Assurance Framework for Herefordshire Council.
- The development and delivery of an integrated risk management training programme to be used in HPS
- Demonstration that the Assurance Framework risks inform the Board and Cabinet Agenda.

7. Reviews at initial and periodic stages

This Policy will be reviewed in 12 months time

8. Cross reference documentation

Please refer to Appendix 3.

Appendices

Appendix 1

**KEY INDIVIDUALS RESPONSIBLE FOR ADVISING AND CO-ORDINATING
RISK MANAGEMENT IN HEREFORDSHIRE COUNCIL**

Title	Area of Responsibility	Contact Details
Corporate Risk Manager	Co-ordinates all risk management activity. Responsible for Risk Register	01432 260295
HR Manager	Coordinates OH support and advice	01432 260232
Head of Financial Services	Liaise with internal audit to achieve Annual Governance Statement	01432 263173
Health and Safety Advisor	Provides Health & Safety advice, support and training	01432 260448
Head of Asset Management & Property Services	Provides inspection of property and advice on fire risk assessments	01432 260227
Audit Services Manager	Ensure robust Corporate Governance and liaise with external auditors	01432 260425
Emergency Planning Manager	Coordinate the County wide response in an emergency	01432 260567
Information Security Officer	ICT Risk Assessment	01432 260160

Appendix 2

**KEY INDIVIDUALS RESPONSIBLE FOR ADVISING AND CO-ORDINATING
RISK MANAGEMENT IN HEREFORDSHIRE PCT**

Title	Area of Responsibility	Contact Details
Head of Corporate Risk	Co-ordinates all risk management activity. Responsible for Assurance Framework	01432 363906
Risk Management Support Officer	Supports directorates, responsible for risk register	01432 344344 extn 3737
Associate Director – Clinical Lead, Quality & Effectiveness	Responsible for patient risks and incident reporting	01432 344344 extn 3759
Deputy Director of Resources (Financial Governance)	Liaise with internal audit to achieve Statement of Internal Control	01432 344344 extn 3735
Health and Safety Advisor	Provides Health & Safety advice, support and training	01432 344344 Extn 7634
Fire Safety Advisor Via Works Department	Provides fire training & inspection of properties	01432 344344 extn 3910
Occupational Health	Provides occupational health services to PCT staff	01432 355444 extn 4013/5404
Infection Control Nurse	Provides infection control advice and co-ordinates audits	01432 277117
Moving and Handling Advisor	Provides advice on moving and handling issues and risk assessments.	01432 344344
Senior Nurse Child Protection	Advice & support on child protection issues	01432 343955
Information Governance Officer	ICT Risk Assessment	01432 344344 extn 7604

Appendix 3

LINKS TO OTHER POLICIES AND PROCEDURES

The Risk Management and Assurance Policy is supported by a number of other policies and procedures, all of which act as risk controls. The following is a list of key documents with which staff should be familiar. They can be found on the relevant intranet site or from your manager:

- Health and Safety at Work - and associated policies
- Incident Reporting Policy and Procedure
- Complaints Procedure
- Lone Worker policy
- Moving and Handling policy
- Recruitment, selection and appointment of staff
- Violence at Work
- Whistle-blowing policy
- Standing Financial Instructions
- Standing Orders
- Scheme of Reservation and Delegation
- Child Protection policy
- Sharing information in Child Protection
- Major Incident
- Infection Control
- Medical Equipment policy
- Protection of Vulnerable Adults
- Checking of State Registration
- Fitness to Practice
- Fraud and Illegal Acts
- Computer Security Policy
- Security Policy
- Business / Service Continuity Plans
- Quality Data

Herefordshire Public Services and Partnership Risk Management and Assurance Guidance

After the Review Date has expired, this document may not be up-to-date. Please contact the document owner to check the status after the Review Date shown above.

If you would like help to understand this document, or would like it in another format or language, please contact the document owner.

Index

1.	Introduction	3
	1.1 Drivers of Risk	3
2.	Risk Management – A Quick Guide	5
3.	Step 1: Identifying Risks.....	5
3.	Step 1: Identifying Risks.....	6
4.	Step 2: Identify Existing Controls And Assess The Risk.....	8
	4.1 Risk Scoring Matrix.....	8
	4.2 Management Response to Risk Rating.....	9
5.	Step 3: Determine Additional Controls Required	10
	5.1 The 4T’s of Risk Control	10
6.	Step 4: Implement Additional Control Measures	12
7.	Step 5: Monitor Completion & Effectiveness of Controls - Assurance	13
8.	Assurance Framework	14
	8.1 Sources of Assurance.....	15
9.	Applying the Process to Opportunity Management	16
10.	Appendix 1	18
11.	Appendix 2.....	19
12.	Appendix 3 - Example Risk Register.....	21
13.	Appendix 4 - Example Board Assurance Framework	22
14.	Appendix 5 - Risk Management Glossary	23
15.	Appendix 6 - Document Classification.....	25

1. Introduction

Risk management can be defined “as a means of reducing adverse events occurring in organisations by systematically assessing, reviewing and then seeking ways to minimise their impact or possibly prevent their occurrence.” Risk management brings huge benefit to Herefordshire Public Services (HPS) as it enables us to be positive in the decisions we make.

When we consider potential risks we must remember there is an “upside” as well as a “downside” in whatever we do and it is important not to focus only on the adverse affects but to balance it with the opportunities that may arise.

The **Audit Commission** and **Care Quality Commission** require all local government and NHS trusts to assess their risks and develop action plans to address the risk. More importantly the PCT and Council aim to manage risk to add value, i.e. it will aim to achieve the balance between under-managing risks i.e. unaware and therefore no control, which could damage the PCT’s and / or Council’s performance, and over-managing them i.e. an obsessive level of involvement in the fine details, which could become overwhelming and stifle innovation and creativity.

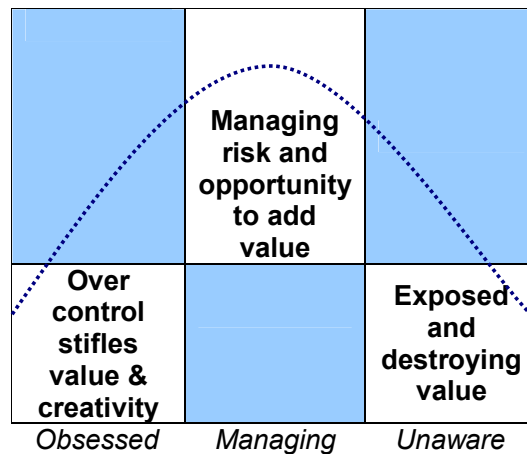


Figure 1: Managing risk and opportunity to add value

Risk management is one of the main components of Corporate and Clinical Governance; it requires us to:

- Have clear policies aimed at managing risks
- Undertake risk assessments to identify and manage risk
- Have action plans and programmes in place to reduce risk

The full benefits of risk management will only be obtained if there is a comprehensive and co-ordinated approach which is supported at every level of management throughout HPS.

This Guidance is intended to be used by all staff and departments in HPS. Independent contractors are welcome to use any part of this assessment tool in addition to those which they already use.

1.1 Drivers of Risk

Organisations all face risks from both internal and external factors. Understanding this helps to assess how much we can influence the risk.

It also helps to think of risk being driven by two basic categories, **strategic** and **operational**. At strategic level, the focus is on identifying the key risks to successful achievements of the organisation's objectives. These are the risks (or opportunities) that are most likely to affect the performance and delivery of strategic objectives. At operational level the focus is on those risks (or opportunities) primarily concerned with delivery of services, quality of services, continuity of business and clinical governance assurance.

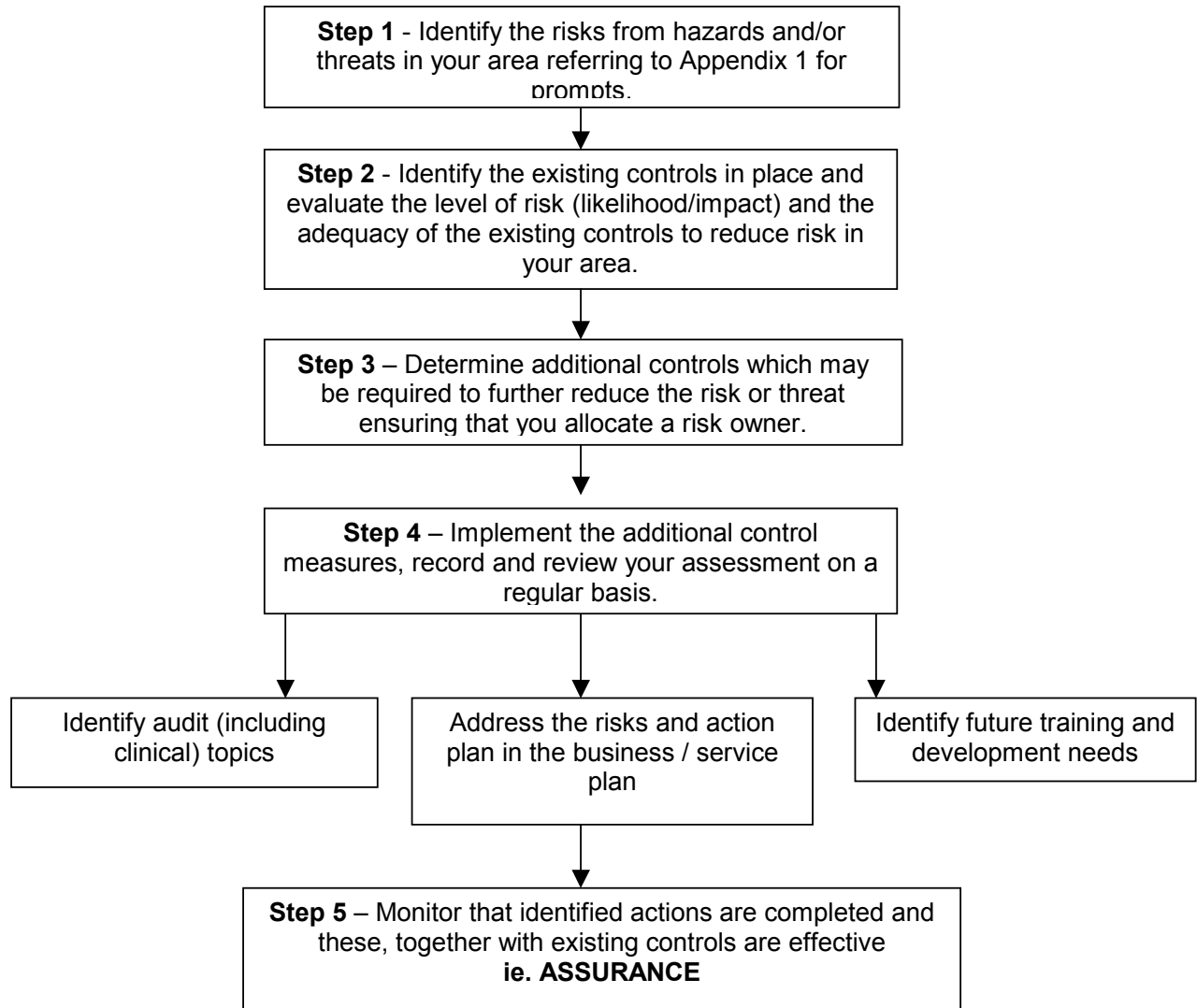
Strategic and operational risks are not mutually exclusive and a risk may escalate from an operational risk to a strategic risk (there are also project risks which, although they can again escalate up, are not specifically referred to in this handbook, identification, assessment etc of those risks follows the same process).

2. Risk Management – A Quick Guide

There are Five Steps of Managing Risk

1. **Identify Risks from Hazards and Threat events.**
2. **Evaluate the level of risk based on adequacy of existing controls.**
3. **Determine additional controls required.**
4. **Implement control measures and action plan.**
5. **Monitor controls, Record & Review assessment ie. Assurance.**

The five steps for the managing of risk are described in detail on pages 6 to 13, however the following flow chart provides a quick guide summary of the process.



3. Step 1: Identifying Risks

Risk identification is concerned with identifying events that can impact on the business objectives and delivery of services (strategic and operational) – ‘**what could happen**’. This should be considered from both the positive and the negative effect and so ask ‘what could happen if we do’ as well as ‘what could happen if we don’t...’, this will enable confident risk taking and exploitation of opportunities.

Common areas to prompt identification of risk include:

- **Strategic:** successful achievement of the organisation’s objectives ie. doing the wrong things as an organisation; missing opportunities
- **Finance:** losing monetary resources or incurring unacceptable liabilities
- **Reputation:** the image of the PCT and or Council, loss of public confidence
- **Clinical:** the clinical delivery of health and healthcare and access to services
- **Partnerships:** the risks/opportunities exposed to as part of a partnership
- **Legal / Regulatory:** claims against the PCT/ Council, non-compliance
- **Operational:** delivery of services, quality of services, continuity of business and clinical governance assurance ie. doing the right things in the wrong way
- **Information:** loss or inaccuracy of data, systems or reported information
- **Patients /public:** understanding their needs; delivery of and access to services and care
- **Environmental:** things outside of our control; Environmental impact
- **People:** risks associated with all employees, managers, Councillors and PCT Non-Executive Directors.

Using the following ‘**Wheel of Risk**’ and the prompts in **Appendix 1** (which contains additional specific examples of service risk assessment issues) make a list of events that could impact on the success of service delivery, project outcome etc.



In order to really be able to manage risks well you need to be explicit about **how** the events you have listed could impact on what you want to achieve in order to focus the action in the right area. This is done by:

- **Identify the objective/tasks** - involved in the job or activity you are undertaking, this will help you to break the activity down into its component parts and more easily see the hazards involved. Eg. Providing services (clinical or social) to people in their own homes.
- **Identify the hazards/threats** – what could prevent this objective/task being achieved. Eg. hazards/threats from flooding may make it difficult to get to some people.
- **Identify the Consequence/Impact** – should the hazard or threat be realised what would happen e.g. People may not receive necessary clinical or social care resulting in a deterioration in their condition.

Sometimes it can help to phrase the risk or opportunity into three parts: **Event – Consequence – Impact**

Typical risk phrasing could be

loss to...
failure of.....
failure to...
lack of...
partnership with...
development of...

leads to resulting in..

Failure to visit vulnerable adults at home due to floods leads to lack of food/lack of medication/clinical treatment resulting in the need to enter a care home/hospital.

Failure to (the event) could lead to either (the consequence) resulting in (the impact)".

Identify who might be at risk

Whilst analysing the risk you also need to consider who might be harmed as the impact could be felt in a number of ways. Is an individual (employee, patient, contractor, pregnant worker) likely to be harmed, or a group of people (vulnerable adults) or would it be the organisation that is at risk?

In the example above the impact would be felt most by the vulnerable adults that did not have their needs met, but there would also be a reputational impact on the organisation which would be seen to be failing in the delivery of services.

4. Step 2: Identify Existing Controls And Assess The Risk

Once the risk or opportunity has been identified it needs to be assessed for how likely it is the event could occur and the impact it will have if it should. This assessment should take into consideration **existing controls and / or action plans and their effectiveness**.

Typical examples of existing controls will include written policies and procedures, staff training, referral or admission criteria and the physical environment. In describing the controls it is important to consider how effective they are, when they were last reviewed or tested or when staff were last trained.

The assessment should be based on the risk scoring matrix below to ensure all risks are assessed objectively. Focus should be on the descriptor not the number. Once the level of likelihood and impact have been assessed, the two scores are multiplied to give an overall objective assessment of the existing (residual) level of risk.

4.1 Risk Scoring Matrix

Description and definitions of LIKELIHOOD of RISK occurring:

Description	Descriptor	Level
Can't believe that this will happen or recur.	Rare	1
Do not expect it to happen or recur.	Unlikely	2
Might happen or recur occasionally.	Possible	3
Will probably happen or recur, but is not a persistent issue.	Likely	4
Will undoubtedly happen or recur, probably frequently.	Almost Certain	5

Description and definitions of IMPACT/SEVERITY of RISK occurring:

Consequence Types	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
People (including patients, staff, carers and visitors)	No injury	Short term harm Will resolve in a month. First aid treatment required	Semi -permanent harm. Should resolve in a year Medical treatment required	Permanent or long term harm. Jeopardise well being – abuse, neglect assault	Single or Multiple fatalities
Delivery of services/ Strategic	No impact on ability to operate local services	Could threaten the efficiency or effectiveness of some services, but dealt with internally	Severe disruption to a service. Non achievement of local delivery plan	Loss of a service. Loss of stars / reduction in score in national performance review	Threatens the viability of the organisation
Financial Loss (e.g. Asset loss, repeat treatment, litigation, fines)	Loss in the range of £0 to £5,000	Loss in the range of £5,001 to £50,000	Loss in the range of £50,001 to £500,000	Loss in the range of £500,001 to £1,000,000	Loss of more than £1,000,000
Organisational Objectives	Management information does not meet business requirements	Service objectives not met or project failures in one service	Service objectives not met or project failures in multiple services	Failure to meet one key organisational objective	Failure to meet multiple key organisational objectives
Reputation	No impact on the reputation of the PST	Increase in patient / customer complaints or staff dissatisfaction	Negative press in local paper. Greater scrutiny by SHA, CAA or Audit Commission	Negative national press & television coverage. Intervention by SHA / Central Government	International television coverage. External investigation (CQC, HSE, police) Prosecution. Replacement of Board
Workforce and Morale	No impact on staff morale	Staff dissatisfaction	Increased Staff sickness & absenteeism	High rate of staff leaving	Inability to recruit or retain Industrial action
Legal	No breaches of law or local procedures / standards	Breaches of local procedures /standards	Breaches of regulation, national procedures / standards	Breaches of law punishable by fines	Breaches of law punishable by imprisonment

The risk rating then equals LIKELIHOOD x IMPACT/SEVERITY.

Likelihood	Consequence				
	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
5 Certain	5	10	15	20	25
4 Likely	4	8	12	16	20
3 Possible	3	6	9	12	15
2 Unlikely	2	4	6	8	10
1 Rare	1	2	3	4	5

Risk Rating:

Low Risk 1 to 3
Moderate Risk 4 to 6
High Risk 8 to 12
Extreme Risk 15 to 25

4.2 Management Response to Risk Rating

The score of a particular risk will determine at what level decisions on acceptability of the risk should be made and where it should be reported to within the HPS. The Board and Cabinet have defined as “Significant” any risk that has the potential to damage the organisation’s objectives

General guidelines are:

Level of risk	How the risk should be managed	Who to make aware
Extreme (15-25)	Requires active management High impact / High likelihood: risk requires active management to manage down when possible and maintain exposure at an acceptable level	Report to a Director for more detailed analysis of the risk, to be included on the Assurance Framework and reported to the Board and Cabinet with proposed treatment/action plans
High Risk (8-12)	Contingency plans A robust contingency plan may suffice together with early warning mechanisms to detect any deviation from profile	Report to a Senior Manager/Director and then to an appropriate Risk Committee with proposed treatment/action plans
Moderate Risk (4-6)	Good housekeeping May require some risk mitigation to reduce likelihood if this can be done cost effectively, but good housekeeping to ensure the impact remains low should be adequate. Reassess frequently to ensure conditions remain same.	Report to Senior Manager with proposed treatment/action plans, for particular monitoring.
Low Risk (1-3)	Review periodically Risks are unlikely to require mitigating actions but status should be reviewed frequently to ensure conditions have not changed	Report to local manager for local action to reduce risk

This information should be recorded on the Risk Assessment Form found at Appendix 2

5. Step 3: Determine Additional Controls Required

Once risks and opportunities have been identified and assessed for likelihood and impact, this will provide you with a **Current/Residual** risk rating. The rating will identify those risks where further resources may need to be allocated to reduce the risk. This will be included on the risk assessment form as the **Action Plan**.

An Action Plan should be completed for all for all residual risks rated **extreme**, **high** or **moderate** and should include the following information:

- a) **Risk Owner** - Each risk will be assigned a risk owner **who** will own and determine **how** the risk/opportunity will be managed, controlled or exploited.
- b) **Action Description**- A detailed description of the action required to manage or **treat** the risk. Should the risk be avoided, eliminated, reduced, transferred or accepted? A useful framework for considering these questions is the “4 T’s”

5.1 The 4T’s of Risk Control

	NOTES
<p>Terminate Stop the activity altogether</p>	<ul style="list-style-type: none"> • Rarely an option in public sector activity though this may be possible for some non-core activities.
<p>Tolerate Accept the risk and live with it</p>	<ul style="list-style-type: none"> • Applies to risks within the tolerance threshold or those where the costs of treatment far outweigh the benefits. • Should be backed up by appropriate contingency plans, business continuity plans and recovery plans.
<p>Transfer To a third party or through insurance</p>	<ul style="list-style-type: none"> • Can transfer all or part of the risk. • Beware – although responsibility can be transferred, accountability rarely can, so it requires close monitoring.
<p>Treat Take action to control the likelihood and/or impact</p>	<ul style="list-style-type: none"> • This is where the bulk of the risk management action falls. • The purpose of treating a risk is to continue with the activity which gives rise to the risk but to bring the risk to an acceptable level by taking action to control it in some way through either <ul style="list-style-type: none"> ○ containment actions (lessen the likelihood or consequences and apply before the risk materialises) or ○ contingent actions (put into action after the risk has happened, i.e. reducing the impact. Must be pre-planned) •

These are not mutually exclusive categories – it is quite normal to use a combination of two or more.

Consider what additional controls can be introduced to either remove the risk or reduce it. Through these controls can the likelihood of occurrence be reduced? Can the impact be reduced? Can consequences of the risk be changed?

Typical examples of controls include the introduction of new policies with associated training for staff, reviewing skill mix, undertaking audits to identify problem areas.

When completing an Action Plan it is important to ensure that:

- The action is proportionate to the risk.
- Whether new risks are caused by the action.
- Controls are SMART – Specific, Measurable, Achievable, Realistic and Time-bound.

- c) **Resources Required** – Are resources required to implement the actions and if so what type i.e. personnel or financial and how can they be secured. The cost of management and control of the risk should be proportionate to the risk that is being addressed
- d) **Target/ Review Date** – enter target date for completion of action(s) or when the actions will be reviewed. As a guide it is suggested that the following timescales be used:

Extreme Risk Score 15 to 25	– Within 3 months
High Risk Score 8 to 12	- Within 6 months
Moderate Risk Score 4 to 6	- Within 12 months

- e) **Target Risk Rating** – unless a risk is terminated it is impossible to remove it completely and so the risk owner needs to identify what is acceptable as a target.

6. Step 4: Implement Additional Control Measures

It is important to ensure that any new controls are implemented and that the assessment is regularly reviewed. Controls may need to be included in service or business plans or identified as part of future training & development needs.

All completed risk assessments are recorded on a Risk Register – these are in place for departments, services, directorates, HC & NHSH (Corporate Risk Register). An example Risk Register is included at **Appendix 3**. Currently HC and NHSH have separate databases for storing this information but it is presented in the same format.

An essential element of the risk management process is that risks / opportunities can be cascaded up or down according to the levels of risk and available resource – see **Step 2, Management Response to Risk Rating**. For example a risk identified at service level may be managed or contained adequately until perhaps a sudden change in either the internal or external environment means the service does not have capacity, authority or resources to manage or contain the risk. It could be that the sudden change has created multiple impacts that together are very high or are out of the range of control of the head of service. The risk is then cascaded up to the next level (e.g. Directorate or Board). The risk is then assessed at that level and management determined.

This clear process enables assurance to the highest level that risks (and opportunities) are being managed at their appropriate level.

7. Step 5: Monitor Completion & Effectiveness of Controls - Assurance

Circumstances and business priorities can, and do, change, and therefore risks, opportunities and their circumstances need to be regularly reviewed. Some risks will move down the priority rating, some may leave, and others will be identified.

The risk management process requires that risk owners review their risks and report **at least quarterly**.

That review should incorporate the following questions:

- Is the risk / opportunity still relevant (what changes have occurred in the internal / external environment)?
- How do I know the controls have been effective – have there been any internal or external reports to provide assurance?
- What progress has been made in managing the risk/ opportunity?
- Given the progress (or not), does the risk score need revising?
- Are any further controls required, if so what should these be?

Risk management should be included as an item of the agenda of all department management team/board meetings.

A list of potential sources of Assurance is included on page 15

8. Assurance Framework

The Assurance Framework is basically an extension of the risk register which allows for further analysis of any **Extreme Risks** (rated 15-25) which could impact on the HPS achieving their strategic or principal objectives.

It provides a framework for reporting key information to the Board and Cabinet and an example is in **Appendix 4**. It provides assurance about where risks are being managed effectively and objectives are delivered and will also identify which of the HPS objectives are at risk because of gaps in controls or assurance about them. There is a minimal content for an Assurance Framework and whilst this has been set by the Department of Health it will be applied across the whole of HPS.

Key Controls - Organisations should ensure that they have **key controls** in place which are designed to manage their principal risks.

Controls should be documented and their design subject to scrutiny by independent reviewers, eg. internal and external auditors. The key controls should be mapped to the principal risks. When assessments are made about controls, consideration must be given not only to the design but also the likelihood of them being effective in light of the governance and risk management framework within which they will operate - even the best controls can fail if staff are not adequately trained.

Assurances on Controls - Where can the organization gain evidence that the controls are effective? The most objective assurances are derived from independent sources and these are supplemented from non independent sources such as clinical audit, internal management representations, performance management and self assessment reports. Page 15 contains a list of possible sources of assurance.

Where the assurer's report is confirmed as relevant, the organisation must endeavour to confirm that sufficient work has been undertaken in the review to be able to place reliance on the conclusions drawn. The organisation will need to assess whether a review provides:

Positive Assurances

There are sufficient, relevant, positive assurances to confirm the effectiveness of key controls and **the objectives are met**. This should be reported to the Cabinet and Board and recorded as a positive assurance.

Gaps in Control

These should be recorded when there is a clear conclusion, based on sufficient and relevant work, that one or more of the key controls on which the organisation is relying are not effective.

Gaps in Assurance

There is a lack of assurance, either positive or negative, about the effectiveness of one or more of the key controls. This may be as a result of lack of relevant reviews, or concerns about the scope or depth of reviews that have taken place.

Principal risks cannot be considered in isolation, they will be derived from the prioritisation of risks fed up through the whole organisation and in this way the Risk Register contributes to the Assurance Framework. Therefore, whilst the Assurance Framework is managed by the Corporate Risk department ownership of the risks and responsibility for providing information on assurance continues to lie with Directors.

8.1 Sources of Assurance

Internal sources of assurance	External sources of assurance
<ul style="list-style-type: none"> • Internal audit • Key Performance Indicators • Performance reports • Sub-committee reports • Compliance audit reports • Local counter fraud work • Clinical audit • Staff satisfaction surveys • Staff appraisals • Training records • Training evaluation reports • Results of internal investigations • Serious Untoward Incident reports • Complaints records • Infection control reports • Standards for Better Health self-assessment • Information governance toolkit self-assessment • Patient advice and liaison services reports • Human resource reports • Internal benchmarking 	<ul style="list-style-type: none"> • External audit • Audit Commission • NHS Litigation Authority • Clinical Negligence Scheme for Trusts • Strategic health authority reports/reviews • Monitor • Care Quality Commission hygiene code reports • Care Quality Commission reviews • Care Quality inspections of Standards for Better Health declarations • Royal College visits • Deanery visits • External benchmarking • Patient environment action team reports • Accreditation schemes • National and regional audits • Peer reviews • Feedback from service users • Feedback from commissioners • External advisors • Local networks (for example, cancer networks) • Investors in People • Department for Children, Schools and Families • Central Government Departments • External Insurers and Brokers • Lexcel

9. Applying the Process to Opportunity Management

Good risk management will also help us to explore and take up opportunities as they are identified. The approach is the same as for risk assessment – we need to ask:

- Is there an opportunity we could take to help us achieve our objectives?
- What is the likelihood of it happening?
- What would be the impact if it did?
- What needs to be done – how can we develop this, what actions are needed to ensure it happens?

Description and definitions of LIKELIHOOD of the OPPORTUNITY occurring

Description	Descriptor	Level
No evidence or experience of this happening in the organisation. No identified benefits	Rare	1
Opportunity for which the likelihood is low based on resources currently being available. Possibility of some benefits if a risk was carefully managed.	Unlikely	2
Possible opportunity identified but which has yet to be fully investigated. Benefits that can be attributed to the careful management or toleration of an identified risk.	Possible	3
An opportunity that has been explored and may be achievable but which will require careful management. Opportunities clearly identified or deliverable benefits achieved from managing / tolerating an identified risk	Likely	4
A clear opportunity already identified which can be relied upon, with reasonable certainty, to be achieved in the short term and which will deliver clear benefits.	Almost Certain	5

Description of IMPACT (i.e. benefits) of the OPPORTUNITY

Consequence Types	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Significant
Delivery of services	No change to delivery of patient / customer care or access	Some slight improvement on internal business only – but have no effect on patient / customer care or access to services (no change in delivery)	Noticeable improvement to NHS Herefordshire – would have a slight improvement on patient / customer care or access to services	Noticeable an improvement in services, patient / customer care and / or access (delivery, quality, level, cost etc)	Patient / customers would see a significant and noticeable improvement in services, patient / customer care and / or access to services (delivery, quality, level, speed, cost)
Financial Gain	Income generation and / or savings of less than £5,000	Income generation and / or savings (>£5,001 - < £50,000)	High income generation and / or savings (<£50,001 - <£100,000)	Major income generation and / or savings (>£100,001 - >£250,000)	Income generation and / or savings >£250,001
Reputation	Would not have an impact on HPS reputation	Positive local media coverage	Positive media coverage in national tabloid press / municipal journals and/or significant local media coverage Positive recognition by external body (Audit Commission, CQC, DH etc)	Recognition from professional community / external body Coverage in national (broadsheet) press and/or low national TV reporting	Recognition as leader in field from professional community / external body Extensive positive coverage in national press and broadsheet editorial and/or national TV item
Partnership	No additional partnership initiatives identified	Local level partnership initiatives identified	County wide level partnership initiatives / arrangements	Regional partnership initiatives / arrangements	National or international partnership initiatives / arrangements
Environmental	No or insignificant environmental or economic improvement	Minor improvement to local environmental / economy	Moderate improvement to local environmental / economy	Major improvement to local environment / economy	Significant improvement to national and/or international environmental

The opportunity rating then equals likelihood x CONSEQUENCE/IMPACT

Likelihood	Consequence				
	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Significant
5 Certain	5	10	15	20	25
4 Likely	4	8	12	16	20
3 Possible	3	6	9	12	15
2 Unlikely	2	4	6	8	10
1 Rare	1	2	3	4	5

Opportunity Rating:

Low Opportunity 1 to 3
Moderate Opportunity 4 to 6
High Opportunity 8 to 12
Significant Opportunity 15 to 25

Management response to OPPORTUNITY RATING

Level of Opportunity	How the opportunity should be managed
Significant 15-25	Active engagement to continue - requires periodic review to ensure conditions remain unchanged
High 8-12	Active engagement to continue – may require further engagement to increase benefits and/ or good housekeeping & some mitigation to ensure level of likelihood & impact maintained.
Moderate 4-6	Level of engagement to be reviewed - robust contingency plans & early warning mechanisms in place to ensure opportunity does not become any lower or a threat.
Low 1-3	Requires active management to ensure remains an opportunity and not become a threat. Or review viability and consider whether this initiative should be terminated.

As risk management becomes embedded and managers become confident risk takers then in addition to the 4 T's of Risk Control (page 11) there is a fifth option open:

Taking the opportunity - This is an option to be considered whenever tolerating, treating, or transferring a risk. There are two aspects to this:

1. The first is whether or not at the same time as mitigating threats, an opportunity arises to exploit positive impact. For example, is a large sum of capital funding is to be put at risk in a major project, are the relevant controls judged to be good enough to justify increasing the sum of money at stake to gain even greater advantages?
2. The second is whether or not circumstances arise which, whilst not generating threats, offer positive opportunities. For example, a drop in the cost of goods or services frees up resources that can be re-deployed.

10. Appendix 1

Examples of Service Risk Assessment Issues

- Policies and Procedures
 - Clinical
 - General
 - Departmental
- High risk areas
 - Surgery
 - Minor Injury Unit
 - Anaesthesia
 - Acute Psychiatry
 - Pharmacy
 - Prescribing
 - Infection control
 - Medicines management
 - Blood Transfusion
 - Resuscitation
- Staffing
 - Numbers
 - Grades
 - Competence
 - Access and availability of training
 - Induction
 - Supervision
 - Volunteers
- Contracts for core services
- Information for clients
- Consent issues
 - Policy
 - Process
 - Underage
 - Staff training
- Counselling
- Lone Working
- Records
 - Clinical records
 - Data Protection
- Storage and retrieval
- Confidentiality
- Prescribing and administration of drugs
- Maintaining standards in out of hours services
- Criteria for access to and refusal of service
- After care / discharge
- Incident Reporting
- Complaints
- Clinical Audit
- Adverse events
- Research and development
- Organisational arrangements
 - Communication
 - Access to support and advice
 - Geographical issues
- Maintenance & Use of equipment
- Dealing with emergencies
- Health and Safety
 - Manual Handling
 - COSHH
 - Violence and aggression
 - Policy
 - Risk assessment
 - Training
 - Access to support / back up

11. Appendix 2

RISK MANAGEMENT ASSESSMENT (to be completed by assessor)													
Title (Activity/ Job/ Premises)		Reference No:						Likeli- hood	Impact/Severity				
Location/Dept		Assessor Name(s)							1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Authorising Manager		Authorising Mgr Signature							5 Almost Certain	10 HIGH	15 EXTREME	20 EXTREME	25 EXTREME
Overall Rating		Review Date							4 Likely	8 HIGH	12 HIGH	16 EXTREME	20 EXTREME
									3 Possible	6 MODERATE	9 HIGH	12 HIGH	15 EXTREME
								2 Unlikely	4 MODERATE	6 MODERATE	8 HIGH	10 HIGH	
								1 Rare	2 LOW	3 LOW	4 MODERATE	5 MODERATE	
No	Objective/ Task / Equipment/ Materials/ Activity, etc	Hazard Organisational/ Personal threat	Risks Impact/Severity	Who might be affected	Existing controls currently used (What are we doing now?)	Risk evaluation			Action Plan Additional control/precautionary measures required	By Whom & By When initials & date	Risk Rating after Action taken		
						Likeli- hood	Severity	Rating			Likeli- hood	Severity	Rating
					•								
					•								
					•								
					•								
					•								
					•								
					•								
					•								
					•								
					•								
					Assessors Signature:					Date Completed:			
					Senior Mgr Signature:					Date:			
					*** Only required where high risk or large finance requirement ***								

Progress – Qtr 1	Signed & Dated	
Progress – Qtr 2	Signed & Dated	
Progress – Qtr 3	Signed & Dated	
Progress – Qtr 4	Signed & Dated	

What is the likelihood for re-occurrence of this event? Use the table below to assign this incident a category code.

Level	Descriptor	Description
5	Almost Certain	It has already happened and is a persistent issue.
4	Likely	It has already happened, but is not a persistent issue.
3	Possible	It could occur, but it has not yet.
2	Unlikely	Do not expect it to happen.
1	Rare	Can't believe that it will happen.

What is the likely impact or severity if it does happen again?

Use the table below. The highest level ticked determines the overall Consequence Category rating. If in doubt, grade up not down

Consequence Types	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
People (including patients, staff, carers and visitors)	No injury	Short term harm. Will resolve in a month. first aid treatment required	Semi -permanent harm. Should resolve in a year. Medical treatment required	Permanent or long term harm. Jeopardise well being – abuse, neglect assault	Single or Multiple fatalities
Delivery of services/ Strategic	No impact on ability to operate local services	Could threaten the efficiency or effectiveness of some services, but dealt with internally	Severe disruption to a service. Non achievement of local delivery plan	Loss of a service. Loss of stars in national performance review	Threatens the viability of the organisation
Financial Loss (eg. Asset loss, repeat treatment, litigation, fines)	Loss in the range of £0 to £5,000	Loss in the range of £5,001 to £50,000	Loss in the range of £50,001 to £500,000	Loss in the range of £500,001 to £1,000,000	Loss of more than £1,000,000
Organisational Objectives	Management information does not meet business requirements	Service objectives not met or project failures in one service	Service objectives not met or project failures in multiple services	Failure to meet one key organisational objective	Failure to meet multiple key organisational objectives
Reputation	No impact on the reputation of the PCT	Increase in patient complaints or staff dissatisfaction	Negative press in local paper. Greater scrutiny by SHA	Negative national press & television coverage. Intervention by SHA	International television coverage. External investigation (CHI, HSE Prosecution. Replacement of Board
Workforce and Morale	No impact on staff morale	Staff dissatisfaction	Staff sickness & Absenteeism	High rate of staff leaving	Inability to recruit or retain. Industrial action

12. Appendix 3 - Example Risk Register

Risk Register

Dept.	ID	Opened	Title	Description	Controls in place	Impact (Initial)	Likelihood (Initial)	Rating (Initial)	Risk level (Initial)	Action summary	Impact (current)	Likelihood (current)	Rating (current)	Risk level (current)	Review date
									Red					Orange	
									Red					Red	
									Red					Yellow	
									Orange					Orange	
									Orange						

13. Appendix 4 - Example Assurance Framework

SAMPLE ASSURANCE FRAMEWORK – JUNE 2009

Corporate Objective	Improving Health & addressing Inequalities - continually identifying & refining needs
Risk Register Reference	537

Principle/Directorate Objective									
What could prevent this objective being achieved – hazard/threat	Existing controls currently used (What are we doing now?)	Assurance on Controls - Who	Positive Assurances to Board - What	Gaps in Controls	Gaps in Assurance	Risk Rating	Standards for Better Health	Who might be affected	Directorate
Inadequate preparation in the event of Pandemic Influenza	DH UK contingency plan. Herefordshire Influenza Pandemic Planning Committee. Existing major incident plans and emergency planning command & control structures. Mass prophylaxis plan. Emergency Planning Lead Pandemic Influenza Plan	DH/SHA Audit	Self assessment of Pandemic flu planning (SHA tool) PCT score for 2008-09 is 77%. Contingency Plan received March 09 Verbal update May 09	Lack of Business Continuity Plans from some providers.		20	Domain 7: Public Health Core Standard C24: Healthcare organisations protect the public by having a planned, prepared and, where possible, practised response to incidents and emergency situations which could affect the provision of normal services	Public	Public Health
Additional control/precautionary measures required				By When	By Whom	Risk Rating after Action	Progress		
<ul style="list-style-type: none"> Implement actions/strategy agreed at HIPPC within PCT Training programme Anti-viral strategy Review business continuity planning arrangements in PCT and Primary Care Recruit joint Emergency Planning Lead with Council 				01/04/09 01/01/07 01/04/07 01/10/09 31/10/08			Update awaited Completed Completed Project manager in place to assist work with PCT provider. Completed		

14. Appendix 5 - Risk Management Glossary

Assessing risks	The approach and process used to prioritise and determine the likelihood of risks occurring and their potential impact on the achievement of our objectives.
Assurance Framework	A tool that sets out the risks for each strategic objective, along with the controls in place and assurances available on their operation. Reported to Board and Cabinet.
Consequence	The outcome of an event so the reason for managing the risk.
Contingency	An action or arrangement that can be put into place to minimise the impact of a risk if it should occur.
Control (control measures)	Any action, procedure or operation undertaken to either contain a risk to an acceptable level, or to reduce the likelihood .
Corporate Governance	The method by which functions are regulated and controlled
Identifying risks	The process by which events which could affect the achievement of the organisations objectives , are drawn out and described and listed.
Impact	The effect that a risk would have if it happens
Likelihood	The probability that an identified risk event will occur
Managing & controlling risks	Developing and putting in place actions and control measures to treat or manage the risk
Mitigation (Plan)	A strategy that decreases risk by lowering the likelihood of a risk event occurring or reducing the impact of the risk should it occur.
Objective	Something worked toward or striven for, a goal.
Operational risk	Risks associated with the day-to-day issues that an organisation might face as it delivers its services.
Project risks	Risks associated with a specific activity, which has defined goals, objectives, requirements, a life cycle, a beginning and an end.
Periodic review	A review that occurs at specified regular time intervals.
Residual risk	The level of risk remaining after managing it through treatment and/or control measures
Risk	The chance of something happening that will have an effect on our objectives . This could be an opportunity as well as a threat.
Risk appetite	The level of residual risk that the PCT is prepared to accept, tolerate or be exposed to at any point in time

Risk owner	The person who has overall responsibility for ensuring that the strategy for addressing the risk is appropriate and who has the authority to ensure that the right actions are being taken
Risk management/ Risk management process	The corporate and systematic process that efficiently identifies, assesses, manages and communicates the impact of risks in a cost-effective way and having staff with the appropriate skills to identify and assess the potential for potential threats and opportunities to arise.
Risk prioritisation matrix	The number of levels of likelihood and impact chosen against which to measure the risk and identify methods of management of the risk.
Risk register	A framework for capturing information about each risk , e.g. brief description, it likelihood , its impact , how we are controlling it and who is managing that risk.
Risk profile	The summary of identified risks and assessment of their seriousness.
Risk strategy	The overall organisational approach to risk management.
Strategic risks	Risks concerned with where the organisation wants to go, how it plans to get there and how it can ensure survival.
Target Risk	The level of risk that the organisation is aiming to achieve after the action plan is implemented.

15. Appendix 6 - Document Classification

Author Name and Role
Date Created
Date Issued
Description
File Name
Format
FOI/EIR Disclosure
Geographic Coverage
Group Access
Language
Master Location
Publisher
Rights Copyright
Security Classification
Status
Subject
Title
Type

Consultation Log

*Date sent for
consultation*
Consultees

Approval Log

Date

*Impact on health and
wellbeing assessed by*
To be agreed by
To be approved by
Finally to be ratified by
To be reviewed by:

Version Log

<i>Version</i>	<i>Status</i>	<i>Date</i>	<i>Description of Change</i>	<i>Reason For Change</i>	<i>Pages affected</i>
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(Place at the end of the policy / procedure / protocol once approved)

MEETING:	CABINET
DATE:	29 OCTOBER 2009
TITLE OF REPORT:	REPOSE TO ENVIRONMENT SCRUTINY COMMITTEE REPORT ON ITS REVIEW OF ON STREET PARKING
PORTFOLIO AREA:	HIGHWAYS AND TRANSPORTATION

CLASSIFICATION: Open

Wards Affected

Hereford City, Market Towns

Purpose

To approve response to Environment Scrutiny Committee Review of On Street Parking.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT: the responses set out in Appendix 1 be approved.

Key Points Summary

- The Environment Scrutiny Committee's On-Street Parking Review Group has undertaken a review of on street parking and has completed a report – 'Scrutiny Review of On-Street Parking'.
- The report makes a number of detailed recommendations on policy and operational matters relating to car parking.
- The proposed approved changes will be incorporated in a review of parking policy and also to help improve the delivery car parking services.

Alternative Options

- 1 The proposed responses at Appendix 1 indicate where alternative options to those recommended in the Report will be explored.

Further information on the subject of this report is available from
Steve Burgess (01432) 260968, Andrew Lee-Jones 260963

Reasons for Recommendations

- 2 The report has provided useful commentary and recommendations on issues for consideration in a review of the Local Transport Plan's Car Parking Strategy.

Introduction and Background

- 3 The Environment Scrutiny Committee at its meeting of 25 February 2008 considered a report by the then Acting Head of Highways and Transportation with regard to on-street parking controls. The Scrutiny Committee agreed to undertake a review to determine whether any improvements could be made. To assist with the review Terms of Reference were agreed which included:
 - To review current policies governing on-street parking in the light of any areas of concern that have been expressed, and to identify improvements drawn from best practice elsewhere that could be made to help achieve the policy objectives better.
 - To examine how we manage streets in terms of residents and non-residents parking in Hereford City (and Market Towns) to ensure that the treatment of both groups is equitable, to identify the extent to which the current arrangements are successful, to identify whether there are any improvements that could be made to how the schemes are operated and enforced.
- 4 The report of the On-Street Parking Scrutiny Review Group of the Environment Scrutiny Committee was presented at the Environment Scrutiny Committee on 20 April 2009.

Key Considerations

- 5 The report sets out recommendations that relate both to car parking policy and its role in wider transport strategy, and to operational car parking matters which relate more to procedural issues. Consequently, the report has implications both for the Regeneration Directorate which is responsible for developing transport strategy and the Environment and Culture Directorate which is responsible for on-street parking enforcement and traffic management. Whilst not able to make firm recommendations for the introduction of on street parking charges, it is noted that the Scrutiny Committee clearly sees a role for both on and off street charges in encouraging visitors to the City to use park and ride once it is in place.
- 6 Work has now started on the review of current transport strategy in preparation for the 3rd Local Transport Plan. A number of other studies and projects relating to parking strategy are currently in progress, including a Hereford City Centre Parking Study and the development of Park and Ride proposals. The On-Street Parking Scrutiny Review Group's work provides a very useful additional resource in this process and it will be considered alongside the other studies in the review of the car parking strategy. Following the completion of this review, a local public meeting was held in the St James and Bartonsham area of Hereford with local members in relation to residents parking in the area. Subsequent to this, a petition was received containing over 130 signatures against changes to the existing Residents Parking schemes in the area. This has been taken into account when preparing this report.

Community Impact

- 7 The acceptance of the recommended responses in respect of policy matters will not have direct community impacts. The acceptance of recommendations in respect of parking procedural matters would have local community impacts and it would be essential that these recommendations be subject to further consultation were they to be accepted

Financial Implications

- 8 The proposed responses to the parking policy recommendations will be cost neutral as they will be incorporated into the planned review of the parking strategy set out in the current local transport plan.
- 9 The Director of Resources was asked to comment specifically on Recommendation 5C which proposes the ring fencing of all car parking income for investment in environmental improvements. His response is provided in full in Appendix 1. In summary he has indicated that this recommendation would have resulted in an immediate budget shortfall of £1,990,570 in the Environment and Culture Directorates base budget for 2008/9 and this would not be financially sustainable.

Legal Implications

- 10 The making, or variation of a traffic regulation order, would be required in relation to some of the proposals in Appendix 1, as referred to in the relevant Cabinet Responses. As regards recommendation 5c, only surplus income (ie after deduction of expenditure for designated parking places) can legally be made available for environmental improvements.

Risk Management

- 11 Developing an effective strategy for parking and delivering this through procedures which are fit for purpose has a significant impact on the wider reputation of the Council. Parking policy has a role to play in wider transport strategy and can help support our objectives to reduce congestion, improve road safety and encourage more sustainable modes. At a more local level policies and procedures play an important role in ensuring quality of life for local residents and can support objectives to improve residential amenity.
- 12 This report and its recommendations will assist the Council in its review of transport strategy helping the Council to ensure that its strategy is sound and that its parking policies are fit for purpose.

Consultees

- 13 The On-Street Parking Scrutiny Review Group engaged with a range of stakeholders and these are listed in their report. The Report was also referred to Hereford City Council and its Planning and Highways Committee and its response is included at Appendix 3.

Appendices

- 14 Appendix 1 – Recommendations and proposed actions - On-Street Parking Scrutiny Review Group Report
Appendix 2 – Scrutiny Review of On-Street Parking Services – Report by the On-Street Parking Scrutiny Review Group, April 2009
Appendix 3 – Hereford City Council comments 1 June 2009 and its Planning and Highways Committee comments of 24 June 2009

Background Papers

- None identified.

Environment Scrutiny Review of On-Street Parking

Appendix 1

Response to Recommendations

Head of Planning and Transportation - PT
 Transportation Manager - TM
 Highways Network Manager – HNM

Recommendation 3a	The review group recommends the Executive commission detailed research into the use of car parks within Hereford City		
Cabinet's Response	Accepted.		
Action	Owner	When	Progress
Detailed assessment of parking supply and demand and forecasts currently in progress.	TM	Report is due to be completed later in 2009	Study completed and forecast supply and demand included. Draft received
Recommendation 3b	Using the data collected in 3a the review group recommends that the Head of Planning and Transportation Services ensures a detailed parking strategy is developed in the Hereford Area Plan.		
Cabinet's Response	Accepted. However, a Countywide Parking Strategy already exists within the Council's current Local Transport Plan. This will be revised through the development of the next LTP.		
Action	Owner	When	Progress
Review the Countywide Car Parking Strategy set out in the current LTP for inclusion in the 3 rd LTP.	TM	2011	Revised Car Parking Strategy set out in the LTP.
Recommendation 3c	The review group further recommends that all future provision of parking should be developed within a traffic reduction framework for town centres. Parking should be seen as an opportunity for increasing the accessibility of the City and our Market Towns. It is essential to develop this mindset before future planning takes place.		
Cabinet's Response	Accepted. This is consistent with the approach already outlined in the Council's current Local Transport Plan and Unitary Development Plan. This will be taken into account when developing the next LTP and Local Development Framework.		
Action	Owner	When	Progress
Review the Countywide Car Parking Strategy set	TM	2011	Revised Car Parking Strategy set out in the

out in the current LTP for inclusion in the 3 rd LTP to ensure it take account of the twin aims of traffic reduction and accessibility.		LTP.	
Recommendation 4a	The Review Group recommends that a new residents' parking scheme as outlined in 4.13 above is introduced for all existing schemes to eliminate the issuing of a visitors' permit that can be used on any vehicle.		
Cabinet's Response	Do not accept. The current system allows for the issue of two permits per dwelling (at one standard price) one of which available for use upon any vehicle associated with the resident. It is considered that the recommended higher rate for the second permit together with the issue of 'scratch cards' would add to administration costs. The petition submitted from residents of St James and Bartonsham area of Hereford suggests there may not be wide public support for changes to the existing schemes. If this recommendation were to be accepted, this would require changes to existing Traffic Regulation Orders. This would divert resources away from higher priority traffic schemes aimed at addressing safety and speed concerns. Consideration will be given to providing greater clarity over enforcement and misuse of visitor permits. This will also take into account potential removal of permits where misuse has been proven.		
Action	Owner	When	Progress
Review enforcement processes for use of visitor permits and possible sanctions in response to misuse.	HNM	December 2009	Approach is reviewed and clarified.
Recommendation 4b	It is recommended that the introduction of the new residents' parking scheme should be accompanied by clear promotional material explaining why the changes are deemed necessary and highlighting the increased flexibility the new scheme provides for two car households and emphasizing that residents do not have a "right" to park outside their house.		
Cabinet's Response	Whilst recommendation 4a is not accepted, it is accepted that the introduction of any new schemes should be accompanied by clear publicity and information for residents that are affected.		
Action	Owner	When	Progress
No action			
Recommendation 4c	The Review Group recommends that tradesmen be permitted to purchase visitors' scratch cards directly from the council whilst working on properties within a residential parking area. Proof of the property owner's residency and the nature of the work should be required.		
Cabinet's Response	Do not accept. Administrations difficulties with the issue and control of scratch cards. Builders' vehicles can be		

	<p>accommodated within licensed hoardings when waiting restrictions are suspended. The petition submitted from residents of St James and Bartonsham area of Hereford suggests there may not be wide public support for changes to the existing schemes. If this recommendation were to be accepted, this would require changes to existing Traffic Regulation Orders. This would divert resources away from higher priority traffic schemes aimed at addressing safety and speed concerns. However, it is acknowledged that the approach to enforcing tradesmen's parked vehicles needs to be clarified and made transparent to avoid confusion and possible misuse.</p>		
Action	Owner	When	Target
Clarify approach to enforcing tradesmen's parking in controlled parking areas	HNM	December 2009	Written procedure produced.
Recommendation 4d	Other essential peripatetic service providers will normally be able to deliver their service within the currently available free on-street parking time restrictions.		
Cabinet's Response	Accepted, current schemes already allow for this provision.		
Action	Owner	When	Target
No action			Progress
Recommendation 4e	It is recommended that the boundaries of proposed new schemes should be defined by officers using their experience. Individual roads within a proposed scheme should not be allowed to opt out of the whole scheme.		
Cabinet's Response	Accepted in principal. However, the Cabinet Member will continue to take into account representations received from residents when considering the introduction of new Residents Parking Schemes.		
Action	Owner	When	Target
Assessments undertaken with consideration of requests	HNM	Ongoing	Progress
Recommendation 4f	The Review Group recommends that the residents' schemes in East Street and Castle Street be amalgamated. In future, where small schemes exist for particular or historic reasons and, in the opinion of officers they would be usefully amalgamated, then this should be taken as a management decision and will not require a majority vote of residents.		
Cabinet's Response	This is a specific ward matter and will be referred to Amey, the Council's service delivery partner, for consideration in accordance with the Council's policies and protocols for Traffic Regulation Orders. Whilst professional judgement is a key part of this work, any changes to Traffic Regulation Orders will be made in consultation with and approval of the Cabinet Member and when necessary will be subject to public consultation.		
Action	Owner	When	Target
Undertake review	HNM	In line with Traffic	Start October 2012
			Progress

		Regulation Order protocol and ranking list.	
Recommendation 4g	The Review Group recommends the introduction of resident only parking bays in roads within the historic core of the medieval city where residents' schemes exist and specific problems are encountered with a high volume of short stay parking for shopping. The number of spaces provided should only be a proportion of the number of permits issued to the street and should not be collocated with individual addresses. In future it may become necessary to provide resident only bays on edge of town centre roads also.		
Cabinet's Response	Accept. Current policies allow for the provision of residents only bays when appropriate.		
Action	Owner	When	Progress
Note comment and review as necessary.	HNM	Ongoing	
Recommendation 4h	Where community group premises exist within a residents' parking zone which does not have access to off-street parking, the Review Group requests that the Parking Team work with the group to enable them to purchase a supply of daily scratch cards at a discount for events/matches set in advance. The parking team will need to ensure the necessary checks are in place to prevent misuse of these permits.		
Cabinet's Response	Do not accept. The issue of 'scratch cards' would add to administration and enforcement costs. Variations to existing Traffic Regulation Orders would be necessary.		
Action	Owner	When	Progress
No action			
Recommendation 4i	The Review Group recommends the Head of Highways undertake an immediate review of deficiencies in the signing and lining of restricted parking areas within the county. Where deficiencies are found that a programme of works is instigated to rectify them. Further, that a prioritised system of fault reporting be set up in conjunction with the Civil Enforcement Teams to ensure effective future maintenance.		
Cabinet's Response	Noted. It is recognised that good signing practice supports safe enforcement of Traffic Regulation Orders. Existing Highway Inspections include a review of signing and lining together with the reporting of missing signs by the Civil Enforcement Officers. Repairs and replacements are undertaken as budgets allow.		
Action	Owner	When	Progress
No action	HNM		
Recommendation 4j	The Review Group recommends the Head of Highways instigate a review of the restricted waiting times within the historic core of Hereford city with the aim of reducing these down to more appropriate times to promote a higher turnover.		
Cabinet's Response	Accept. Item will be placed upon Traffic Regulation Order ranking lists, and considered within terms of car parking policy		
Action	Owner	When	Progress

Revise Traffic Regulation Order ranking list and review in accord with final position.	HNM	Ranking January 2010	As determined by ranking process
Recommendation 4k	The Review Group recommends that the Head of Highways introduce a county-wide relaxation of the restrictions applied to commercial loading bays in town centres to facilitate their use for un/loading by locally owned small businesses that use their private vehicles for business support. Alternatively, that a county-wide scheme of private vehicle registration be instigated for these businesses to enable them to use the commercial loading bays, whichever method is most effective and least costly.		
Cabinet's Response	Amendments to existing individual Traffic Regulation Orders would be required and therefore a blanket countywide relaxation would not be appropriate. However, the principle is accepted and has been implemented in some recent orders. When changes are undertaken this approach will be adopted where appropriate.		
Action	Owner	When	Progress
New and revised loading bays to allow use of private vehicles for business support	HNM	Ongoing	
Recommendation 5a	The review group cannot recommend the introduction of on-street parking charges at the current time. Future introduction of on-street parking charges should be detailed in the parking strategy to encourage modal shift to more sustainable modes of transport.		
Cabinet's Response	Accept. Comment noted.		
Action	Owner	When	Progress
The review of car parking strategy will consider the role of on-street parking as part of the wider strategy.	TM	2011	Revised Car Parking Strategy set out in the LTP.
Recommendation 5b	The review group recommends that should community-led plans be forthcoming regarding the re-design and regeneration of individual streets within the city centre, then consideration should be given to funding these up front and then recouping costs by the introduction of charges within the streets that have benefited.		
Cabinet's Response	Comment noted. Should specific schemes come forward, the Cabinet Member will consider proposals on a case by case basis.		
Action	Owner	When	Progress
No action			
Recommendation 5c	The review group recommends that all future income from parking of any sort be ring fenced to provide a regular investment budget for strategic environmental improvements that promote sustainable travel options within the		

	geographical location that the income is earned. Outcomes from this investment strategy should be promoted at point of payment for parking services.		
Cabinet's Response	Do not accept. Income from car parking currently forms a substantial element of the base budget for the Environment and Culture Directorate. In 2008/9 this amounted to £1,990,570. It would not be financially sustainable to re-allocate this money to strategic environmental improvements.		
Action	Owner	When	Progress
No action.			
Recommendation 6a	The review group recommends that increased on-street parking controls in the form of charges should only be introduced when viable sustainable alternative options for city boundary parking are already in place. It is at this point that charges could be used to promote the sustainable alternatives and promote congestion reduction.		
Cabinet's Response	Accepted. It is agreed that significant changes to the cost of parking need to be clearly linked to wider transport strategy and importantly will need to be closely linked to alternative provision. This is set out in the current strategy.		
Action	Owner	When	Progress
Note comment and take into account in review of LTP.	TM	2011	Revised Car Parking Strategy set out in the LTP.
Recommendation 6b	The review group recommends that a targeted campaign of school travel plan implementation and monitoring be carried out within areas considered to be experiencing high levels of congestion, notably Hereford city.		
Cabinet's Response	Accepted. The Council already has an active campaign of promoting and monitoring school travel plans. Targeting takes into account 'value for money' indicators such as density of catchment, road safety history and current modal split at a school. It is worth noting that school travel plans are not compulsory and hence promotion needs to be based around consensus and encouragement. In a large rural county many of the demands placed on our school travel plan programme relate to difficulties of accessing remote rural schools and hence there is a real need to manage limited budgets with skill to achieve both reduced car use and improved, safer access.		
Action	Owner	When	Progress
Deliver school travel initiatives as part of the Local Transport Plan programme	TM	Ongoing	To deliver the LTP target for reducing car use on the journey to school.
Recommendation 6c	The review group recommends that the Head of Planning and Transportation Services draws up an action plan to redress the balance of total public to private non-residential parking supply in Hereford. This could form part of the Hereford Area Action Plan (see 7).		
Cabinet's Response	Accepted. The Unitary Development Plan (UDP) already includes a policy which provides a presumption in favour of the development of current private non-residential parking areas within the City Centre. It is also worth noting		

that the Edgar Street Grid proposals provide an opportunity to shift this balance further through the planned redevelopment of the area.			
Action	Owner	When	Target
This policy issue will be thoroughly reviewed as part of the development of the Hereford Plan.	PT	Autumn 2010 – publication of Hereford Plan options. Adoption of Hereford Plan – Summer 2012 (anticipated Local Development Scheme timescales)	Ensure land use planning policies support parking strategy and promote sustainable transport options.
Recommendation 7a	The review group recommends that the Head of Planning and Transportation Services instigates the development of a comprehensive parking strategy as part of the Hereford Area Plan.		
Cabinet's Response	Accepted. As per response to 3b.		
Action	Owner	When	Target
See 3b			Progress
Recommendation 7b	The review group cannot make recommendations to change on-street parking strategy in isolation of off-street parking provision. To do so would be counterproductive and would not form an integrated approach.		
Cabinet's Response	Accepted.		
Action	Owner	When	Target
No action required.			Progress
Recommendation 7c	The review group recommends that the routes connecting medium stay car parks (edge of centre) be examined for potential environmental improvements to ensure that these are perceived as safe and pleasant to use.		
Cabinet's Response	Accept. Clearly, it is important to improve key pedestrian access corridors in Hereford's central area and this is an important element of the LTP strategy. In addition, the Council has secured additional resources and improvements through private development and will be seeking to secure significant pedestrian improvements as part of the ESG development.		
Action	Owners	When	Target
To continue to implement the LTP strategy and improve key pedestrian routes in Hereford's central area. Current scheme being progressed is comprehensive improvement of	HNM – Widemarsh Street	2010	Scheme completed to a high standard providing significant improvements for pedestrians, particularly those coming from Garrick House parking location.
	TM – ESG	Ongoing,	

Widemarsh Street. Seek to secure significant improvements for pedestrian access through the ESG development.	TM – LTP review	2011	Better linkages between the city centre and car parks, public transport and employment sites as a result of well planned ESG development. Revised pedestrian access strategy in LTP3.
Recommendation 8a	The Review Group recommends that the Head of Highways investigates the development and implementation of a mobile phone cashless payment system for all of the county's car parks as outlined above. At the outset, this system needs to be developed to ensure it has the capacity for automatically rewarding sustainable behaviour and applying penalties for unsustainable use of the transport network. Further, when on-street charges are introduced in the future, the Review Group recommends that this system has the ability to provide all registered users with one free parking period per week, ameliorating the effects of charging and ensuring access to services is maintained.		
Cabinet's Response	Accept. The Council recognise technical developments with regards to payment for parking and support measures to simplify and thus encourage use of car parks.		
Action	Owner	When	Target
To instigate a review of payment by mobile telephone.	HNM	October 2009	January 2010
Recommendation 9a	The review group recommends that the current moratorium on new cycle parking facilities in High Town, Hereford, be lifted and further sites for additional parking be investigated and introduced.		
Cabinet's Response	Accepted. The Council's LTP firmly supports the provision of cycle parking as a key component of the overall cycle network. There is already a substantial amount of cycle parking provided within the Hereford central area and at key locations such as the library, Council buildings and key access points on the edge of pedestrianised areas.		
Action	Owner	When	Target
Review cycle parking requests and consider locations for inclusion in future programme of works.	TM/HNM	Review group requested to supply list of additional sites by end November 2009.	Include appropriate sites in LTP delivery programme for 2010/11.
			Progress



Scrutiny Review of On-Street Parking

**Report by the On-Street
Parking Scrutiny Review
Group
April 2009**

**For presentation to the Environment
Scrutiny Committee 20 April 2009**

Environment Scrutiny Committee on 20 April 2009 considered this report and following debate

Environment Scrutiny Committee on 20th April 2009 considered this report and following debate, as indicated in the minutes of the meeting (see Minute 67 – Scrutiny Review of On-Street Parking) **RESOLVED that:**

- a) **The report of the Scrutiny Review of On-Street Parking be approved;**
- b) **The report be forwarded to the Hereford City Council for comment, particularly in relation to recommendations 4.a, 4.f, 4g and 9a, and to the Director of Recourses for comment, particularly in relation to recommendation 5.c**
- c) **Following receipt of the responses from b) above the report of the Scrutiny review of On-Street Parking, together with the responses be submitted to the Executive for consideration.**
- d) **The Executive's response to the Review, including an action plan, be reported to the first available meeting of the Committee after the Executive had approved its response;**
- e) **A further report on progress in response to the Review be bade to the Committee after six months with consideration then being given to the need for any further reports to be made.**

SCRUTINY REVIEW OF ON-STREET PARKING

CONTENTS

Executive Summary

- 1 Introduction
- 2 Method of Gathering Information
- 3 Current policies and possible improvements drawn from best practice elsewhere
- 4 How we manage the streets in terms of residents and non-residents parking
- 5 Whether and how charges for on-street parking could facilitate the on-going support of a park and ride system in Hereford City and other sustainable travel improvements
- 6 The extent to which on-street parking controls can support the LTP objective of reducing congestion in Hereford City
- 7 The relationship between on-street and off-street parking and in particular how the physical capacity of the highway network impacts on this relationship.
- 8 The potential impact in Hereford of new enabling technologies that could support a shift in behaviours and help to promote a sustainable approach to accessing the City Centre
- 9 The current provision for on-street cycle parking and whether it is sufficient

Appendices

1. Environment Scrutiny Committee report 25th February 2008
2. List of Interviewees.
3. Residents' Parking Scheme – Policy & Criteria

EXECUTIVE SUMMARY

The On-street Parking Scrutiny Review Group were tasked with examining the way in which the Council manages on-street parking within the County and how this fits with the aspirations of the Herefordshire Local Transport Plan 2006/7-2010/11 (LTP) of developing “a sustainable and integrated transport system”.

Throughout the Review Group’s investigations and deliberations it became clear that tackling one area of parking provision in isolation of how it integrates with the rest of the transport network would be an inappropriate and potentially disruptive approach. In general, parking charges are regarded by the public as a “cash cow” for the council, disappearing into a general pot without trace. Without first tackling this misconception, the introduction of on-street parking charges would be a political hot potato too hot to handle, particularly in the current economic climate. A clear link between paying for parking and the transport improvements that the income can pay for needs to be developed before any more charges are introduced. A key recommendation of this report is the ring-fencing of income from parking so that it can provide an investment budget for sustainable transport options for the same area as the money is spent in. Understanding that the public need to see that their money is being spent on improvements that increase accessibility and reduce environmental damage, is a fundamental cornerstone of this report. If done successfully, it should garner support and promote a more sustainable approach to accessing our town centres.

There are areas of the council’s management of on-street parking that clearly need reform. The current system for providing residential parking permits has been recommended for significant change (Section 4). The proposed new system should provide much more flexibility for householders, whilst removing the potential for easy misuse and abuse of the visitor’s permit. Dealing with visiting tradesmen, town centre commercial loading bays, the signing and lining of parking restrictions, collection of parking data and the amalgamation of small schemes are all areas where specific recommendations are made by this report.

The Review Group were keen to examine how the introduction of new technology could improve the service the council offers. There was convincing evidence that the use of mobile phone technology could help deliver significant improvements in a way that could also promote the increased use of sustainable modes of travel, a key outcome in every priority area in the LTP. It may also be used as an alternative to “pay on exit” machines in car parks, negating the need for costly additional staffing. There are other technologies available as evidenced by the introduction of the Oyster card for London Transport, but the Review Group were unable to access sufficient local knowledge to assess their efficacy.

There has been one over-arching theme that the Review Group has returned to throughout this process; Herefordshire needs a detailed and strategic plan for the future provision of parking which provides for increased accessibility of our town centres. This should first be developed for Hereford city where the need is greatest and, once improvements are secured, the approach should be rolled out to the market towns. This strategy should provide for the gradual development of a network of sustainable parking options whilst promoting modal shift within a traffic reduction framework. It should set clear outcomes for the reduction in congestion and should be fully integrated with other areas of transport services such as school travel plan implementation & public transport provision. Parking should become easy to use, clearly signposted and above all, should not be seen as problematic.

The Review Group have found this process both fascinating and frustrating, but we hope that the following report adds to the debate about how we accommodate our cars without increasing the traffic.

1. Introduction

- 1.1. Environment Scrutiny Committee at its meeting on 25th February 2008 considered a report (Appendix 1) by the then Acting Head of Highways and Transportation with regard to on-street parking controls and a suggestion that the Committee may wish to consider undertaking a review to determine whether any improvements could be made.
- 1.2. The Environment Scrutiny Committee was informed that Council's Countywide Car Parking Strategy formed part of the Council's Local Transport Plan that set out the overall transport strategy for the County. The current strategy identified that during the period of the current Local Transport Plan, consideration would be given to the introduction of on-street charges in central Hereford to contribute to managing demand and provide revenue funding to support Park and Ride or other sustainable transport improvements. Proposals were being developed for park and ride facilities for Hereford and it hoped to bring forward a scheme to serve traffic entering the City from the North in 2009. In addition, the Council had over recent years continued with a programme of Residents Parking Schemes in residential areas close to the centre of Hereford, and in appropriate locations in the Market Towns, to deter commuter and shopper parking and help enable residents to park. Given the number of schemes that had now been introduced, it was suggested it may be appropriate to review the extent to which they had been successful and whether there were any improvements that could be made to how the schemes were operated and enforced.
- 1.3. The Committee agreed to undertake a review and appointed Councillors: MAF Hubbard (Chairman) RI Matthews; PM Morgan; A Seldon; PJ Watts and JD Woodward. The Lead Officer for the review was Peter Cross (Environment & Culture Support Manager) supported by Paul James, Democratic Services Officer.
- 1.4. Following further consideration by the Chairman of Environment Scrutiny Committee Councillor JD Woodward was appointed to provide Hereford City ward representation.
- 1.5. Based on the report to Scrutiny Committee the Lead Officer prepared a terms of reference (the key lines of enquiry) for the Scrutiny review which were presented to the first meeting of the Review Group.
- 1.6. The Terms of Reference were agreed as:
 - To review the current policies governing on-street parking in the light of any areas of concern that have been expressed, and to identify improvements drawn from best practice elsewhere that could be made to help achieve the policy objectives better.
 - To examine how we manage the streets in terms of residents and non-residents parking in Hereford City (and the Market Towns) to ensure that the treatment of both groups is equitable, to identify the extent to which the current arrangements are successful, to identify whether there are any improvements that could be made to how the schemes are operated and enforced.

- To examine whether and how charges for on-street parking could facilitate the ongoing support of a park-and-ride system in Hereford City and/or other sustainable travel improvements.
- To examine the extent to which on-street parking controls can support the LTP objective of reducing congestion in Hereford City.
- To examine the relationship between on-street and off-street parking and in particular how the physical capacity of the highway network impacts on this relationship.
- To examine the potential impact in Hereford of new enabling technologies (such as those based on smart cards) that could support a shift in behaviours and help to promote a sustainable approach to accessing the city centre.
- To review the current provision for on-street cycle parking and whether it is sufficient.

The Review

- 1.7. Whilst it may appear on the surface that On-Street Parking is a particularly dry subject, the members of the Scrutiny Review Group have regularly commented how engaging this process has been.
- 1.8. In early discussions during the review, it became clear that many of the central issues influencing on-street parking are concentrated within Hereford City and it is for this reason that the Scrutiny Review Group decided to concentrate its efforts on addressing the city's issues. The recommendations are not necessarily immediately transferable to the market towns, with the possible exception of changes to the Residents' Parking Schemes. Dealing appropriately with Hereford should give sufficient experience that can be rolled out to the market towns as they develop.
- 1.9. The Scrutiny Review Group would like to express its thanks to the people who have presented verbal evidence to the Review Group, those who have provided further information and or data as required and to the committee clerk, whose excellent notes, organisational skills and guidance made this process much easier.

Next Steps

- 1.10. The Review Group anticipate that, when approved by the Environment Scrutiny Committee, this report will be presented to Cabinet for consideration.
- 1.11. The Environment Scrutiny Committee would then expect Cabinet within two months of receipt of the report to consider the report and recommendations and respond to the Committee indicating what action the Cabinet propose to take together with an action plan.

2. Method of Gathering Information

- 2.1. The Review Group undertook a series of meetings in order to collect the evidence to complete the review. Evidence that was considered included the following:
- 2.2. **Face to Face interviews** – a series of interviews took place with key Council officers and a representative sample of service users and interested parties. A list of those interviewed is set out at Appendix 2.
- 2.3. **Written evidence** - The Review Group considered a range of written evidence to assist their deliberations including:
- a) Herefordshire Council's Parking Policy, Parking Enforcement Protocols, Appeals & Representation Protocols, Countywide Car Parking Strategy, Residents' Parking Schemes – Policy & Criteria, Herefordshire Congestion Assessment and Hereford City Centre Regeneration Strategy – A 10 Year Ambition.
 - b) Technical Notes written for Edgar Street Grid Ltd on Parking for Developments and a Report of Parking Surveys.
 - c) Follow up written information was provided by a number of interviewees at the request of the Review Group.
 - d) Information was also received from Worcester City Council and Staffordshire County Council on resident's parking schemes and policies on the introduction of on-street parking charges.
 - e) Individuals from a range of backgrounds/interests also provided written evidence and opinions for the Review Group to consider,

3. Current policies and possible improvements drawn from best practice elsewhere

- 3.1. The council's current Countywide Parking Strategy forms part of the Local Transport Plan 2006/7-2010/11(LTP) that sets out the overall transport strategy for the county. An extract is provided as part of Appendix 1. This recognises the important role that the parking policy can play in developing a sustainable and integrated transport system for the county. The current strategy identifies (at section 9.7) that, during the period of the current LTP, consideration will be given to the introduction of on-street charges in central Hereford to contribute to managing demand and to provide revenue funding to support park-and-ride or other sustainable travel improvements.
- 3.2. Charging for on-street parking is contained in the LTP for future consideration, but the Review Group have only received an outline on its possible introduction from the then Acting Head of Highways and this only looked at possible income generation. No consideration was given to the effects of introducing charges or how this supports a wider strategic parking policy, which does not appear to be in existence. The Group are unaware of any real business case having been compiled to support the introduction of on-street charges. The potential of on-street parking charges supporting Park & Ride developments for the city is still relevant, but with no detailed costing available, it is not possible to assess how successful this would be. There is clearly a role for parking charges, both on and off-street, in encouraging visitors to the city to use the Park & Ride service once it is in place.
- 3.3. The Countywide Car Parking Strategy states that parking can "play a major role in supporting the development of a sustainable and integrated transport system". Current council policy is to control on-street parking by means of limited waiting restrictions, with exemptions provided to local residents' through various residents' parking permit systems. All on-street parking is currently completely free of charge which did raise basic questions for the Review Group on how sustainable this approach actually is? The following opinion was expressed during the review, "How can Hereford complain of congestion when you invite the world into your medieval town centre to park on the streets for free?" Conversely, in a county where much of the rural population have to rely on their cars to access the services in their town centres, does it become unsustainable for the town centres to price them off the roads without first providing a viable alternative? This "chicken & egg" situation became a central issue in the deliberations of the review group.
- 3.4. The complexities of an integrated transport system can be experienced on the roads in Hereford on a regular basis. An incident in one part of the city can cause gridlock elsewhere and similar can be said for the provision of parking. To radically alter the current management of parking over too short a time frame could easily lead to unknown and undesirable consequences. On-street parking spaces represent about 15% of those available to the public in Hereford city centre, any proposals to change their management needs to be approached with the utmost care and must take account of the stated aim within the all the LTP key objectives of "increased use of sustainable modes of travel".
- 3.5. The Review Group heard compelling arguments that any recommendations arising out of the review should take account of the Principles set out in the recently published "Hereford City Centre Regeneration Strategy" namely:
 - Build on the County's distinctiveness
 - Ensure sustainability and consideration for the environment

- Next Generation (planning for the needs of young people)
 - Based on Quality and Good Design
 - Community Cohesion
- 3.6 Further to this, a desire was expressed to attract *people* to the city centre, not necessarily their cars and, above all, that parking should not be seen as a problem. This would require a more flexible approach to our streets and how they are designed, especially with the expansion of residential areas within the ESG and living “over the shop” schemes, which by their nature would have dwellings with few or no parking spaces provided.
- 3.7 Throughout the Local Transport Plan and the other policy documents taken into consideration by the Review Group, sustainability and reduction in CO2 emissions are recurring themes. The provision of on-street parking and its management clearly needs to be considered within a wider traffic reduction framework, enabling modal shift from the car to more environmentally friendly modes of transport, but this can only be done by providing viable alternatives that are easy, safe and pleasant to use as part of an overall strategy.
- 3.8 For clarity, it is necessary to define the three types of car park as: city centre – car parks within or on the “inner ring road; edge of centre – car parks within easy walking distance of the centre; city boundary – car parks placed on the outskirts of the city, usually park & ride or park & cycle facilities.
- 3.9 The complete lack of city boundary car parks in Hereford was considered by the Review Group to be a major stumbling block to the development of more sustainable parking habits for the people who need to access the centre. This severely limits the potential of “park & walk”, “park & cycle” and “park & ride” options for visitors to the city. Substantial environmental enhancements along the routes from car parks into the city centre were also considered to be essential if we are to develop a more sustainable attitude to visiting Hereford. Walking into town should be a pleasurable experience, not a trudge along unattractive, cluttered and polluted tarmac corridors. These aesthetic considerations were of particular concern to interviewees representing the views of community groups. Herefordshire residents’ quality of life is one of the main features of the County’s distinctiveness which needs to be built on.
- 3.10 Throughout the deliberations of the Review Group, there was a lack of hard evidence about the people who use the parking provision in the city. Various unsubstantiated figures were offered regarding the number of car journeys that occur within the city and where they originate from. Little is known about who is actually parking within our city centre, where they come from and the purpose of their journey. The Review Group consider that this basic information is crucial to the planning of future provision and our ability to target those people whose car use could, by the provision of attractive alternatives, be considered unnecessary. Some information is available from surveys conducted by ESG Ltd, but this deals purely with capacity issues within car parks and is dated September 2007. More recent information showing a substantial reduction of income from Hereford’s car parks indicate that this ESG survey data may now be out of date. No information is available about on-street parking apart from the overall number of spaces available which frustrated our efforts.
- 3.11 Much is made of the traffic problems in Hereford, but in general the Review Group did not find the experience of using the road network in Hereford to be any worse than other county towns. Indeed, subject to accidents or road works, waiting times in Hereford seem to be far less compared to elsewhere. Outside the morning & evening rush hours and the afternoon school run, driving into Hereford is generally extremely easy with parking readily available, although it could be better signposted for those that do not know

the city. There is clearly a need for a reduction in the levels of congestion during peak hours.

RECOMMENDATIONS

3.a	The Review Group recommends the Executive commission detailed research into the use of car parks within Hereford City.
3.b	Using the data collected at 3a above, the Review Group recommends that the Head of Planning and Transportation ensures a detailed parking strategy is developed in the Hereford Area Plan (see 7.a below).
3.c	The Review Group further recommends that all future provision of parking should be developed within a traffic reduction framework for town centres. Parking should be seen as an opportunity for increasing the accessibility of the City & our Market Towns. It is essential to develop this mindset before future planning takes place.

4. How we manage the streets in terms of residents and non-residents parking.....

Residents' Parking Scheme

- 4.1 The policy and criteria for Herefordshire Council's Residents' Parking schemes is set out in Appendix 3 of this report. The Review Group would like to highlight that the policy states "Full consideration of a scheme will only be undertaken if a majority of residents support the introduction of a residents' parking scheme." The Review Group would argue that changes to a scheme's management should not require majority support, if the council considers the introduction of a solution to a problem is necessary. The technical expertise and experience of our officers should be relied upon when solving management issues and deciding on the boundaries of a given scheme. Given the benefit of hindsight, the Review Group do not consider it appropriate to allow individual roads within a proposed new scheme area to opt out of a particular scheme. If a majority of residents vote for a scheme, within the boundaries defined by officers, who are now experienced in these matters, then the scheme should go ahead in its entirety. Letting individual roads opt out creates management difficulties, due to the transfer of the problem to those streets, which result in expensive consultation procedures having to be run for a second time to re-include opted out roads.
- 4.2 The Review Group heard a wide range of opinion and experiences about the operation of the various residents' schemes by the council and have identified a number of areas of concern which have led to a clear set of recommendations for change
- 4.3 Currently, each house in a residential parking area can apply for one parking permit for a car registered at that address and one visitor's permit that can be displayed on any car that happens to be visiting.
- 4.4 Visitors' permits appear to be the area of greatest contention. Currently their use is incredibly flexible giving rise, in some quarters, to a strong defence for their retention. However the flexibility of this permit also provides plenty of scope for misuse and outright abuses. The Review Group heard compelling evidence from officers investigating challenges to penalty charge notices about the difficulty they faced in proving clear abuses of the system. Common practise in a two car household is that the second car has the visitor's permit permanently displayed, giving rise to the widespread practise of informal "borrowing" of the neighbours' visitor permit when a third permit is required. Technically this is misuse of the system. The Review Group is of the opinion that were we to be starting from scratch, the current residents' parking scheme would not now be introduced.
- 4.5 The current system does not adequately provide for tradesmen & peripatetic essential workers (doctors, community midwives, etc.) visiting a two car household. The Review Group consider the current system of tradesmen phoning the Parking Manager to request relaxation of enforcement whilst they work on a property, to be too informal a management system to deal with this regular and growing problem. Tradesmen need access to a system that will guarantee their ability to park without penalty at the property they are working on, particularly where the refurbishment works require more than one vehicle to be on site at one time.
- 4.6 The Review Group stress the need for the council to promote the fact that residents do not have a right to park outside their home. The Queen's highways are for the movement of traffic and any schemes for the facilitation of parking exist to prevent obstructions, they do not confer a right on any individual to park in any particular place, kerb-space is available to any road

user, subject to any waiting restriction that may be in force and the laws of obstruction.

- 4.7 The Review Group heard that the geographical size of a residents' parking scheme area was crucial to its efficient operation. Schemes with too small a defined area do not provide enough kerbside spaces to give residents a chance of finding a space, particularly where the scheme is within or close to the historic core of the city. The Review Group felt that there was a strong case for the amalgamation of co-existent small schemes.
- 4.8 The Review Group heard persuasive arguments from local residents who live in areas that are highly sought after by short term shoppers or visitors to other local services that dedicated residents' only bays should be introduced on stretches of kerb-space to allow for some possibility of them finding a space should they be required to use their cars during the day. However, the Review Group did not agree with assertions regarding the placement of these bays close to the homes of residents registered with the scheme, as this would imply a right to park in a particular spot.
- 4.9 The Review Group heard from a community sports group based at premises within a residential parking scheme that was not included in the consultation exercise when the scheme was introduced. Since residents' parking began, the effect on the group had been quite devastating. Regular informal meetings during the week have had to be completely abandoned and matches now had to be arranged for Sundays when no parking restrictions apply. Further, their group had diminished in size from over 100 members to 30 within a year of the parking scheme commencing, with many people commenting that the difficulties with parking had led them to join other groups without the same problems.
- 4.10 The Review Group heard a lot of criticism of the maintenance of "signs & lines" denoting the various Traffic Road Orders which are essential to effective enforcement. The Parking and Civil Enforcement teams have a difficult enough job dealing with irate members of the public, who often become abusive on receipt of a Penalty Charge Notice, without then experiencing problems collecting the fines because a particular line or sign does not comply with legal requirements.
- 4.11 It was recommended to the Review Group that consideration be given to a review of the on-street waiting times within the inner ring road. As many of these spaces are very close to the presumed destination of the visitor, a free parking limit of 2-3 hours was considered too long. These spaces should be prioritised for a high turnover rate, maximising visitors' chances of finding somewhere to park without having to wait too long.
- 4.12 It has also come to the attention of the Review Group that commercial loading bays in our town centres may be discriminating against small locally owned businesses where the turnover of the business does not support the investment required to own a commercial vehicle. Small retailers, often owned & run by local families will use the family car as the business support vehicle. When these businesses try to use commercial loading bays to deliver essential goods to their premises, their vehicles are judged to be non-commercial by Civil Enforcement Officers and issued with penalty charge notices. Technically, loading bays are not available for parking and the period of time available for loading is strictly limited. In practice, a commercial vehicle can park in a loading bay for as long as the time restriction allows and will not receive a penalty charge notice. Conversely, a small business owner can be physically unloading their car and yet be required to move immediately if they are found to be doing so by a Civil Enforcement Officer. The Review Group considers this issue needs addressing as a matter of priority for all loading bays in all town centres, either by registering vehicles owned by small

4.13 A New Residents' Parking Scheme – best practise in other authorities reveals a commonly used residential parking scheme based on issuing a maximum of two residents' permits to identified cars registered at each address with a maximum of 50 daily "scratchcards" per year per household available for the use of visitors. Overall, residents' parking schemes should cover their costs, and provide for some investment in alternative travel modes and the provision of infrastructure. Consideration should be given to charging considerably less for the first permit than the second, thereby rewarding people for more sustainable approaches to car ownership. Examples of best practise of this type of scheme are readily available, of particular merit is the scheme considered by Bristol City Council Cabinet (17/11/07). The Review Group would suggest the following price levels: first permit - £25, second permit - £40 and £1.50 for daily scratch cards. Discounted permit rates of up to 100% on the first permit for cars with very low emissions should also be considered. This scheme also allows for the immediate cancellation of permits issued to a resident that moves out of a residential scheme area, allowing the new occupant immediate access to permit parking.

RECOMMENDATIONS

4.a	The Review Group recommends that a new residents' parking scheme as outlined in 4.13 above is introduced for all existing schemes to eliminate the issuing of a visitors' permit that can be used on any vehicle.
4.b	It is recommended that the introduction of the new residents' parking scheme should be accompanied by clear promotional material explaining why the changes are deemed necessary and highlighting the increased flexibility the new scheme provides for two car households and emphasizing that residents do not have a "right" to park outside their house.
4.c	The Review Group recommends that tradesmen be permitted to purchase visitors' scratchcards directly from the council whilst working on properties within a residential parking area. Proof of the property owner's residency and the nature of the work should be required
4.d	Other essential peripatetic service providers will normally be able to deliver their service within the currently available free on-street parking time restrictions.
4.e	It is recommended that the boundaries of proposed new schemes should be defined by officers using their experience. Individual roads within a proposed scheme should not be allowed to opt out of the whole scheme.

4.f	The Review Group recommends that the residents' schemes in East Street and Castle Street be amalgamated. In future, where small schemes exist for particular or historic reasons and, in the opinion of officers they would be usefully amalgamated, then this should be taken as a management decision and will not require a majority vote of residents.
4.g	The Review Group recommends the introduction of resident only parking bays in roads within the historic core of the medieval city where residents' schemes exist and specific problems are encountered with a high volume of short stay parking for shopping. The number of spaces provided should only be a proportion of the number of permits issued to the street and should not be collocated with individual addresses. In future it may become necessary to provide resident only bays on edge of town centre roads also.
4.h	Where community group premises exist within a residents' parking zone which does not have access to off-street parking, the Review Group requests that the Parking Team work with the group to enable them to purchase a supply of daily scratchcards at a discount for events/matches set in advance. The parking team will need to ensure the necessary checks are in place to prevent misuse of these permits.
4.i	The Review Group recommends the Head of Highways undertake an immediate review of deficiencies in the signing and lining of restricted parking areas within the county. Where deficiencies are found that a programme of works is instigated to rectify them. Further, that a prioritised system of fault reporting be set up in conjunction with the Civil Enforcement Teams to ensure effective future maintenance.
4.j	The Review Group recommends the Head of Highways instigate a review of the restricted waiting times within the historic core of Hereford city with the aim of reducing these down to more appropriate times to promote a higher turnover.
4.k	The Review Group recommends that the Head of Highways introduce a county-wide relaxation of the restrictions applied to commercial loading bays in town centres to facilitate their use for un/loading by locally owned small businesses that use their private vehicles for business support. Alternatively, that a county-wide scheme of private vehicle registration be instigated for these businesses to enable them to use the commercial loading bays, whichever method is most effective and least costly.

5. Whether and how charges for on-street parking could facilitate the on-going support of a park and ride system in Hereford City and other sustainable travel improvements.

- 5.1. The Review Group heard conflicting evidence about the possibility of income from on-street parking charges being able to support the costs of a park & ride scheme. The recent introduction of limited on-street charges in Worcester was, in the opinion of their Civil Enforcement Team Leader, too low to fund park & ride.
- 5.2. Set-up costs for the infrastructure of on-street parking charges mean that for the first few years of operation, charges would simply fund their own introduction. The Review Group accepts that in the longer term, there would be some income that could off-set other sustainable travel options for the visitor to Hereford city, but there was a strongly held view by both the Review Group and many of the people it interviewed that the alternative options should be in place *before* charges are introduced.
- 5.3. Much of the work of the Review Group was carried out whilst the current national recession was developing and we have therefore been unable to take full account of how the recession is changing footfall in Hereford city and elsewhere. It is clear that there has been a downturn in the number of people accessing the city centre which has been alluded to in the reporting of lower than normal income from car parks in the city. The introduction of on-street charges at this stage is likely to increase the pressures already being felt by retailers and businesses operating in town centres across Herefordshire and is therefore not considered an option at this stage.
- 5.4. The Review Group considered the future possibility of individual roads within a town centre developing plans to improve the design of the local environment to promote the economic regeneration of the immediate area. Such community-led plans may wish to examine the possibility of paying for the improvements through the introduction of on-street parking charges for visitors. The Review Group thought this to be a more appropriate use of potential income from on-street charging schemes as the relationship between the charge and what it is paying for is more instant.
- 5.5. The Review Group discussed alternative approaches to the funding of park & ride and other sustainable travel schemes. It was generally felt that income from parking schemes, both on & off-street should be ring-fenced to provide a regular investment budget for strategic environmental improvements and developing sustainable travel options for the visiting public. The Review Group believes that, properly promoted at the point of payment, this approach would allow the public to understand why charges were being made for car parking. Ring-fencing of this nature should have a geographical relation to the improvements paid for; thus, money charged for car parking in Ledbury should pay for environmental improvements to Ledbury and not simply disappear in to the council's general expenditure.
- 5.6. The Review Group accepts that on-street parking charges are an inevitable part of a truly integrated approach to developing a sustainable transport system for our city and market towns. Their introduction will never be popular, but this can be greatly ameliorated by the way in which it is done. Clearly linking payment for any type of parking with real outcomes in the improvement of the environment and sustainable travel options for the area were seen as the way forward.

RECOMMENDATION

5.a	The Review Group cannot recommend the introduction of on-street parking charges at this current time. Future introduction of on-street parking charges should be detailed in the parking strategy (3.b & 7.a) to encourage modal shift to more sustainable modes of transport.
5.b	The Review Group recommends that should community-led plans be forthcoming regarding the re-design and regeneration of individual streets within the city centre, then consideration should be given to funding these up front and then recouping the costs by the introduction of charges within the streets that have benefitted.
5.c	The Review Group recommends that all future income from parking of any sort be ring-fenced to provide a regular investment budget for strategic environmental improvements that promote sustainable travel options within the geographical location that the income is earned. Outcomes from this investment strategy should be promoted at point of payment for parking services.

6. The extent to which on-street parking controls can support the LTP objective of reducing congestion in Hereford City

- 6.1. The Local Transport Plan states there are over 400 on-street parking spaces available in Hereford city representing 15 % of publicly available parking provision. These are *all* subject to restrictions on the amount of time a vehicle is allowed to park after which a penalty charge notice can be issued by a Civil Enforcement Officer, time limits vary between 1 and 3 hours.
- 6.2. To assess whether further controls, such as the introduction of parking charges for on-street parking spaces, would support the LTP objective of reducing congestion in Hereford city, the Review Group attempted to gain an understanding of why congestion occurs in the first place. Throughout the Review Group's investigations, various theories were proposed as to why congestion was such a problem. The widely held belief that Hereford requires a second river crossing to take through traffic away from the city was a recurring theme, but this did not answer another widely held belief that the majority of the car journeys in Hereford start and end within the boundaries of the city, signifying that the through traffic may not be the cause of the problem.
- 6.3. Congestion is clearly at its worst during the morning and evening rush hours with a very busy period for the "school run" between 15.00 – 16.00hrs. Outside of these times, notwithstanding road works and other incidents, waiting times due to congestion were not considered to be onerous. Indeed it was also generally accepted that Hereford did not have a serious congestion problem during the school holiday periods, suggesting that a relatively small reduction in the amount of traffic can have a significant benefit on congestion levels.
- 6.4. The Review Group heard of the excellent work being done under the School Travel Plan initiative introduced by central government, requiring all schools to have a Travel Plan in place by 2010. Whilst 86% of Herefordshire schools have got a plan, the Review Group saw little evidence of their effective implementation and hence little effect on congestion levels. This is exacerbated by parental choice under the national admission to school policy leading to a high percentage of Herefordshire parents exercising their choice not to send their children to their "catchment school", increasing the likelihood of large numbers of children being transported to school by car.
- 6.5. Entitlement to free school travel requires primary pupils to live more than 2 miles and secondary pupils more than 3 miles from their catchment school. These distances were set in 1875 and the Review Group thought it highly unlikely that modern parents would require the children to walk such distances. The discretionary ability for the Council to extend this eligibility would be prohibitively expensive and would do little to address parental concerns over the safe delivery of their children to school.
- 6.6. The LTP also identifies over 2500 public off-street car parking spaces with almost another 5000 privately owned non-residential parking spaces also available, with the vast majority of these spaces distributed close to or inside Hereford's medieval city centre. The provision of such a large number of parking spaces, whether privately owned or publically controlled, must be influencing congestion levels.
- 6.7. The LTP also states "The Council will seek to redress the balance of total public to private non-residential parking supply, particularly within Hereford, through the use of planning controls", but the Review Group found little evidence that this had been strategically thought through and applied.

6.8. Although there were some anecdotal opinions about drivers circulating the city streets trying to find a space to park in, the review Group found no evidence to support the view that the provision of on-street parking in Hereford city was increasing the congestion experienced on our roads. Indeed it is the stated belief of several members of the Review Group that Hereford's difficulties with congestion are not nearly as bad as the generally held public perception of the problem. A well thought out, strategic policy approach to congestion in Hereford that includes better implementation of city school travel plans; a reduction in the number of privately owned parking spaces and the development of city boundary car parks with attractive routes linking them to the centre needs to be dovetailed with the introduction of on-street parking charges at the right moment to promote modal shift.

RECOMMENDATIONS

6.a	The Review Group recommends that increased on-street parking controls in the form of charges should only be introduced when viable sustainable alternative options for city boundary parking are already in place. It is at this point that charges could be used to promote the sustainable alternatives and promote congestion reduction.
6.b	The Review Group recommends that a targeted campaign of school travel plan implementation and monitoring be carried out within areas considered to be experiencing high levels of congestion, notably Hereford city.
6.c	The Review Group recommends that the Head of Planning and Transportation Services draw up an action plan to redress the balance of total public to private non-residential parking supply in Hereford. This could form part of the Hereford Area Plan recommended in section 7 below.

7. The relationship between on-street and off-street parking and in particular how the physical capacity of the highway network impacts on this relationship.

- 7.1. During the Review Group's deliberations, it became increasingly clear that the relationship between on-street and off-street parking was a complex one. The level of car parking provision, its geographical location and the way in which it is priced and paid for all contribute to how efficient the system is and how successful the service is at enabling people to access the facilities they need to. The physical capacity of the highway network, much criticised in Hereford for its inability "to cope", is also seen as a lynchpin to the successful operation of a market town. Access to a town's services should be easy, well signposted and pleasant to use and should encourage users to opt for more sustainable modes of travel to reduce congestion.
- 7.2. As has been explored in section 6 above, on-street parking in Hereford is a fairly small, but significant proportion of the publicly available parking spaces (15%), but when taken as a proportion of the total number of parking spaces, including the privately owned non-residential provision, the proportion is far less significant (5.3%). By definition, the on-street parking available to the visitor is geographically located as city centre or edge of centre, but so is the majority of the off-street parking provision too. The presence of a large long stay car park at Merton Meadow priced at an incredibly reasonable £1 per car per day does nothing to encourage commuters to explore alternatives to driving into the centre of town; indeed parking here is cheaper than using the bus, actively discouraging commuters from changing their habits.
- 7.3. The extensive provision of parking of all types close to Hereford city centre encourages the public expectation of being able to drive freely into a medieval town without hindrance and at little cost. The result is that the physical capacity of the highway is placed under pressure during peak demand.
- 7.4. The Review Group was disappointed to discover that there is no purpose built long stay city boundary parking provision at all and is of the opinion that whilst this remains the case, little can be done to encourage modal shift as there are simply no alternatives. It is clear that this lack of a strategic approach to the provision of parking that encourages modal shift within a traffic reduction framework is yet to be developed in Herefordshire.
- 7.5. The Review Group welcomes the development of a park & ride facility to the north of Hereford, but has heard some evidence to suggest that its effect will only be felt when similar facilities are developed on more of the main routes into the city and that these should not be limited to park & ride. Park & cycle facilities with secure overnight cycle storage should be included within these new schemes with new payment systems to reward regular users (see section 8 below). This is in line with the Key Outcomes in the LTP.
- 7.6. Once these other options are in place, the council should actively seek to reduce the availability of long term parking at city centre and edge of centre sites, both publicly and privately owned. High quality medium term parking (up to 4 hours) should be developed on edge of centre sites, with attractive routes linking them with shops and services. Only short term parking should be available within the historic core of the city. All parking should be available on the more flexible payment system outlined in section 8. Consideration should be given to increasing parking charges close to the centre, whilst decreasing charges for city boundary car parking.

RECOMMENDATIONS

7.a	The Review Group recommends that the Head of Planning and Transportation Services instigate the development of a comprehensive parking strategy as part of the Hereford Area Plan. This document should provide the policy behind an achievable parking strategy which slowly develops a network of sustainable parking options that promote modal shift within a traffic reduction framework for Hereford City followed by the Market Towns. New payment systems, behavioural change and congestion reduction should form key outcomes for the parking strategy.
7.b	The Review Group cannot make any recommendations to change on-street parking strategy in isolation of off-street parking provision. To do so would be counterproductive and would not form an integrated approach.
7.c	The Review Group recommends that the routes connecting all medium stay car parks (edge of centre) be examined for potential environmental improvements to ensure that these are perceived as safe and pleasant to use.

8. The potential impact in Hereford of new enabling technologies that could support a shift in behaviours and help to promote a sustainable approach to accessing the City Centre.

- 8.1. The Review Group was only able to gather information from one company regarding new enabling technologies and this centred on the use of mobile telephones to pay for parking services. The Chairman of the Review Group did meet with a company developing smart card payments services, but it was evident that this technology was still at development stage and the costs of introduction would be prohibitive. However, the information gathered about the potential of mobile phone technology was extremely promising.
- 8.2. The Review Group heard that it is possible to pay for many different services using the mobile phone provider's charging system, but the high level of fees taken by the companies meant that this could not be considered as an option for parking fees.
- 8.3. Alternatively, it would be possible to develop a system using a credit/debit card pre-registered via a website to a particular mobile telephone number. Using the standard SMS text procedure, a visitor to an on-street parking space or car park would text the location of the car parking space, the duration of their stay and their vehicle registration number. The charge could then be automatically taken from the credit/debit card. The system could be set up to send a reminder text when their parking charge was due to run out, giving the visitor the option to extend their payment to the limit of any time restrictions applicable. Civil Enforcement Officers could be provided with a hand held mobile device that would provide up to the minute information on what spaces had been paid for by which car.
- 8.4. Information received by the Review Group suggests that this type of system would not cost a fortune to set up and is already well within the operational capabilities of current technology. Guaranteed response rates function at all times with built-in capacity to enable efficient functioning even in extreme circumstances – the rescue efforts during the July 7th London bombings were co-ordinated using this system.
- 8.5. A benefit of this type of payment system is the flexibility it can provide in offering both the "carrot" and the "stick" to encourage behavioural change to more sustainable methods of accessing the centre of towns. If a mobile phone payment system was adopted in the new park & ride facility, it would be possible to automatically allow the person who used park & ride all week to access their workplace, a free period of parking at the weekend for family shopping as a "reward" for behaviour that reduces congestion and emissions. If on-street parking charges are introduced, it would be possible to still offer anyone registered with the system, say, one on-street parking slot in town per week free of charge, which would reduce opposition to the introduction of charges. If that same person wished to park on-street on a daily basis, the "stick" could be introduced by increasing charges for unsustainable behaviour.
- 8.6. It would also be possible to offer discounts on higher city centre parking charges according to how often they are used, favouring the occasional visitor and encouraging the more regular user to park in city boundary car parks, thereby encouraging modal shift as stated in *all* of the Key Outcomes for Herefordshire in the LTP.
- 8.7. The Review Group heard many requests from interviewees about "pay on exit" car parks, with retailers reporting that many sales are lost because shoppers are rushing back to their cars before their ticket runs out. The successful introduction of a mobile phone payment service would negate the requirement for the expensive new machinery with staffing that pay on exit

car parks require and, as stated in 8.3 above, the system would even send a text to remind you to top up your parking payment if you were running late, without requiring your return to the car park.

- 8.8. Implementing a cashless payment system that requires individuals to pre-register predicated a level of interaction between service provider and user. By definition, most users that pre-register will have a degree of local connection, either by living or working locally or by being a regular visitor to our county. The dialogue that would need to occur for such a system to work should be taken as an opportunity to promote modal shift to more sustainable approaches to travel. Such a system will not suit everyone and a cash system will always be required for the occasional visitor, but in the long term, it is possible that unforeseen benefits would emerge in a similar way to those that have emerged with the introduction of the “Oyster” card in London.
- 8.9. The Review Group recognises that the detail of any such scheme would be complex, but that cashless systems are already in operation elsewhere, notably at Westminster City Council, and could be used as examples of best practice to enable the development of a scheme of excellence. Further, a system that actively promotes behavioural change in line with the stated policy aims of the LTP, but still provides the flexibility that people require, will be more readily accepted by the general public. This would provide a more integrated approach to our local transport network and enable people to access the facilities they need to whilst reducing the impact of this on the environment.

RECOMMENDATIONS

8.a	The Review Group recommends that the Head of Highways investigates the development and implementation of a mobile phone cashless payment system for all of the county’s car parks as outlined above. At the outset, this system needs to be developed to ensure it has the capacity for automatically rewarding sustainable behaviour and applying penalties for unsustainable use of the transport network. Further, when on-street charges are introduced in the future, the Review Group recommends that this system has the ability to provide all registered users with one free parking period per week, ameliorating the effects of charging and ensuring access to services is maintained.
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9. The current provision for on-street cycle parking and whether it is sufficient

- 9.1. The Review Group received information that promoted cycling as one of the most sustainable modes of personal transport, being cheap with zero CO2 emissions and offering substantial health benefits. With two thirds of all car journeys being less than 3 miles which would take the average cyclist 15-20 minutes, cycling could be an extremely effective method for reducing traffic and easing congestion. During the rush hour over short journeys, cycling is often the fastest way to get around our towns and city.
- 9.2. From the information obtained during the review the Review Group commends the on-going work for the introduction of new cycle parking facilities in the county.
- 9.3. The Review Group did not receive any information that provided a definitive answer to whether the provision of on-street cycle parking is sufficient. The gradual increase year on year of cycle journeys within Hereford, suggested that it may not be which was corroborated by the personal experience of the Chairman of the Review Group. The Review Group was informed that there was currently a moratorium on the installation of cycle racks at new locations within High Town, Hereford, although some existing racks are to be replaced to accommodate cycles with wider handlebars. Locations on the periphery of Hereford centre were being investigated, with plans to add to the provision at health centres and doctors' surgeries as well as improved facilities in Ledbury and Leominster.

RECOMMENDATIONS

9.a	The Review Group recommends that the current moratorium on new cycle parking facilities in High Town, Hereford, be lifted and further sites for additional parking be investigated and introduced.
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ON-STREET PARKING

Report By: **ACTING HEAD OF HIGHWAYS & TRANSPORTATION**

Wards Affected

County-wide

Purpose

To highlight the Council's current policy with regard to on-street parking controls and consider whether it may be appropriate for this Committee to undertake a review to determine whether it would wish to recommend any improvements.

Financial Implications

1. None as a result of this report

Background

2. The Council's Countywide Car Parking Strategy forms part of the Council's Local Transport Plan that sets out the overall transport strategy for the County. This recognises the important role that the parking policy can play in developing a sustainable and integrated transport system for the County. It encompasses the Council's current approach to the management of both on and off-street parking. A copy of the strategy is attached as Appendix 1 for reference.
3. During 2004, this Committee carried out a detailed review of the previous strategy. That review considered the full range of issues relating to car parking from strategic policy to more detailed implementation issues. It also included comprehensive consultation with stakeholders. The recommendations arising from that review helped with the development of the current strategy that was subsequently incorporated into the Local Transport Plan.
4. The strategy sets out a countywide approach to the management of the Council's off-street car parks. This includes detailed area strategies for Hereford and the Market Towns to ensure that car park management is tailored to recognise local needs. It is not considered necessary to review this aspect of the current strategy at present.
5. There are over 1600 on-street parking spaces available in the main centres of the County, all of which are currently free and generally controlled by means of limited waiting restrictions. Within Hereford there are over 400 spaces, representing 15% of publicly available parking provision for the City Centre. Decriminalised parking enforcement was introduced some years ago throughout Herefordshire and the Council employs a team of Parking Attendants to undertake enforcement of parking restrictions.
6. The current strategy identifies that during the period of the current Local Transport Plan, consideration will be given to the introduction of on-street charges in central Hereford to contribute to managing demand and provide revenue funding to support Park and Ride or other sustainable transport improvements. The Council is currently developing proposals for

park and ride facilities for Hereford and it is hoped to bring forward a scheme to serve traffic entering the City from the North in 2009. The Committee may wish to consider the approach that should be taken to this aspect of the strategy.

7. In addition, the Council has over recent years continued with a programme of Residents Parking Schemes in residential areas close to the centre of Hereford, and in appropriate locations in the Market Towns, to deter commuter and shopper parking and help enable residents to park. Given the number of schemes that have now been introduced, it may be appropriate to review the extent to which they have been successful and whether there are any improvements that could be made to how the schemes are operated and enforced.
8. The Committee may wish to consider the approach they would wish to take to reviewing the recommending any improvements to the Council's policy in relation to the management of on-street parking.

RECOMMENDATION

THAT the Committee consider whether to undertake a review of the Council's policy in relation to on-street parking controls.

BACKGROUND PAPERS

- Appendix 1: Extract from Herefordshire Local Transport Plan 2006/7

**Extract from Herefordshire Local Transport Plan 2 – 2006/7 – 2010/11.
Countywide Car Parking Strategy. Pages 137 to 143**

9.7 Countywide Car Parking Strategy

9.7.1 Introduction And Overview

Parking policy can play a major role in supporting the development of a sustainable and integrated transport system. The availability of parking space is known to be a key factor in determining people's choice of mode for a particular journey. Together with improvements in alternative modes to provide the "carrot", strategies for parking supply and control can offer an important tool manage demand to encourage a modal shift away from the private car towards more sustainable modes.

Park and Ride can also form an essential part of such a package by offering an alternative to the car for the final part of a journey to a centre. It can therefore enable further demand management measures to be applied within the centre to improve the quality of life for residents and visitors.

The important role parking policy needs to play in addressing Herefordshire transport issues is recognised and this strategy seeks to manage both on and off street parking to maximise the benefits to the people of Herefordshire. This means balancing competing needs of shoppers and visitors against the needs of those who rely on a car to get to work and need all day parking. Charges are used to help to manage the use of the available space to balance these demands. The strategy is integrated and consistent with the objectives of other local strategic plans and recognises how important the car is for travel in this rural county.

Car Parking Strategy has a significant role in delivering the overall aims of the Local Transport Plan. The following table highlights the key linkages between the overall Shared Priorities, Key Outcomes that we have identified for Herefordshire and elements within the Car Parking Strategy.

9.7.2 Policy Linkages

Table 9.7A: Parking Policy Linkages

Shared Priorities	Key Outcomes	Car Parking Strategy Contribution
Delivering Accessibility	<ul style="list-style-type: none"> • Better access to jobs & services • Increased use of sustainable modes of travel • Assets maintained well 	<ul style="list-style-type: none"> • Provision of convenient and accessible parking for disabled people • Development of Park and Ride
Tackling Congestion	<ul style="list-style-type: none"> • Reduced congestion • Assets maintained well • Supported and enabled economic development • Increased use of sustainable modes of travel 	<ul style="list-style-type: none"> • Development of Park and Ride • Improved signing reduce congestion caused by searching for spaces
Safer Roads	<ul style="list-style-type: none"> • Improved safety • Assets maintained well • Increased use of sustainable modes of travel 	<ul style="list-style-type: none"> • Decriminalised parking enforcement to improve flow of traffic and improve road safety
Better Air Quality	<ul style="list-style-type: none"> • Safeguarded environment • Reduced congestion • Increased use of sustainable modes of travel 	<ul style="list-style-type: none"> • Charging strategy to support demand management, encourage use of sustainable modes and deter commuter parking close to centres • Improved signing reduce congestion caused by searching for spaces

9.7.3 Developing The Strategy

During 2004, the Council's Environment Scrutiny Committee carried out a detailed review of this strategy. This review considered the full range of issues relating to car parking from strategic policy to more detailed implementation issues. Comprehensive consultation was carried out to inform the review. This included a public session where the Review Team questioned six key witnesses from stakeholder groups and heard evidence of best practice from elsewhere. The consultation carried out included:

- A questionnaire to key organisations, Town and Parish Councils;
- Press statements inviting comment on the Strategy;
- Evidence submitted by key sections of the Council including. tourism, economic development, planning and the County Treasurers;

- Benchmarking information from the Midland Parking Managers Forum.
- Local Councillors were invited to submit their observations.
- Town or Parish Council meetings.
- Public examination meeting
- Focus group sessions to provided qualitative information regarding the likely views of members of the general public.

The review identified that the overall strategy needs to provide appropriate parking for the following market segments.

a) Visitors / Shoppers / Tourists

The Strategy should allow for short stay parking on and off street close to shopping areas, improved signage and provision of Park and Ride for Hereford.

b) Workers / Commuters

Long stay parking should be located further from centres. Location and management of such spaces should encourage use of alternative forms of travel for journeys to work and support Park and Ride in Hereford.

c) Residents

Residents Parking Schemes will be introduced in areas close to centres, subject to local support. Such schemes will be designed to deter long stay commuter and shopper parking which can cause problems for resident wishing to park near where they live.

In developing a Countywide Car Parking Strategy the review identified the need to take account the following key constraints:

- Government Transport Policy
- Overall Local Transport Plan strategy
- Land use planning guidance and policy
- The need to maintain financial income to the Council
- The need to carry out fair and effective enforcement
- The resources available for improving quality, maintenance and signing

The recommendations of the review have been used in the development of this strategy.

Strategy Elements

9.7.4 Transport Policy

The overall parking policy supports the Council's aim to encourage the use of alternative forms of transport to the private car. However, it is recognised that in a predominantly rural county like Herefordshire, many journeys will continue to be undertaken by car and the overall supply of parking needs to be adequate to support the economic vitality of Hereford and the Market Towns.

Funding for capital improvements to the local transport network is available through the Local Transport Plan allocation. However, many essential measures to address the transport needs of the County, such as Community Transport and Park and Ride, require ongoing revenue funding to make them work. Income generated from Car Parking provision and enforcement will be used to support the objectives of the Local Transport Plan. This may enable additional funding to be made available to support sustainable transport projects, such as Park and Ride, Community Transport, public transport, cycling and walking. It may also be appropriate to use such funding to improve the quality of signing and car parks themselves.

9.7.5 Supply & Quality

There must be sufficient parking capacity and turnover of spaces to meet the economic vitality safety and access objectives set out above for the county. A sample of council car parks are surveyed quarterly to establish occupancy levels and this information will be used to determine the need for additional spaces.

There should be sufficient overall parking supply to support economic activity. However, this should be managed and located so as to support Local Transport Plan objectives to reduce congestion and encourage the use of alternative forms of transport, such as Park and Ride. Within Hereford, new parking supply should be provided in the form of Park and Ride with charges and management of car parks in the City carried out to maximise Park and Ride use and reduce congestion.

The following key principles will be followed:

- Residents should generally be able to park in residential streets. Residents parking schemes will be introduced to achieve this.
- Car parks need to be well signed, attractive, easy to use and well maintained. Quality is largely determined by available budget and under the council's Asset Management Plan, a recommended maintenance programme has been identified for treatment of surfaces, signs and lines.

- In setting charges, consideration will be given to increasing these sums in order to enable improvements to be made to the quality of the car parks.
- The Council recognises that car parks represent a significant property portfolio. As part of the Council's ongoing role of property management, the profitability, capital value and strategic worth of Council owned car parks will be considered to ensure the use of such land for car parking continues to meet corporate aims.

9.7.6 Charging

In considering the level of charges in Council controlled car parks the following key principles will be followed:

- Some free parking is required in most centres, either on or off street, with more being required where alternatives to the car are less readily available.
- A "Zonal" policy with short stay charging for inner car parks to help visitors and shoppers find spaces convenient to town centres is appropriate for Hereford.
- Any charges must be reasonable in comparison with neighbouring towns.
- Any charges must be in simple multiples of common coin denominations.
- Charges will be reviewed at each car park periodically

Current charges in Council controlled car parks are available on the Council's website at www.herefordshire.gov.uk.

9.7.7 Approach To Different Types Of Parking Provision

Off-street parking:

Public Off Street Parking

Across the County there are over 4500 public off-street spaces available in Hereford and the five Market Towns of Bromyard, Kington, Ledbury, Leominster and Ross-on-Wye. Hereford has the largest number of spaces (over 2500) all of which are covered by a charging regime. Outside Hereford, charges are made in certain car parks in all of the five Market Towns of Ledbury, Ross-on-Wye, Kington, Leominster and Bromyard.

The current supply of public off-street parking is considered to be broadly adequate to meet the needs of the Market Towns, although recent redevelopment within Bromyard has indicated a possible need for more publicly available parking provision. Within Hereford there is concern that demand for parking exceeds supply. Car parks within the Inner Ring Road are effectively full during the week and on Market Day car

parks north of the Inner Ring Road are also effectively full. However, a particular deficiency has been identified on the south side of the City Centre which results in longer journeys for vehicles searching for a parking space. In addition, the current ratio of Private Non-Residential to Public Parking is 60:40 in Hereford, this significantly weakens the ability for parking to act as a tool for demand management.

The approach to the provision and management of off-street car parking seeks:

- To support the economic vitality of Hereford City and Market Towns by providing land close to commercial centres where those who wish to access shops and services can park their cars.
- To ensure parking of vehicles does not obstruct the public highway.
- To support the overall transport strategy for the County.
- To help relieve Hereford City and Market Towns of traffic congestion.

We will manage off-street parking as follows:

- Zonal charging structures for Council controlled car parks in Hereford.
- Charges in selected public car parks in all five Market Towns.
- Provision of some free parking in market towns to support the local economy
- Concessionary Parking Scheme for local pensioners based on 'Home Town' Zones.

On-street parking,

There are over 1600 on-street parking spaces available in the main centres of the County, all of which are currently free and generally controlled by means of limited waiting restrictions. Within Hereford there are over 400 spaces, representing 15% of publicly available parking provision for the City Centre. Decriminalised parking enforcement has been introduced throughout Herefordshire and the Council employs a team of Parking Attendants to enforce parking restrictions.

The approach to the management of on-street parking across the County seeks:

- To ensure the safe and free flow of traffic that is essential to economic vitality and business growth.
- To provide for access for servicing for businesses
- To provide residents parking in appropriate locations
- To ensure effective and sensitive enforcement of restrictions
- To provide for disabled people to park and effective enforcement, to prevent obstructions that can impact upon disabled people, bus services and effective loading / unloading by businesses.

- To ensure that on-street parking enforcement supports economic activity by ensuring effective turnover of short-stay parking for shoppers and visitors in the centres of towns.

We will manage on-street parking as follows:

- Decriminalised Parking Enforcement.
- During the period of this Local Transport Plan, consideration will be given to the introduction of on-street charges in central Hereford to contribute to managing demand and provide revenue funding to support Park & Ride or other sustainable transport improvements.
- The introduction of Residents Parking Schemes in residential areas close to the centre of Hereford, and in appropriate locations in the Market Towns, to deter commuter and shopper parking.
- The use of limited waiting restrictions within the centres of Market Towns.

Private Non-Residential Parking

The availability of a parking space is an important factor in determining a commuter's choice of mode. A reduction in the availability of private non-residential spaces can be achieved in the longer term through the use of planning controls. Whilst there are over 7000 such spaces in the County's main centres, the majority are located in Hereford City (almost 5000). The scope for controlling the provision of new spaces is mainly confined to Hereford where it is most likely that alternative modes to the private car are available for journeys to work. Parking Standards are currently under review and will be developed to support the aims of the Local Transport Plan and the Unitary Development Plan.

Hereford City Centre has been identified as an area within which a reduction of up to 100% may be applied to the number of spaces required as part of any new development. Developer contributions may therefore be raised in lieu of the provision of parking spaces and the money used to contribute to alternative transport facilities. The Council will seek to redress the balance of total public to private non-residential parking supply, particularly within Hereford through the use of planning controls.

AREA STRATEGIES

The following paragraphs summarise the approach to applying these principles in Hereford and the Market Towns

9.7.8 Hereford

Hereford is the county town, attracting large numbers of workers, shoppers and business trips and also a significant number of tourists. The need here is primarily to manage the available spaces. By managing the cost and supply of car parking within the City parking policy can contribute to managing car use and promoting the use of alternatives to the car where they are available and support the development of Park and Ride.

Studies and consultation have highlighted a concern that in Hereford demand for parking exceeds supply and it is proposed that additional capacity be provided through the addition of Park and Ride facilities. Car parks within the Inner Ring Road are effectively full during the week and on market day car parks north of the Inner Ring Road are also effectively full.

During 2004/5 a detailed feasibility study was carried out into the provision of Park and Ride for Hereford. This concluded that there is a convincing business case for providing Park and Ride for the City and that priority should be given to developing a site to serve traffic entering the city from the North first to be followed by provision South of the City, as these represent the highest and second highest likely demand for Park and Ride use based on traffic flows and surveys of potential users. The Hereford Transport Review also recommended that two further sites should be developed in the longer term to serve demand from the South West and North East of the City and the relative priority for these proposals will be developed during future LTP periods.

Due to the high demand for parking space in the City, there is also a need to manage the available spaces better to reduce the amount of circulating traffic searching for a space and contribute to reducing congestion.

The following points summarise the approach to be taken in Hereford:

- Three charging zones (central, middle and outer) with charges close to the centre set to encourage short stay parking for shoppers and deter long stay commuter parking
- Park and Ride facilities will be developed to provide additional parking supply for the City and support modal shift for journeys to the City Centre

- During the period of this Local Transport Plan, consideration will be given to the introduction of on-street charges in central Hereford to contribute to managing demand and provide revenue funding to support Park & Ride or other sustainable transport improvements.
- Improvements will be made to direction signing to car parks and it is hoped to introduce dynamic signing as part of developing an Intelligent Transport System for the City to highlight the availability of spaces and reduce congestion.
- Season tickets are made available in the outer and middle zones only with costs based on a discount compared to parking daily five days a week fifty weeks a year.

9.7.9 Ross-On-Wye

Ross combines the functions of a market town with those of a tourist attraction and a “gateway” to other places. Charges in Council controlled car parks are set to reflect the fact that there is significant demand for parking by both visitors and local people wishing to access jobs and local services. Charges for car parks closer to the centre are set to encourage short stay and a turnover of spaces to support the local economy with longer term parking allocated to car parks further from the centre. There are no on-street charges.

9.7.10 Ledbury

Ledbury is a thriving market town with a significant tourist draw. It is important to manage the parking to ensure that visitors are well catered for. Charges in Council controlled car parks are set to reflect the fact that there is significant demand for parking by both visitors and local people wishing to access jobs and local services. There are no on-street charges.

9.7.11 Bromyard

Bromyard is a small market town that serves mainly its local population and people from the surrounding rural areas. The current charges are set to ensure spaces are usually available near the centre whilst keeping enough free parking spaces for those not wishing to pay but willing to walk a little further. Redevelopment of land previously used for off-street car parking over recent years has indicated a need to provide additional off-street parking spaces to meet current demand. The Council is

investigating opportunities to provide additional car parking to support the local economy.

9.7.12 Leominster

Leominster serves as a commercial and administrative centre for north Herefordshire in addition to providing several tourist destinations. The town is well provided with conveniently located car parks but it is important to ensure a reasonable turnover of spaces particularly for shoppers and visitors to support the local economy. Where charges are made in Council controlled car parks, the level of charges are set to reflect the need to support the economy of the town. There are no on-street charges.

9.7.13 Kington

Kington is the smallest of Herefordshire's Market Towns with council car parks. It is important here to ensure an adequate supply of parking, including both on and off street spaces. Where charges are made in Council controlled car parks, the level of charges are set to reflect the fact that demand for parking is mainly local in nature and is required to support the local economy. There are no on-street charges.

9.7.14 Residents Parking

Near town centres and employment areas it is not always possible for residents to find a parking space due to use of limited on street space by commuters and shoppers. The availability of such spaces for commuters and shoppers can also undermines the overall parking strategy that seeks to manage the supply and cost of parking to make best use of available space and promote a shift to more sustainable forms of transport.

To overcome these problems, Residents Parking Schemes have been introduced in a number of areas, particularly in Hereford, in consultation with residents. Further schemes will be introduced where there is local support. Such schemes restrict use of on-street spaces to resident permit holders only.

It is, however, necessary to allow for visitors, deliveries, traders and carers to park when necessary, in addition to residents. The simplest way of achieving this is restrict waiting to a short duration with an exemption to the time limit for resident permit holders. This will be the normal form of residents parking scheme within Herefordshire.

In some locations pressure on space is so great that this arrangement does not "reserve" sufficient space for the residents and in these circumstances consideration

will be given to making a more prescriptive order, reserving specific marked bays for use by resident permit holders only.

The general approach to granting residents permits will be to issue permits to car owners registered as residential council tax payers at an address within the relevant area. Where space allows, two permits will be available, one marked for the resident's vehicle and one for visitors. Where houses are in multiple occupation, only one permit per council taxpayer will be issued in order to reduce pressure on kerbside space. In no case will the issue of a permit guarantee the availability of a parking space. The charge for permits will cover the administrative costs of issuing the permit plus a contribution to the costs of enforcement.

9.7.15 Christmas And Special Events

The Council recognises the importance of supporting the local economy and the role that car parking can make to this. As a result, for certain periods of free parking are traditionally allowed at Christmas in Hereford and Ross-on-Wye to encourage use of local shops for Christmas shopping. This is primarily because, unlike other towns in the County, there are no free public car parks in Hereford or Ross-on-Wye.

The use of car parks for non-profit making events is permitted subject to sufficient parking continuing to be available elsewhere for the general public.

9.7.16 Provision For Disabled People

Concessions for the disabled people wishing to park on-street are set nationally, exempting those displaying a blue badge from the time limits otherwise applying and allowing a stop of up to three hours on double yellow lines providing it does not cause danger to other road users. The Council is keen to ensure that appropriate car parking is provided for disabled people. Therefore, in order to also encourage parking off street, all council car parks allow three hours free parking for blue badge holders. Where possible, off-street car parks also include designated wide spaces to assist wheelchair users.

9.7.17 Parking Concession For Pensioners

Concessions for pensioners were the subject of considerable debate and consultation in 1999 and 2000 and a countywide system was introduced in January 2001. This allows a pensioner to buy a permit allowing two hours free parking in the town closest to their home. The scheme has been designed to be consistent with policy in relation to transport and social exclusion and helps to support the

economies of the Market Towns, encourage local communities and encourage shorter car trips.

9.7.18 Parking And The Council's Travel Plan

The Council has adopted a comprehensive Travel Plan to promote the use of sustainable modes for journeys to, from and during work by staff and visitors. The management of car parking in relation to Council buildings and by staff when carrying out their duties will be considered through the development and implementation of the Travel Plan. This will seek to encourage greater use of alternative modes and support the promotion of car sharing.

Interviewees for the On-Street Parking Review

Officers

Mr A Ashcroft – Head of Planning and Transportation
Mr Richard Ball, - Head of Highways
Mr Andrew Blackman – Admissions and Transport Manager
Mr S Burgess – Interim Transportation Manager
Mrs Alison Cook – Income and Recovery Manager
Mr Jim Davies – Public Transport Manager
Mr M Edwards – Integrated Transport Assistant
Mr A Lee-Jones – Lead Engineer (Traffic)
Mr Mick Morris – Parking Manager
Mr Simon Moran – Civil Enforcement Officer
Mrs Cynthia Palmer (Hereford City Centre Manager).
Ms Linda Sinker – School Travel Advisor

Users of the Service:

Mr A Carter – President, Castle Green Bowling Club, Hereford
Mr Philip Collins, Collins Engineering Ltd
Mr I Higton – Chair, Castle Street Residents Association, Hereford
Mr Morris Jones - Phillip Morris, Widemarsh Street, Hereford;
Ms Paige Mitchell
Mr Edward Pritchard - Pritchard and Son, King Street, Hereford.
Rev P Towner – Chair, St James Residents Association, Hereford

Technology provider

Mr Tony Burt & Ms Hannah Stewart (NetSecrets Ltd)

Residents Parking Schemes

Policy and Criteria

Policy

Public highways are, and always have been, provided for the movement of people, vehicles and goods. The legal definition refers to “the passage and re-passage” of traffic. In particular, roads are not provided for the purpose of parking and this applies both to those who own properties fronting onto any particular road, as well as to those who might otherwise find it convenient to park there for their own reasons.

Householders are often resentful when others park outside their homes, even where the householder does not actually have the use of a car. Many residents even believe, incorrectly, that they actually have rights to park on the road outside their property. In general, where parking is not otherwise prohibited by order, kerbspace is available to any road user, subject to the laws of obstruction.

Class I and II roads in particular are provided and maintained to facilitate the movement of traffic. The needs of residents, businesses and others have to be subordinated to the need to keep traffic moving safely.

Where an area contains a mixture of land uses, such as residential, business, shopping, commerce and transport facilities, the residents will often feel swamped by the daily influx of other vehicles. Even where the residents have off-street parking facilities, they may on occasion be obstructed by others (a matter for the police) and may, in any case, feel that their environment is suffering. It might be assumed that people would consider such things before buying a given house but their subsequent complaints often suggest that the matter had been given no thought at all.

Where the same problems are experienced in a predominantly residential area, which is adjacent to other developments that attract large numbers of parked vehicles, the daily intrusion is particularly resented and there may be calls for “residents only” parking.

The main element of any such scheme is that all extraneous parking is displaced by enforceable restrictions. Several styles of Resident Parking are available, however in all cases some provision has to be allowed for visitors and deliveries i.e.:-

- (i) Some lengths of kerbspace are prescribed for limited waiting by visitors and other lengths are identified as being for residents only.
- (ii) Some lengths of kerbspace are prescribed for limited waiting for any purpose, residents being exempt from any limit on waiting.

In the main, the Council have adopted the second style, as it is considered that this will remove long term parking, but still allow for non residents to park for short periods to visit residents or local businesses. Residents who have a car can purchase a permit, to be displayed inside the windscreen when it is parked in a prescribed area, providing exemption of the limited waiting period. The purchase of a permit does not entitle the resident to park in any particular space, neither is any space guaranteed. In some areas, where sufficient road space will allow, a ‘Visitors’ permit can be purchased, as is stated and allowed within the associated Traffic Regulation Order.

The success of any resident parking scheme depends upon the degree of enforcement undertaken, and this is undertaken by the councils Civil Enforcement Officers.

Since a major feature of any such scheme is the displacement of large numbers of parked

cars, particular thought must be given to where those vehicles will go thereafter. To avoid them simply being displaced into other residential streets, outside the limits of the scheme under consideration, it is essential that off-street parking space, adequate and acceptable to the drivers involved, is available. If this is not available, the displaced vehicles would simply replicate the same problem again in another nearby area.

In any urban area there is always some extraneous parking, it follows that a major improvement to the environment can be achieved by such a scheme and the residents obtain considerable benefits in both convenience and improved surroundings.

The cost of a permit is not determined by the value placed upon these benefits but by the estimated costs of implementing and administering the scheme. All such schemes should be self financing; otherwise the wider community of ratepayers will be subsidising the benefits gained by some, whilst themselves being denied the opportunity to park in the restricted streets. Thus costs for the permits (£10.00 in Bromyard, £24.00/£25.00 in remaining zones June 2008), is intended to cover the costs of on street signing and lining, administration of permits and contribute toward enforcement duties.

Permits are will be made available for residents whose postal address is within the area of a residents parking scheme (as specified within the Traffic Regulation Order) and are registered with the Council as a Council Tax payer. Vehicles must also be registered at that address as detailed upon the registration document (or company vehicles).

In areas where two permits are issued the second one is designated as a visitors permit and can be used upon any private vehicle.

The categories for Council Tax payment are as follows:

Single occupancy dwelling

- a) Owner and resident of a property.
- b) Resident of a property.

Multi occupancy dwelling

- c) Residents of contained units with no shared facilities.

Where a property is divided into units with shared facilities such as kitchen and/or bathroom, the owner/landlord is liable for Council tax, however a maximum of two permits will be allowed for residents, in accord with standard conditions .

Within the controlled zone, where extraneous long-term parking is prohibited, visitors may park in prescribed places for up to 1 hour. This limitation is a serious disadvantage of such schemes because genuine visitors cannot be distinguished from others and are controlled by the same regulations, Commuters etc. will be removed by the limited waiting restrictions however a 'Visitors' permit may be available, where road space is sufficient, for the parking of visitors for periods longer than the prescribed limit. A resident may purchase either or both types of permit, however two 'visitors' permits will not be issued, one in lieu of the dedicated permit.

Most of the waiting restrictions in the controlled zone apply only between 8am and 6pm to control daytime long stay parking. However, due to high vehicle ownership in some areas the demand for parking spaces by residents far outweighs the amount available at night when they return from work etc.

Criteria

The Council has adopted the criteria set out below in the consideration of any proposed schemes. However, it should be noted that when residents are apprised of both the advantages and the disadvantages of such schemes, only a minority may be interested in

proceeding further. More commonly, residents seek to be exempted from existing waiting restrictions which cannot be done.

- (i) Eighty percent of the kerb space in the area under consideration shall be regularly occupied by extraneous vehicles.
- (ii) Full consultations with residents will be undertaken. Full consideration of a scheme will only be undertaken if a majority of residents support of the introduction of a residents parking scheme.
- (iii) Less than fifty percent of the residents have a facility to park off the road. This may be relaxed slightly in a conservation area.
- (iv) The majority of property which fronts the roads concerned shall be residential.
- (v) A charge shall be made for permits, sufficient to cover the implementation and administration of the requested scheme.

Terms and condition of issue.

- 1) The occupier of each self-contained dwelling can apply for a maximum of two parking permits, subject to there being no current permits being held by another or previous occupier. You can only purchase one visitors and one vehicle permit. **You cannot purchase two visitors permits.**
- 2) The permits, which remain the property of Herefordshire Council, will be issued upon receipt of an appropriate completed form identifying the name and address for which the application is made. In addition to completing the application you will need to provide the following:

Visitors permit – proof of residency

Vehicle permit – proof of residency **AND** proof of vehicle ownership

See reverse of application form for acceptable documentation.

- 3) A permit does not give any right to the provision of a parking space, but simply allows a vehicle displaying a valid permit to park in excess of the permitted period laid down or in designated resident parking areas.
- 4) A permit will be issued in respect to a motorcar, motorcycle (with or without side-car), invalid carriage, or motor vehicle constructed or adapted for the purpose of carrying goods but not exceeding 3½ tonnes maximum gross weight.
- 5) The permits are invalid once the holder vacates the property, or disposes of a vehicle identified on a vehicle permit. Any invalid permits must be surrendered to Herefordshire Council.
- 6) New permits cannot be issued in respect of any dwelling until previous permits have expired or have been surrendered.
- 7) The permits are **only** valid in the streets which are included in the particular zone applied for and must not be used in any other location. A list of streets for this zone are listed at the end of these terms and conditions.
- 8) **Vehicles must NOT be parked in anticipation of a permit being received or whilst awaiting a replacement or renewal. Any vehicle not displaying a valid permit is liable to receive a Penalty Charge Notice.**

- 9) Fraudulent use of the permits **will** lead to the removal of the permits and may lead to prosecution.
- 10) Lost permits – a replacement visitors permit will not be replaced if the original is lost. A new permit will only be issued once the lost permit has expired and on receipt of a new application.

A duplicate vehicle permit can be issued, but you will be required to make a new application, completing the relevant application form and providing the necessary evidence. You will need to pay the full charge and the new permit will be valid for full year from the date of issue.

Comments Sheet

SCRUTINY REVIEW OF ON-STREET PARKING

Environment Scrutiny Committee on 20 April 2009 considered the findings of the Scrutiny Review and the Committee:

RESOLVED: That

- a) **The report of the Scrutiny Review of On-Street Parking be approved;**
- b) **The report be forwarded to the Hereford City Council for comment, particularly in relation to recommendations 4.a, 4.f, 4g and 9a, and to the Director of Resources for comment, particularly in relation to recommendation 5.c**
- c) **Following receipt of the responses from b) above the report of the Scrutiny review of On-Street Parking, together with the responses be submitted to the Executive for consideration.**
- d) **The Executive's response to the Review, including an action plan, be reported to the first available meeting of the Committee after the Executive has approved its response;**
- e) **A further report on progress in response to the Review be made to the Committee after six months with consideration then being given to the need for any further reports to be made.**

Hereford City Council

In accordance with part b) Hereford City Council were invited to comment. The below was received on 1 June 2009 by e-mail from the Town Clerk

PARKING REVIEW

Thank you for reminding me about the due date for parking review responses.

The only comment which has been put to me was concerning a point raised in the earlier Scrutiny Report. This was the issue of small businesses who do not have commercial vehicles but which collect supplies from the wholesalers etc by car, often an estate or hatchback. These users are penalised if they are in a loading only area as Parking Offices only recognise commercial vehicles as loading. Relaxation of this rule would greatly assist the smallest businesses in the City.

Steve Kerry
Town Clerk
Hereford City Council

Tel 260454

Since the above Hereford City Council formally considered the Scrutiny report at its meeting of the Planning & Highways Committee on 24 June 2009. The below was received on 25th June by e-mail from Mr M Inglis:

The Planning & Highways Committee considered this item on the 24 June. There was broad consensus that it was a good report and the following comments were recorded.

“There is a lack of solid data to underpin the report, therefore further research on city centre parking would be helpful to inform decision making. Provision of short term free parking is highly valued by residents and attempts to change this would be politically difficult with potentially damaging economic effects. Please keep existing levels of on street parking within the city Park & Ride needs to be placed well outside of the city boundaries to be effective, evidence from elsewhere suggests that the capitals costs for sites and security are high and only succeed when city centre parking costs are both high and scarce. Bus services to park & ride need to be frequent, every 10 minutes or so with quick access through traffic to drop off and these routes do not currently exist. The costs of running a park & ride are likely to exceed any income generated. The City Council consider the resident parking recommendations to be sensible. Telephonic systems, are both expensive to operate and can be inconsistent due to technological issues and if some areas, poor mobile phone networks. Resident would prefer a system that they could pay on exit and with machine that give change. It is important to remember that 47% of spaces in the City Centre are privately owned and changing behaviour from motorists who use these spaces will not be easy to achieve. As for green travel plans, the City Council has not seen any evidence that they have anything but a minor impact”

I hope these comments are of help

Director of Resources Herefordshire Council

In accordance with part b) the Director of Resources was invited to comment. The below was received on 2 June 2009 by e-mail from Mr D. Powell:

In 2008-09 the final outturn for car park income was £1,990,570 and this is part of the Environment and Culture Directorate’s base budget.

The implication arising from the adoption of recommendation 5c would be to create an immediate budget shortfall of £1,990,570 because the funding would transfer to meet other requirements. In other words this would not be financially sustainable.

An alternative proposal could have been to look at funding prudential borrowing to meet investment requirements; however this would need to be assessed against other bids.

David Powell

Director of Resources

MEETING:	CABINET
DATE:	29 OCTOBER 2009
TITLE OF REPORT:	DATA QUALITY – 6 MONTH PROGRESS REPORT
PORTFOLIO AREA:	ICT, EDUCATION AND ACHIEVEMENT

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To note progress against the 2009-2010 data quality action plan.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT : the progress now being made against the data quality action plan be noted.

Key Points Summary

- This is the six month progress report on the data quality action plan as required by the Council's policy
- The rate of progress is improving and since the last report four significant tasks have been completed which are central to completing the overall plan.
- These tasks include identifying staff requiring training, local policies and procedures and data quality champions
- The current position is that eight tasks from the 2008-2009 action plan remain red rated (not yet started) and seven amber (underway) while all the tasks added for 2010 are on track for completion.

Alternative Options

- 1 Cabinet could approve a different data quality action plan to be implemented at a different pace. A more challenging plan and/or a shorter timescale would require additional resources. A lower level of activity would be potentially damaging to the Council's status with its regulators. For these reasons, this option is rejected. The adequacy of existing plan and rate

Further information on the subject of this report is available from
Dr Tony Geeson, Head of Policy and Performance on (01432) 261855

of progress was not challenged by the Audit Commission during the recent Use of Resources assessment and, given the expectation of continuing improvement; it would be unwise to reduce the effort in this area.

Reasons for Recommendations

- 2 Progress is being made against the backlog of tasks from 2008-2009 action plan and the 2009-2010 tasks are going as planned.

Introduction and Background

- 3 The Council has been explicitly pursuing improvements to data quality for the last 18 months through its data quality policy and the associated action plan. The policy requires progress reports every six months to Cabinet. Data quality is now part of the annual Use of Resources assessments which, along with managing performance makes up the Council's organisational assessment under CAA. Under the Use of Resources assessment the Council is required to demonstrate that it produces relevant and reliable data and information to support decision making and manage performance.
- 4 When Cabinet last considered data quality in June it approved a roll forward of the tasks remaining from the previous year and a number of additional tasks. The remaining tasks are contained in Appendix 1.
- 5 During the past six months four major tasks have been completed. These are
 - identifying staff who require training through the appraisal process
 - identifying policies and procedures that support the corporate policy
 - identifying local data quality champions and
 - identifying contracts with a high data content.

Each of these tasks held the key to further work and their completion should allow more rapid progress to be made against the plan over the next six months.

Key Considerations

- 6 The current position is that all the 2010 additional tasks remain on track for completion on schedule with the information management training being particularly well received. Over one hundred staff have been trained in the last six months, faster than planned. Of the 15 tasks remaining from last year 8 are still to start and 7 are underway.
- 7 Of the 8 tasks judged red (still to start); three relate to contracts work now being picked up by the contract monitoring officers in each individual directorate. A further four relate to communicating the, now identified, policies and procedures to staff in a variety of ways. As noted above, these should all begin shortly. The remaining 'red' task is the lack of a meeting with data sharing partners who are unable to sign up to the Council's policy or provide even higher standards. Despite reminders over the past six months some 13 organisations have still not replied to the Council's initial enquiry. None of those who have replied so far have objected to the Council's drive to improve data quality, so a meeting may not be required ultimately. However, it is impossible to complete this task without the remaining replies. This matter has come to the attention of the Audit and Corporate Governance Committee who have required a letter to be sent to all 13 organisations.
- 8 Of the amber tasks; one relates to the partners issue, two to contracts work already underway, one to communicating policies and procedures and the remaining three (e.g.

logging examples of actions that have improved data quality) will, arguably never be completed. They are ongoing managerial tasks.

- 9 Work to secure improvements in data quality contribute to the corporate plan theme of organisational improvement and greater efficiency and is referred to in the Audit Commission's annual letter. Their recent Use of Resources work did not indicate any particular problems. With the Commission's move to quality assurance, internal audit now undertake the bulk of the detailed examinations of individual performance indicators. While the number of unsatisfactory reports is now very low, data quality weaknesses do occur indicating the need for managers and staff to remain vigilant. The performance champions work is currently assisting in the independent scrutiny of data quality and they, along with the increasing number of trained staff, will drive further improvements.

Community Impact

- 10 The communities of Herefordshire have a legitimate expectation that the data used and created by the Council and its partners are of the necessary quality. It is important that there are systems that can demonstrate that the potential for error is low and the risk is reducing. The necessary actions are largely internal without a direct impact on the community but the Council's reputation would suffer if it did not continue to improve the standards to which it, and its partners, work.

Financial Implications

- 11 There are no financial implications. However, data quality is a key requirement underpinning grant claims and other financial returns to central government.

Legal Implications

- 12 There are no legal implications arising directly from this report.

Risk Management

- 13 Insufficient attention to data quality is currently corporate risk CR35. One of the key elements in the mitigation strategy is the completion and roll forward of the current action plan. The Audit Commission's most recent annual letter concluded that the authority has proper arrangements in place to ensure the accuracy of key performance data. However, this opinion will only remain if the identified actions are completed.

Consultees

- 14 Improvement managers in each Directorate and partners where relevant.

Appendices

- 15 Appendix 1 Data quality action plan

Background Papers

None identified.

APPENDIX 1 DATA QUALITY ACTION PLAN – SEPTEMBER 2009 UPDATE

REFERENCES IN [BRACKETS] RELATE TO AUDIT COMMISSION RECOMMENDATIONS IN THEIR DATA QUALITY AUDIT REPORT FEBRUARY 2008

KLOE Ref	Action	Detailed tasks (Those responsible)	Original Date	Revised Plan Date (proposed new date)	Date completed (RAG rated)	Reasons
2.1	2.1.3 Communicate policy to all external data sharing partners and partnerships and get them to sign up to the policy or provide higher standards [R7 Formal protocols with Council Partners need to be developed to ensure accuracy of data]	12 Replies returned by (Head of Policy and Performance)	June 14th 2008	February 2009 (May 2009)	Underway (Amber)	Only 13/25 replies have been received. The others are being chased for the third time
		13 Identify and meet with partners who are unable to sign up etc. (Relevant managers and improvement managers)	End of June 2008	March 2009 (June 2009)	Not yet possible (Red)	Ultimately depends on the results of task 12 above. There has been no adverse reaction to date

Further information on the subject of this report is available from
 Dr Tony Geeson, Head of Policy and Performance on (01432) 261855

KLOE Ref	Action	Detailed tasks (Those responsible)	Original Date	Revised Plan Date (proposed new date)	Date completed (RAG rated)	Reasons
2.1	<p>2.1.8 Include DQ requirements in all contracts, service level agreements and similar documents where this is relevant and not currently explicit set up monitoring systems starting with the highest risks</p> <p>[R7 Formal protocols with Council partners need to be developed to ensure accuracy of data]</p>	<p>21 Contact all high risk organisations & those renewing during the Financial Year (originally 2008/09) (relevant managers)</p>	<p>End of May 2008</p>	<p>March 2009 (July 2009)</p>	<p>Underway (Amber)</p>	<p>Directorate contract monitoring officers are risk assessing the contract registers currently</p>
		<p>23 Insert appropriate DQ text where it is currently not explicit in new and renewing contracts (DCX legal and democratic services & relevant managers)</p>	<p>From March 31 2008</p>	<p>March 2009</p>	<p>Underway (Amber)</p>	<p>Text agreed with legal services. Ultimately linked to tasks and 24-26 below</p>
		<p>24 Consider appropriate monitoring systems (relevant managers and improvement managers)</p>	<p>May 2008</p>	<p>March 2009 (July 2009)</p>	<p>Not yet started (Red)</p>	<p>Will follow on from the completion of task 21 above</p>
		<p>25 Consult and advise all contractors (as task 24)</p>	<p>May 2008</p>	<p>March 2009 (August 2009)</p>	<p>Not yet started (Red)</p>	
		<p>26 Implement monitoring systems (as task 24)</p>	<p>From June 2008</p>	<p>March 2009 (August 2009)</p>	<p>Not yet started (Red)</p>	

KLOE Ref	Action	Detailed tasks (Those responsible)	Original Date	Revised Plan Date (proposed new date)	Date completed (RAG rated)	Reasons
2.2	2.2.1 Existing corporate and directorate policies, procedures and guidelines [and amendments in future] to be promulgated in a variety of ways such as 121's, Staff Review & Development sessions (SRD's), service planning, emails, news and views, notice boards, performance clinics, team meetings, computer based training (CBT), leaflets and wider training etc [R9 Guidance for staff should be readily accessible for all involved in the compilation process and R10 Roles and responsibilities of all staff included within the DQ process need to be clearly defined]	27 Notify all e-mail users, cascade via key managers (Head of Policy and Performance)	June 2008	March 2009 (July 2009)	Not yet started (Red)	Now the documents have been identified this can begin
		28 Devise and include appropriate requirements in SRDs for employees identified in through appraisals (now completed – ex action 18) and get signatures fro receipt of documentation (Head of Policy and Performance, relevant mangers, DCX - HR)	April 2008 onwards	March 2009 (September 2009)	Not yet started (Red)	Now the employees have been identified work can begin with HR.
		29 Set up CBT links / tests for all documents sent to action 18 staff (Head of Policy and Performance)	End of June 2008	March 2009 (October 2009)	Not yet started (Red)	Will follow task 28
		30 Poster campaign and N&V cascade (as task 29)	June 2008 onwards	March 2009 (July 2009)	Not yet started (Red)	Should be coordinated with task 27
		31 Include in performance clinics, team meetings and training – the improvement managers to identify and log opportunities (relevant managers and improvement managers)	Ongoing	Ongoing	Underway (Amber)	A continuing process

KLOE Ref	Action	Detailed tasks (Those responsible)	Original Date	Revised Plan Date (proposed new date)	Date completed (RAG rated)	Reasons
2.2	<p>2.2.3 Improvement managers to log examples of actions that improved DQ as they occur centrally and publicise these locally through N&V.</p> <p>Authority wide publicity periodically</p>	<p>34 Set up central log and monitor at each Improvement Network meeting (Head of Policy and Performance)</p>	<p>From April 2008 onwards</p>	<p>Ongoing</p>	<p>Underway (Amber)</p>	<p>A continuing process</p>
4.2	<p>4.2.4 Ultimately identify impacts of all residual systems on DQ staff skills and capacity and ensure training is provided where needed</p>	<p>36 Identify residual systems – Use the Hereford Connects audit as a starting place supplemented by paper systems which are out of the Connects scope (Hereford Connects Project manager & Improvement managers)</p>	<p>From April 2008?</p>	<p>From April 2008 (July 2009)</p>	<p>Underway (Amber)</p>	<p>A continuing process as the scope of Connects becomes clear</p>
4.2	<p>4.2.7 Ensure DQ weaknesses identified by external or internal reviews are addressed by training or appropriate de-briefing sessions</p>	<p>Task 52 (relevant managers, improvement managers and internal audit)</p>	<p>Ongoing</p>	<p>Ongoing</p>	<p>Underway (Amber)</p>	<p>A continuing process.</p>

PROPOSED NEW TASKS FOR 2009/10 IN ADDITION TO COMPLETING THOSE ABOVE

KLOE Ref	Action	Detailed task (those responsible)	Original date	Revised date	Date completed	Reasons
	53	Training programme for at least 150 key staff (Head of Policy and Performance / Information management group)	March 2010			
	54	Data quality assessments of at least 24 performance indicators on a risk basis (Improvement managers / internal audit)	December 2009			
	55	Consider a common format for directorate and service data quality procedures (Improvement managers)	October 2009			
	56	Consider a rolling programme of systems audits potentially involving the mapping of data flows and controls (Internal audit)	December 2009			
	57	Implement PMR application as part of the Connects programme according to corporate priorities with appropriate data quality	March 2010			
	58	Review of information sharing protocols (Records manager)	January 2010			
	59	Revise data quality policy (Head of Policy and Performance)	April 2010			

