

AGENDA

Community Services Scrutiny Committee

Date: **Monday 29 June 2009**

Time: **10.00 am**

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

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

For any further information please contact:

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If you would like help to understand this document, or would like it in another format or language, please call David Penrose, Democratic Services Officer, Tel: 01432 383690 on 01432 383690 or e-mail dpenrose@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Community Services Scrutiny Committee

Membership

Chairman **Councillor TM James**
Vice-Chairman **Councillor KG Grumbley**

Councillor DJ Benjamin
Councillor GFM Dawe
Councillor BA Durkin
Councillor DW Greenow
Councillor KS Guthrie
Councillor MAF Hubbard
Councillor B Hunt
Councillor RH Smith
Councillor RV Stockton

Non Voting **Mrs Gillian Churchill**
 Mrs. J. Evans
 Mr P Hands
 Mr Gary Woodman

HALC
National Farmers Union
Visit Herefordshire
Hereford and Worcester Chamber of
Commerce

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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

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

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AGENDA

Pages

1. APOLOGIES FOR ABSENCE

To receive apologies for absence.

2. NAMED SUBSTITUTES

To receive any details of Members nominated to attend the meeting in place of a Member of the Committee.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest by Members in respect of items on the Agenda.

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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

To consider suggestions from members of the public on issues the Committee could scrutinise in the future.

5. MINUTES

To approve and sign the Minutes of the meetings held on 11 March and 6 April 2009.

6. ANNUAL REPORT ON ECONOMIC AND COMMUNITY SERVICES (TO FOLLOW)

To receive a presentation by the Cabinet Member (Economic Development and Community Services) informing the Committee of policy issues affecting this programme area and the main priorities.

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7.	REVIEW OF THE BACKLOG OF DEFINITIVE MAP MODIFICATION ORDERS	11 - 14
	To receive a report on the backlog of Definitive Map Modification orders.	
8.	EXECUTIVE'S RESPONSE TO THE SCRUTINY REVIEW OF COMMUNITY ENGAGEMENT WITH THE HEREFORDSHIRE COMMUNITY AND SAFETY DRUGS PARTNERSHIP	15 - 20
	To consider the Executive's Response to the Scrutiny Review of Community Engagement with the Herefordshire Community and Safety Drugs Partnership.	
9.	HEREFORD UNITED FOOTBALL GROUND LEASES	21 - 24
	To receive a report on the options for the Hereford United Football Ground.	
10.	COMMUNITY/CULTURAL SERVICES REVENUE BUDGET MONITORING	25 - 30
	To advise the Committee of the final revenue outturn position for 2008/09 for the Economic and Community Services Division within the Regeneration Directorate and Cultural Services functions within the Environment and Culture Directorate.	
11.	ENVIRONMENT & CULTURE AND REGENERATION DIRECTORATES: PERFORMANCE FOR THE YEAR 1 APRIL 2008 - 31 MARCH 2009	31 - 40
	To report on the performance indicator position and other performance management information for the Economic and Community Services Division within the Regeneration Directorate and Cultural Services functions within the Environment and Culture Directorate.	
12.	COMMITTEE WORK PROGRAMME	41 - 44
	To consider the Committee's work programme.	

PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

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

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

The principal roles of Scrutiny Committees are to

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

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

PUBLIC INFORMATION

Public Involvement at Scrutiny Committee Meetings

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

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

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

Remits of Herefordshire Council's Scrutiny Committees

Adult Social Care and Strategic Housing

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

Children's Services

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

Community Services Scrutiny Committee

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

Health

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

Environment

*Environmental Issues
Highways and Transportation*

Strategic Monitoring Committee

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

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- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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HEREFORDSHIRE COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Community Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Wednesday 11 March 2009 at 9.30 am

Present: Councillor TM James (Chairman)
Councillor PM Morgan (Vice Chairman)

Councillors: GFM Dawe, KS Guthrie, MAF Hubbard, MD Lloyd-Hayes, G Lucas, JE Pemberton, RH Smith and PJ Watts

In attendance: Councillors

90. APOLOGIES FOR ABSENCE

Apologies were received from Councillor DJ Benjamin, B Durkin, DW Greenow and PM Morgan.

91. NAMED SUBSTITUTES

Councillor G Lucas substituted for Councillor DW Greenow, Councillor MD Lloyd-Hayes substituted for Councillor DJ Benjamin, Councillor JE Pemberton substituted for Councillor B Durkin and Councillor PJ Watts substituted for Councillor PM Morgan.

92. DECLARATIONS OF INTEREST

Name	Item	Interest
Councillor AJM Blackshaw	11: Call-in of the Open Retail Market	Personal – Hereford City Partnership
Councillor TM James	11: as above	Personal – Hereford City Partnership
Councillor MAF Hubbard	11: as above	Personal – Hereford City Partnership
Councillor	11: as above	Personal – Hereford City Partnership

93. MINUTES

RESOLVED: That the minutes for the meeting held on 12 December 2008, be approved as a correct record and signed by the Chairman.

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

There were no suggestions for scrutiny.

95. CALL IN OF THE CABINET DECISION ON THE RELOCATION OF THE HEREFORD OPEN RETAIL MARKET

The Chairman opened the debate on the Open Retail Market by asking the Cabinet Member (Economic Development and Community Services) to put forward his case.

The Cabinet Member reported that the subject of the Open Retail Market had been

discussed at length at Cabinet on the 19th February 2009 before a decision had been made. Prior to this meeting, there had also been a site visit to Commercial Street with Officers and members of the Hereford City Partnership to view the intended venue for the re-located Open Retail Market.

As a result of these discussions, four main alterations had been made to the original proposal:

- That the move of the market to High Town would be only be undertaken as part of a one year trial which would be followed by a detailed study of the effectiveness of the new arrangements.
- That a retail impact study would be undertaken as part of the trial exercise.
- There would be a thorough review of the strategy surrounding the policy of selecting new stallholders and the quality of the retail offered as well as its geographical origin. The first draft of this strategy had been put together and would be discussed with the Hereford City Partnership. The Partnership would also be involved in the selection of stallholders.
- The Council would consider using Experion, the footfall performance measuring solutions company, to analyse the impact of the Open Retail Market and any other activity in High Town on the Butter Market in High Town.

The Chairman thanked the Cabinet Member for his contribution, and invited the Acting Head of Environmental Health and Trading Standards to comment on any additional areas that had not been covered by the Cabinet Member.

The Acting Head of Environmental Health and Trading Standards reported that the issues that had been raised in the Call-in document had been considered in detail:

- The concern that shop fronts would be obscured had been addressed by the decision to position stalls a further 1 metre out, so that they would now be 3.3m from shop fronts.
- The draft Allocations Policy had been developed over the last week, and signed off by the Cabinet Member, Economic Development and Community Services.
- The proposal was timely, given the current economic climate, as it would help to energise the City centre, and encourage businesses to invest in the City.
- In reply to a question from a Member, he said that twenty five units were proposed, not all of which would be held by individual stall holders.

The Chairman thanked the Acting Head of Environmental Health and Trading Standards for his contribution, and invited the Central Ward Member to speak on behalf of the Members who had called the Decision in.

The Central Ward Member said that he was a great supporter of street markets, and did believe that they brought vibrancy to city centres. He was concerned, however, that the consultation process that had been undertaken to support the report to Cabinet regarding the relocation of the Open Retail Market was flawed. The interpretation of the data from the exercise left much to be desired, and he believed that it was inappropriate that the 107 people who did not respond should be taken as being in favour of the retail market.

He believed that mistakes had also been made in the collection of data. Two letters had been sent by the Buttermarket Independent Traders Association which had stated that the majority of traders were opposed to the relocated market. The report to Cabinet indicated that no response had been received from the Buttermarket traders. The Herefordshire Farmers Market Group had apparently been considered to be in favour of the move, despite having expressed their opposition.

He questioned why the opinion of the Parks and Countryside Service had been solicited, as the area of the City in question did not fall under their remit. He went on to say that the Museum's Service did have concerns regarding the location of stalls near the Old House, as they had invested in signage that would be obscured.

The Central Ward Member went on to say that had concerns as to whether the proposals truly reflected the relocation of the present Open Retail Market, or the creation of a new one and it was important that there should be a Quality Stalls policy as well as a Stalls Allocation Policy. It was clear following his visit to the existing market that not all the traders would be relocated in the proposed new site. Two of the most popular stalls, the butcher and the plant stall, required too much space to be able to trade in Commercial Street. Of the ten stall holders who traded regularly, only seven were planning to move to the new site. A national advertising campaign had invited submissions of interest from potential stallholders, and he did not believe that this was an appropriate way to support either the market or the County.

He went on to say that that he had attended the public consultation meeting and had listened to the concerns expressed but had been unable to reach a conclusion on the proposals based on the discussions. He felt that the case put forward by the Council was not realistic, and that presenting people with pictures of existing markets in different towns was not an appropriate way to further the debate.

The Central Ward Member added that the traders in the Buttermarket had to pay rent, business rates and electricity charges. It was not clear what traders who might be travelling from as far away as Birmingham would be charged, but they did not appear to be paying either business rates or electricity charges. This position reflected the view that the new market would offer unfair competition to the Buttermarket traders.

In reply to a question from a Member, the Cabinet Member (Economic Development and Community Services) said that there would be a meeting with the owners of Maylords Orchards, DRE Property Services Ltd, in which the suggestion of locating some of the market stalls in Trinity Square would be discussed.

In reply to the concerns that had been raised by Members, the Cabinet Member said that he did not consider competition to necessarily be a matter for concern. He pointed out that there were currently fifty empty retail units in the City, and that a market, which would only serve to increase the footfall and vibrancy within the City centre, would help to revitalise the interest in these units. He did not believe that it would damage the existing retail offer.

In reply to the concerns raised by the Chairman of the Hereford Buttermarket Independent Traders Association in his letter submitted to the Committee, the Cabinet Member reiterated that the relocation of the Open Retail Market would only be undertaken on the basis of a one year trial. Monitoring of the trial period should address the concerns that had been raised. He believed that the two markets could be complimentary, and would not necessarily conflict with each other. The daily charge for electricity made by the Council to stallholders was available on the

Council Website.

In reply to concerns expressed in an email from Herefordshire Farmers' Market Group that the Open Retail Market would not sit well with the Farmers Market, the Cabinet Member pointed out that the latter was only held monthly. He did believe that the matter highlighted broader issues relating to the sale of food and drink that should be looked into.

Mr New of New Markets Solutions was invited to address the meeting. Mr New said that he believed that it was a misrepresentation to assume that the types of trading from indoor and outdoor markets were not compatible, and that the retail offer would be different from that on offer in the Buttermarket or Maylords. He went on to point out that the cost of business rates was factored into the charge that was made for the rental of the stall. The Council would charge £30 a day for a 10' x 10' stall. The Buttermarket traders were charged £47 per square foot per annum, which worked out as £8 a day factored over six days a week trading through the year. The Open Retail Market traders would be charged almost twice this, at £15.60 per square foot per day.

A Member stated that he supported the call-in as it served to demonstrate the importance of the role of elected Members in the formulation of policy, but said that he felt that the debate had become fragmented. He suggested that the role of the Buttermarket should be put to one side and focus placed on the existing Open Retail Market. The present market was both rundown and inconveniently placed and was unlikely to thrive. He felt that, bearing in mind the needs of the Edgar Street Development, the market should move into the City centre.

In the ensuing discussion, Members raised the following points:

- That the retail impact assessment should not take place during the trial period but should have been undertaken before the decision to move the market was made.
- That the question of impedance of both pedestrians and vehicles should be more carefully considered, as the placing of stalls would create pinch points.
- That consideration should be made to placing the market elsewhere in the centre in order to spread the footfall throughout the City.
- It was important that the existing shops in High town should not be affected. Consideration should be given to reducing the number of stalls in order to ensure that shop fronts were not obscured.
- That no stalls should be placed around the Old House, as they would detract from the visitor experience.
- That care should be exercised when placing stalls near Starbucks, as the shop was a draw for tourists and residents alike. Stalls beside the Old House would impact on the disabled access to the shop.

In reply, the Acting Head of Environmental Health and Trading Standards said that it was important to offer stallholders a prime location, otherwise it would be difficult to attract traders. He added that whilst it was intended that there should be 25 stalls, it was likely that there would only be twelve or thirteen traders. It was now intended that the Open Retail Market stalls in High Town would be a further metre from the shop fronts. This would mean that there would be a gap of 3.3m between shop

fronts and stalls.

The current market was not successful, and it should be borne in mind that there had been twenty two new traders on site over the last year, of which none had lasted more than eight weeks.

The City Centre Manager said that she was concerned that the market would be trading from 9am to 4 pm. Commercial Street was open for traffic until 10.30 am, and a number of shops had to receive deliveries through their front doors. As a consequence, Commercial Street was full of delivery vans until well after that time.

A Member pointed out that given the size of capital works that were planned in the City, with works on the Cathedral and the Edgar Street Project, care should be given to ensuring that the Old House, a prime tourist site, was not compromised by the market proposal. He asked whether consideration had been given to using elements of Broad Street for the market as an alternative site.

Mr New replied that a SWOT analysis of Broad Street had been undertaken, and as it was not fundamentally a retail area it was considered inappropriate as an alternative site for the market. The Manager, Markets & Fairs and Street Trading added that if the market was to be sited in Broad Street, the road would have to be closed, causing considerable congestion. Parking places in the City would also be lost, as the spaces in Broad Street would not be accessible. The market would cease to be seen as a positive draw for people, but a hindrance to the business of the City.

In reply to concerns expressed over the robustness of the consultation process, the Principal Research Officer said that the Council's corporate guidelines were followed in detail for the consultation process. Eight weeks had been provided for replies, which was an adequate time period. There was a clear and organised audit trail for the process, and concerns and responses were documented. None of the traders had replied within the consultation period, which made it difficult for the decision makers to respond to their concerns. She believed that the interpretation of the results was reasonable and the process robust, although people who did not respond were usually treated as being 'no data', rather than in favour. The surveys had been hand delivered by members of the Markets & Fairs Team.

Mr L Tawn, the Chairman of the Hereford Buttermarket Independent Traders Association addressed the Committee. He said that he was concerned about the traffic congestion problems that would be encountered from 9am to 10.30am and did not feel that the issue had been fully addressed. There would be, by the nature of the positioning of the Open Retail Market, unfair competition. This issue of unfair competition had not been addressed in the debate, and that was the fact that the best selling space for any retailer was in front of the customer. Traders in the Buttermarket had to rely on customers coming through the front door. Traders in the Open Retail Market would have a four sided shop window with excellent location and footfall.

In the ensuing discussion, the following points were made:

- That the council owed a duty of care to the traders in the Buttermarket during the period of redevelopment.
- That Buttermarket stallholders paid business rates, whilst those who took up stall in the Open Retail Market would not.

The Manager, Markets & Fairs and Street Trading replied to these concerns and said

that street traders were in a different legal position from those in the Buttermarket, but that the rent that they would be charged would provide parity with the traders in the Buttermarket.

RESOLVED:

That;

- a) **The Committee endorses the Cabinet decision to relocate the Open Retail Market into Commercial Street, and notes and welcomes the intention to develop a quality stalls policy and the stall allocation policy, in close consultation with the Hereford City Partnership, before the market opens in its new location.**

- b) **The Committee invites the Cabinet Member to review the precise location of stalls in order to facilitate the free flow of customers, especially around the Old House, and to minimise any adverse impact on existing business.**

and;

- c) **The Committee requests that an updated report should be submitted within two months of the market re-opening, and how the potential problems regarding delivery vehicles have been resolved.**

The meeting ended at 11.50 am

CHAIRMAN

MINUTES of the meeting of Community Services Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 6 April 2009 at 10.00 am

Present: Councillor TM James (Chairman)
Councillor PM Morgan (Vice Chairman)

Councillors: GFM Dawe, BA Durkin, DW Greenow, KS Guthrie, MAF Hubbard, B Hunt and RH Smith

In attendance: Councillors PJ Edwards and WLS Bowen

96. APOLOGIES FOR ABSENCE

Apologies were received from Councillor R V Stockton

97. NAMED SUBSTITUTES

There were no named substitutes.

98. DECLARATIONS OF INTEREST

Name	Item	Interest
Cllr B Hunt	7 - Environment & Culture and Regeneration Directorates: Performance for the Nine-Month Period to Dec 2008	Personal – as Council appointed Board Member, West Mercia Police Authority.
Cllr RH Smith	7 - Environment & Culture and Regeneration Directorates: Performance for the Nine-Month Period to Dec 2008	Personal – as Council appointed Board Member, West Mercia Police Authority.

99. MINUTES

RESOLVED: That consideration of the minutes for the meeting held on 11 March 2009 be deferred to the next meeting of the Committee.

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

Mr P McKay suggested that the Committee should scrutinise the amount of time taken to undertake Definitive Map modification orders, and why none had been determined in the previous five years. His concerns extended to the issue of Public Rights of Way and Green Lanes.

Resolved:

That;

- a) as the issues also fell within the Terms of Reference of the Environment Scrutiny Committee, discussions would be held with the Chairman of Environment Scrutiny in order to consider the matter as a joint issue for both Committees;

and;

- b) a report outlining the backlog of Definitive Map modification orders and how the issue was to be resourced and resolved, would be submitted to the next meeting of the Committee. Consideration would then be given as to whether a Scrutiny Review of the matter was appropriate.

101. REVENUE BUDGET MONITORING 2008/09

The Committee received the report on the Community Services budgets for the period to 28 February 2009.

The Community Services Accountant drew the Committee's attention to Appendix 1 of the report, which set out the detailed Budget Monitoring Report. She reported that the total Community Services budget for 2008/09 had increased to £10,057,926 from the amount reported to previous meeting, which was £9,953,992. The increase of £103,934 was as a result of the receipt of budget from the Area Based Grant of £181,934 within Community Safety and the reduction of budget of £78k to Leisure Services budgets.

She went on to say that the Economic Development budget was expected to underspend by £65k, this being due to vacancy savings of £20k and the return of unspent grant from the Edgar Street Grid project of £45k. Community Regeneration was forecasted to underspend by £16k as a result of savings on grant expenditure. The Management cost centre was also expected to underspend by £32k due to a reduction in activity, in order to manage budget pressures within the regeneration directorate.

Resolved: That the report be noted.

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

The Committee considered the report on the performance indicator position and other performance management information for the Economic and Community Services Division within the Regeneration Directorate and Cultural Services functions within the Environment and Culture Directorate.

The Improvement Manager reported that the overall position indicated a further improvement in the number of indicators judged to be Green (On course to achieve targets). The provision of data and actions contributing to improved performance had enabled a rating as Green or Amber (Some progress, but data not available to determine whether the target would be achieved) for a significant number of previously Red (Not on target/no activity reported) rated indicators. He went on to highlight two indicators that had slipped from Amber to Red. These were NI 166 (average earnings of employees in the area) and BVPI 126 (domestic burglaries). Earnings had increased in Herefordshire, but the gap between those in the County and the West Midlands as whole had also increased. Robberies (BVPI 127b) was also likely to be worse than the previous year, but it was not considered a priority by the Herefordshire Community Safety & Drugs Partnership.

In reply to concerns raised over the manner in which indicators had been prioritised, it was noted that BVPI 127b was a target set by the West Mercia Constabulary, and the data was collected by the Herefordshire Community and Safety Drugs Partnership. The Police were the lead originator of this particular indicator concerned, and at present, performance against this indicator fell within their acceptable norms. There was no question that the West Mercia Police Authority did not take these issues seriously, but the figures were low in Herefordshire in comparison with the rest of the region.

In the ensuing discussion, the following matters were raised:

- That NI 152 was shown as green was a technical anomaly on the report. Data was now available which would allow a baseline to be set.

- That the next report to the Committee would have the vast majority of baselines set, apart from those that relied upon external data from central government.
- That the baseline for NI 11 was taken from the national Active People Survey (April-October 2008). Engagement with the Arts was not asked as a specific question, but a reply was left up to the respondent.

RESOLVED:

- That:** (a) **the report on performance be noted,**
and;
 (b) **areas of concern and exception continue to be monitored.**

103. PROGRESS REPORT ON ACTION PLAN FOR THE EDGAR STREET GRID (ESG) SCHEME

The Committee received a progress report on the Action Plan for the Edgar Street Grid (ESG) Scheme.

The Head of Economic and Community Services reported on progress against the actions agreed in response to the Committee's Review of the Edgar Street Grid Project. She stated that the following actions were being taken:

- Recommendation 1, the improvements to Widemarsh Street would potentially be underway from January 2010.
- Recommendation 2, a consultation workshop on the Transport Hub had been undertaken by ESG Ltd on the 29th January.
- On Recommendations 3 and 4 there was, as yet, no progress. In the latter case, this was because the capital works in Cathedral Close had not yet started.
- Recommendation 5 – linkage to the Courtyard: design work on the new development was continuing and this issue would be addressed through this process.

In reply to concerns that a design for the City was being developed with no consultation with the local populace, the Cabinet Member (Economic Development and Community Services) said that the Design Brief had been developed by Ben Hamilton Bailey and would inform the overall design. This was an important part of the process, as there was no design brief for the City as a whole. Businesses in Widemarsh Street would be consulted over the designs. Whilst the timetable for the project had been altered, it would happen. It was understandable that there would be concerns about such changes even in normal market conditions, but it should be noted that it was unlikely that the work would be undertaken until after the recession was over. He added that this was an important period for the City, and that independent retailers had a great opportunity to help generate additional footfall during the period of change for the City.

RESOLVED: That the progress to achieve the Action Plan be noted.

104. WORK PROGRAMME

The Committee noted the Work Programme.

RESOLVED: That the work programme be approved and reported to the Strategic Monitoring Committee.

The meeting ended at 11.25 am

CHAIRMAN

REVIEW OF THE BACKLOG OF DEFINITIVE MAP MODIFICATION ORDERS

Report By: Director of Environment and Culture

Wards Affected

County-wide

Purpose

1. To consider the current backlog of Definitive Map Modification Orders

Financial Implications

2. An investment of £200,000 per year over 3 years would be needed just to clear the current backlog up to determination stage. Beyond determination stage, a further £300,000 per year would be required to employ extra legal support and open up the routes on the ground.

Background

3. At the Community Services Scrutiny Committee in December 2008, it was resolved that the Parks and Countryside Service undertake an urgent review of the backlog of Definitive Map Modification Orders, with a view to eradicating them within 3 years and to provide a progress report to the Committee.

Current Situation

4. The Council currently has a backlog of 82 modification order applications awaiting determination. The number of new applications being made per year is quite variable, but over the past 8 years it averages 7.6 applications per year. At present there are 13 high-priority applications, 33 medium-priority applications, and 36 low-priority applications awaiting determination.
5. Currently, two full-time officers are employed to deal with these applications. They are able to complete approximately 4 determinations per officer per year (8 in total). Many of these will give rise to formal objections which will lead to Public Inquiries – placing additional pressure on staff resources. This means that with current levels of resources, it is likely to take over 10 years to clear the current backlog, and with new applications being received at a rate of 7 – 8 per year, it is probable that there will continue to be a significant number of applications awaiting determination.

Recent Performance

6. Over the last 4 years the two officers dealing with modifications have dealt with 35 applications which is an average of 8.75 per year. The work in determining an order is similar whether or not the decision is to make an order. There is often an appeal when a decision is made not to support an order, which will involve the Secretary of State. The table below indicates that there is now a need to start turning determinations into

orders. As stated, most of these orders will result in objections and will need to be determined by the planning inspectorate, usually through a public Inquiry.

	Report completed – awaiting determination	Determined – No Order	Determined – awaiting order	Order Made
2005 - 06	0	2	2	2
2006 - 07	0	8	0	0
2007 - 08	0	3	4	0
2008 - 09	1	2	11	0

Benchmarking

7. The table below sets out a benchmarking exercise carried out in 2007 with a number of other local authorities. All authorities, other than Shropshire, have large backlogs of undetermined DMMO applications. Numbers of determinations made per year are broadly similar but Herefordshire Council is down on the number of orders made per year.

	Staff	Determinations made	Orders made	Backlog of applications
Herefordshire	2	8	0	100
Worcestershire	2	3	3	118
Shropshire	3	6	8	56
Warwickshire	3	9	5	162
Staffordshire	N/K	7	N/K	230

Authorisation Procedure

8. Upon receipt of an application, officers will prioritise and place it at the appropriate point in the queue. When it is time to deal with the application, the officer will carry out the necessary research and submit a decision report to the Assistant Director with responsibility for Public Rights of Way for determination. If the decision is to make an order, it is advertised and sent out for public consultation. If no objections are received, the order is confirmed and the route added to the Definitive map and opened up on the ground which can in it self be very costly. If an objection is received, and the majority of orders do result in an objection, the order is submitted to Secretary of State for determination which quite often ends up at a public inquiry.

Although it would be possible to cut down on the time spent on a determination report, this would expose the council to criticism, greater risk and result in having to commit more officer time later on the in the process. Beyond determination stage, it is limited as to how much impact the rights of way service has on the speed an order is processed. If the order has objections, the whole matter is referred to the Secretary of

State for determination. It can take over a year before the Secretary of State either decides on the report or decides whether or not to hold a Public Inquiry.

Service Delivery Review

9. Herefordshire Council are currently undergoing review of a number of Services including Public Rights of Way with our service delivery partners, Amey. Amey currently have two contracts with Herefordshire Council to deliver a number of Services including Rights of Way and the contracts allow for other elements of those Services to be included within the scope. Herefordshire Council have decided that it is in the Council's best interest in terms of saving money and improving Services to commission out all aspects of Public Rights of Way leaving only those areas that cannot be delegated, plus contract monitoring and strategic development. In effect Amey will be responsible for all areas of the Service including Definitive Modification Orders. When Amey take over the service it may be appropriate to explore a number of options including revisiting the current policy. We will be discussing this with both our Partners and various Stakeholders.

National Context

10. Natural England has set up a task group to look at the Definitive map Modification Order procedure following the collapse of the Discovering Lost Ways Project. This may result in some fundamental changes to the way modification orders are processed or prioritised.

Conclusion

11. The Council is very constrained in its flexibility to deal with the current backlog due to legislation and statutory process. Whilst the clearance of the backlog of Definitive Map Modification Orders up to determination stage within 3 years is possible, it would take considerable investment and would in all likelihood result in the backlog being shifted along rather than cleared. The service is currently concentrating on high priority applications which are those that provide the most benefit to the community. Beyond order making stage, considerable parts of the process are out of the Council's control so it would not be possible to completely clear the backlog within 3 years as it is unlikely that either the council's Legal services or the Secretary of State would be able to deal with a dramatic increase in orders and the subsequent objections. The service should however ensure that some orders are made this year. The service delivery review will provide the opportunity to review the resources committed to this area of work and to possibly re visit the current statement of priorities.

RECOMMENDATION

That;

- (a) The Report be noted**

and;

- (b) A further update is provided to the Committee by Amey in 18 months time.**

BACKGROUND PAPERS

- None

REVIEW OF COMMUNITY ENGAGEMENT IN COMMUNITY SAFETY AND DRUGS PARTNERSHIP – CABINET’S RESPONSE

Report By: Head of Economic and Community Services

Wards Affected

County-wide

Purpose

1. To consider Cabinet’s response to the recommendations made to it in the Scrutiny Review of Community Engagement in Community Safety and Drugs Partnership.

Background

2. In December 2008 this Committee approved the findings of the Scrutiny Review of Community Engagement in Community Safety and Drugs Partnership.
3. The Committee agreed that 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; and that a further report on progress in response to the Review then be made after six months with consideration then being given to the need for any further reports to be made.
4. Cabinet considered its response to the findings on 7 May 2009. The report to Cabinet setting out the response to the Review is appended. Cabinet agreed the recommendations as set out in the report to it. An action plan is appended.

RECOMMENDATION

THAT (a) Cabinet’s response to the findings of the Review of Community Engagement in Community Safety and Drugs Partnership be noted, subject to any comments which the Committee wishes to make;

and

(b) a further report on progress in response to the Review be made after six months with consideration then being given to the need for any further reports to be made.

BACKGROUND PAPERS

- None

Review of Community Engagement in Community Safety and Drugs Partnership

Action Plan

Recommendation No. 1	Improve relationship with Town and Parish Councils taking into consideration resource implications and likely outcome.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
Arrange a presentation to councils via HALC on the work of the partnership	CSDP Marketing Officer	Oct 09	Greater understanding and engagement by councils	
Explore raising the work of the HCSDP in parish magazines	CSDP Marketing Officer	Ongoing	Higher profile of HCSDP at parish level	
Work with the Parish Liaison Officer to feature HCSDP with town and parish councils	CSDP Marketing Officer	July 09	Profile in town and parish council newsletter	
Recommendation No. 2	Town Council Champions created as the anchor between the partnership and newly formed Local Community Safety and Drugs Forums.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
To produce an outline of expectation of a Town Council Champion	CSDP Partnership Manager	July 09	Outline produced	
To write to Town Councils requesting feedback on the recommendation and asking for a nomination	CSDP Partnership Manager	July 09	Nomination received	

<p>Recommendation No. 3</p>	<p>PACT meetings could be a valuable tool, but the review had deep concerns as to how well they are working. A separate review should be undertaken, possibly via Local Area Member Briefings to improve PACT meetings. Items to be considered: “Ownership” – should PACT meetings be owned by Herefordshire Council, Police, Town or Parish Councillors or a combination of all four? Improving feedback and using this as an opportunity for communication More effective advertising of meetings This recommendation is accepted.</p>				
<p>Executive’s Response</p>	<p>Action</p> <p>A review will be undertaken and reported to Cabinet</p> <p>Implementation of Revised arrangements</p>	<p>Owner</p> <p>Head of Partnership Support Head of Partnership support</p>	<p>By When</p> <p>June 2009 September 2009</p>	<p>Target/Success Criteria</p> <p>Review Completed Review Implemented</p>	<p>Progress</p>
<p>Recommendation No. 4</p>	<p>The Drug and Alcohol Forums become the Local Community Safety and Drugs Forums with a lead Community Support Officer, and additional funding sought for the forums to address the wider issue of reducing crime. This recommendation is accepted.</p>				
<p>Executive’s Response</p>	<p>Action</p> <p>To pursue funding for the forums to retain current activity (as allocation is due to finish in April 2009), and explore additional funding to extend role and support for the groups. To discuss extending the role of the forums with the existing groups.</p>	<p>Owner</p> <p>Community Safety Manager Community Safety Manager</p>	<p>By When</p> <p>On going July 09</p>	<p>Target/Success Criteria</p> <p>Potential funding identified Agree on extended role at next forum chairs meeting</p>	<p>Progress</p>

Recommendation No. 5	That partnership officers are involved in the parish plan process to ensure community safety is included in the production of effective plans.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
That an information / tips sheet regarding community safety matters is produced for parishes involved in the parish planning process	Community Safety Policy Manager	Nov 09	Produce information for distribution	
That closer working takes place with the Parish Planning Implementation Officer to ensure integration with the parish planning process	Community Safety Policy Manager	On going	Profile of community safety in parish plans	
Recommendation No. 6	To continue engagement with "hard to reach" groups and investigate linkages with other council, partner and voluntary sector consultation initiatives.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
To review consultation with "hard to reach" groups conducted as part of the Strategic Assessment for 2009 and consider improvements if necessary.	CSDP Performance and Data Officer	May 09	Review completed with recommendations for future engagement	
Recommendation No. 7	That the new community pride grants for the county include support for small initiatives that aim to design out crime.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
To include "design out crime" initiatives into the new community pride grants operational from April 2009.	Grants and Programmes Manager	April 09	Criteria produced to include design out crime.	

Recommendation No. 8	The importance of feedback is emphasised to all officers and partners both to improve community engagement and to address perception of crime. All opportunities for giving feedback should be exploited e.g. PACT meetings, Parish Councils, Neighbourhood Watch.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
Review Council/PCT Customer Services and Insight Strategy	Head of Customer Services & Corporate Programmes	September 2009	New strategy adopted by Cabinet	
Recommendation No. 9	Public engagement is a valuable tool to improve public safety and public services by truly understanding the needs of residents. A separate review should be undertaken to evaluate the quantity and quality of the consultation and public engagement events that are taking place or likely to take place within the whole Council.			
Executive's Response	This recommendation is accepted.			
Action	Owner	By When	Target/Success Criteria	Progress
Review of Customer Services and Insight Strategy	Head of Customer Services & Corporate Programmes	September 2009	New strategy adopted by Council	

HEREFORD UNITED FOOTBALL GROUND LEASES**Report By: Director of Regeneration****Wards Affected**

Central Ward

Purpose

1. To provide information to the Committee on the options for development of the football ground within the context of the wider ESG development.

Financial Implications

2. Development costs for the football ground are not included in the funding proposals for ESG and are therefore unbudgeted.
3. Compensation payments under the lease are unquantified, but will be substantial if pursued.

Background

4. This report gives a general analysis of Landlord and Tenant issues relating to premises generally and in particular the leasehold interest affecting the Hereford United Football Ground, and a commentary on the options open to the Council.
5. The football ground was specifically included in the Masterplan proposals for ESG.

Lease Details

6. There are two leases relating to the Hereford United Football Ground, both dated 12th August, 1982. One is for the ground itself and the terraces on the west side and the other is for the stand and parking area on the east side.
7. The Lease for the ground is for a term of 75 years from 12th August, 1982 and the Lease for the stand is for 33 years from 12th August, 1982. The tenant under both leases is Formsole Limited and the Football Club hold sub-leases.
8. Both Leases contain a forfeiture clause in the event of non-payment of rent, breach of covenant or liquidation. All the covenants in the Leases have not been outlined for the purpose of this report.
9. Both Leases are business leases protected under the Landlord and Tenant Act 1954 (as amended) which provides that such a tenancy shall not come to an end unless terminated in accordance with the provisions of the Act. Subject to the service of notices, as required by the Act, either the Tenant or the Landlord may apply to the Court for an order for the grant of a new tenancy. In other words, the Leases do not terminate automatically on the Lease expiry date, but will continue until terminated in accordance with the Act, if the tenant remains in occupation.

10. In this case, the premises are sub-let to the Football Club and it is in occupation. Therefore, it is the Club that has the protection of the Act, not the Tenant, Formsole Limited.
11. Either the Landlord or the Tenant can serve notice to terminate the tenancy, including the right to apply for a new tenancy.
12. The Landlord serves a termination notice under S.25 of the Act or the Tenant serves a request for a new tenancy pursuant to S.26. The Landlord may agree to the grant of a new tenancy or seek to oppose the grant on one of a number of grounds set out in S.30.
13. There are seven grounds:
 - (a) failure to repair in accordance with a covenant to do so in the Lease;
 - (b) persistent delay in paying rent;
 - (c) other substantial breach of covenant;
 - (d) Landlord has offered and is willing to provide or secure the provision of alternative accommodation for the Tenant – on reasonable terms having regard to the current tenancy and to all other relevant circumstances and that the accommodation and the time it is available are suitable to the Tenant's requirements;
 - (e) This relates to sub-letting on non-economic grounds and is not relevant in the case of the football ground;
 - (f) The Landlord intends to demolish or re-construct the premises or a substantial part, which could not be done without obtaining possession of the premises;
 - (g) Landlord intends to occupy the premises for the purposes or partly for the purposes of a business to be carried on by him.
14. There are various rules and procedures regarding service of the notices which are of a technical legal nature.
15. Apart from the above, it is always open to the parties to negotiate an early surrender of the Lease which would involve, in this particular case, relocation and/or compensation.

Compensation

16. If the Landlord obtains possession in accordance with grounds 12(e), (f) or (g) above, the Tenant is entitled to compensation. These are referred to as the "non tenant fault" grounds.

Development Options

17. There are a number of options for development:
 - (a) The head tenant carries out development using their own resources, subject to renegotiation of the lease to permit a commercial development of part of the site.
 - (b) The head tenant and/or the football club, as sub-tenant, develops the ground for sports and football purposes only.
 - (c) The football club is relocated and the site developed by the head tenant.

- (d) The football club is relocated, the lease is terminated and the head tenant compensated for loss of their lease interest. The Council/ESG redevelop the site.
 - (e) The lease is terminated. The club is not relocated and ceases to exist. The tenant is compensated for the loss of their lease interest. The Council/ESG redevelop the site.
18. The existing lease prohibits the development of the football ground, except as an athletic sports and football ground and ancillary uses, and subject to Council approval.
19. The Council and ESG held a number of meetings with the head tenants and the football club to discuss proposals for a commercial redevelopment of part of the ground to fund the refurbishment of the football ground and stands. Discussions had reached the stage of preparing Heads of Terms for a re-structuring of the lease to permit such a development. However, it has become clear that neither the head tenant nor the football club is prepared to proceed with such a development in the current financial circumstances.
20. Options leading to the termination of the lease and relocation or otherwise of the football club would result in substantial costs to the Council, both in compensation and/or relocation costs and subsequent site development costs.
21. At present, there are no financially feasible or appropriate options for development of the football ground. The Council would only take forward any development proposals in consultation with the Football Club and Formsole Limited. It is important to note that at this point in time no changes are proposed to the current position and the Football Club is secure in its current arrangement

RECOMMENDATION

THAT the report be noted.

CONSULTATION

- Legal Services
- Asset Management and Property Services

BACKGROUND PAPERS

- None Identified

REVENUE BUDGET MONITORING

Report By: Director of Resources

Wards Affected

County-wide.

Purpose

1. To advise the committee of the final revenue outturn position for Community Services for 2008/09 and to outline the agreed budget for 2009/10 and highlight any emerging pressures that have been identified.

Financial Implications

Revenue Outturn 2008/09

2. In overall terms the final revenue outturn variance for Community services was a net overspend of £63,000. Cultural services, Community Leisure and HALO, Parks and Countryside, Public Rights of Way and Cultural and Leisure management form part of the Environment Directorate and Social and Economic Regeneration and Head of Economic and Community regeneration form part of the Regeneration Directorate. The variances on the individual areas form part of their respective Directorate’s final outturn position.
3. A summary of the final revenue outturn variances is set out below, with further detail included in Appendix 1.

2008/09	Final Outturn Variance Over/under spend
<u>Service Area</u>	£000
Cultural Services	205
Community Leisure & HALO	13
Parks Countryside & Public Rights of Way	-142
Head of Culture & Leisure	47
Social & Economic Regeneration	-50
Head of Economic & Community Regeneration	-10
Community Services Total	63

Culture and Leisure

4. As previously projected, expenditure exceeded budget by £200,000 in relation to the HALO job evaluation costs. The council has a legal requirement to meet in full the financial impact of increases in pay of transferred posts affected by the single status agreement. The original central budget was set based on assumptions that were

Further information on the subject of this report is available from
Shirley Coultas, Community Services Accountant Tel: 01432 261825

- reasonable at the time about pay grades. Over time funding has become insufficient as staff progressed through the pay grades. For 2008/09 this was met by transferring the sum from reserves at year end. From 2009/10 the amount is being built into the council's base budget.
5. Libraries overspent by £102,000. This was mainly due to insufficient budget to meet IT SLA costs including maintenance of the public access PC's resulting in an overspend of £80,000, along with other minor pension costs and shortfalls in income.
 6. Tourism overspent by £82,000 mainly due to staff costs and shortfalls in income.
 7. There was an overspend on Public Rights of Way of £30,000 due to contract inflation on works carried out by Amey Wye Valley Ltd
 8. There was an underspend of £172,000 on Parks and Countryside in relation to works held back or funded from Commuted sums in order to manage budget pressures within the Environment Directorate.
 9. An overspend on the Head of Culture and Leisure of £47,000 arose due to retirement costs of the previous Head of Service. The net overspend for Culture and Leisure was £123,000.

Economic and Community Services

10. There was an underspend £46,000 for Economic Development due to a reduced contribution to the Edgar Street Grid project being required on matched funded costs. There were also staff vacancy savings of £6,000 resulting in a total Economic Development underspend of £52,000.
11. Following an evaluation by Government Office for the West Midlands and an external audit report, the Action for Regenerating Communities in Herefordshire (ARCH) European project was completed at a net cost to Community Services of £28,000. Community Regeneration also made savings of £16,000 on Community grants.
12. Further savings of £10,000 were made within the Head of Economic and Community services costs. The overall net underspend for Economic and Community Services was £60,000.

Revenue Budget 2009/10

13. The total budget for Community Services in 2009/10 is £10,184,000. This is the controllable budget total before support costs are factored in. A breakdown of the budget is set out in Appendix 2.
14. The Medium Term Financial Strategy approved by council sets the broad framework for service revenue budgets for 2009/10 and onwards. Inflation was added to direct employee headings and utilities. Client and customer income budget targets were increased by 2.5%.
15. Additional budget to support partner job evaluation pressures in HALO of £240,000 and Amey Wye Valley Limited of £11,000 has also added to Community Services budgets.
16. £140,000 has also been added to the Parks budget for 2009/10 to reduce an income target no longer receivable. This relates to funding from Hereford City Council that is no longer used to fund routine grass cutting and is now used for additional project work.

17. As a result of the Performance Improvement Cycle (PIC), which concluded in January Directors were challenged about spending and saving proposals by the Director of Resources and the Policy and Performance team. This gave rise to the following changes to budgets due to the detail of expenditure requirements and savings identified.

<u>Further items identified by Directors through PIC process</u>	Budget Additions £000
Implementation of free swimming for children and over 60's	100
Additional support for Citizens Advice Bureau to sustain their activity and meet demands due to downturn of economy	20
Total	<u>120</u>

18. There has also been an adjustment to the 2009/10 service budgets in relation to ICT budgets. These are now being held centrally and will be allocated to the service at the end of the year. This means that budget pressures in relation to public access PC's in Libraries will no longer occur as this will be managed within the ICT budget.
19. There has also been a transfer in 2009/10 of £117,000 from Social and Economic Regeneration in relation to Community Safety to the Environment Health & Trading Standards service budget and it is assumed that this will now be reported to Environment Scrutiny.
20. Tourism has also been transferred in 2009/10 from Culture & Leisure to Social & Economic Regeneration, both within Community Services.

RECOMMENDATION

THAT the report be noted.

BACKGROUND PAPERS

- None identified

APPENDIX

Appendix 1 – Summary Community Services Outturn Variance Report 2008/09

Appendix 2 – Summary Community Services Revenue Budget Report 2009/10

**SUMMARY COMMUNITY SERVICES OUTTURN VARIANCE REPORT
2008/09**

	Final Variance Over/-Under spend for 2008/09 £000
Arts	2
Cultural Services Staff	17
Heritage	25
Leisure Services	-23
Library Service	102
Tourism	82
Total for Cultural Services	205
Community Leisure	-2
Leisure	15
Total for Community Leisure + HALO	13
Parks & Countryside	-172
Public Rights of Way (PROW)	30
Total for Parks & Countryside and PROW	-142
Head of Culture and Leisure	47
TOTAL CULTURE AND LEISURE	123
Economic Development	-52
Community Safety	0
Community Regeneration	18
Regeneration Programmes	-16
Total for Social & Economic Regeneration	-50
Head of Economic and Community Regeneration	-10
TOTAL COMMUNITY REGENERATION	-60
TOTAL COMMUNITY SERVICES	63

SUMMARY COMMUNITY SERVICES REVENUE BUDGET REPORT 2009/10

	Gross Budget £000	Income £000	Net Budget £000
Arts	592	0	592
Cultural Services Staff	179	0	179
Heritage	595	-46	549
Leisure Services	222	-25	197
Library Service	2,182	-330	1,852
Total for Cultural Services	3,770	-401	3,369
Community Leisure	22	0	22
Leisure	1,862	0	1,862
Total for Community Leisure & HALO	1,884	0	1,884
Parks & Countryside	1,815	-73	1,742
Public Rights of Way (PROW)	628	-6	622
Total for Parks & Countryside and PROW	2,443	-79	2,364
Head of Culture and Leisure	99	0	99
TOTAL CULTURE AND LEISURE	8,196	-480	7,716
Economic Development	769	0	769
Community Regeneration	780	-6	774
Regeneration Programmes	294	-11	283
Tourism	1,068	-583	485
Total for Social & Economic Regeneration	2,911	-600	2,311
Head of Economic and Community Regeneration	157	0	157
TOTAL COMMUNITY REGENERATION	3,068	-600	2,468
TOTAL COMMUNITY SERVICES	11,264	-1,080	10,184

ENVIRONMENT & CULTURE AND REGENERATION DIRECTORATES: PERFORMANCE FOR THE YEAR-1 APRIL 2008 – 31 MARCH 2009

Report By: Improvement Manager

Wards Affected

County-wide

Purpose

1. To update Members on the achievement of targets for 2008-09 relevant to the Community Services Scrutiny Committee and contained within the Environment & Culture and Regeneration Directorates Plans. This report adopts a similar format to that of the Integrated Corporate Performance Report (ICPR).

Financial Implications

2. None.

Background

3. The Council's Corporate Plan sets out its objectives, priorities, targets and key actions for each of the three years 2008-11. It includes all the indicators and targets in the new Local Area Agreement (LAA), as well as those in the Herefordshire Community Strategy (HCS). Each Directorate's plan sets out the contribution, in terms of objectives, priorities, targets and key actions, it will make to achieving the objectives of the Council's Corporate Plan as well as to the achievement of other Directorate priorities. Progress needs to be assessed regularly, together with the risks to achievement and the action being taken to address these and improve performance.
4. For those indicators where it is possible to show comparative direction of travel the position has improved consistently from report to report and compared with I2007-08. Again there has also been an increase in the number of indicators where comparative data is available.

Progress against the Council's Corporate Plan and Directorate Plans

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

	No. of indicators	On course or achieved target (or establish baseline)	Some progress, but data/lack of data or analysis suggests that the target may not be achieved	Target not achieved/not expected to be achieved
Corporate Plan (including LAA and HCS)	25 (25)	21 (21)	2 (3)	2 (1)
of which				
Economic Development and Enterprise theme	10 (10)	8 (7)	1 (2)	1 (1)
Safer and Stronger theme	13 (13)	11 (12)	1 (1)	1 (1)
Sustainable communities theme	2 (2)	2 (2)	0 (0)	0 (0)
Local Area Agreement (LAA)	13 (12)	11 (12)	1 (0)	1 (0)
Herefordshire Community Strategy (HCS)	16 (16)	14 (12)	1 (3)	1 (1)
All ICPR reported National Indicators (NIs)	20 (20)	16 (18)	2 (1)	2 (1)
All Directorate reported NIs	45 (45)	30 (30)	12 (14)	3 (1)
All ICPR reported indicators	33 (33)	26 (25)	2 (5)	5 (3)
All Directorate reported indicators	58 (58)	40 (37)	12 (18)	6 (3)

Direction of travel

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

Direction of Travel				
	July	September	December	March
Improving	5	7	9	12
No real change	3	3	2	1
Deteriorating	1	2	2	4
Total	9	12	13	17

Headlines

- Generally positive in respect of Direction of Travel.
- Changes since December:

Green from Amber

- Local "Number employed in knowledge intensive industries"
- NI 151 "Overall employment rate"
- BVPI 128 "the number of vehicle crimes per year per 1,000 population"
- Local "overall crime numbers"
- NI 42 'perceptions of drug use or drug dealing as a problem"

Amber from Green

- NI 30 're-offending rate of prolific and priority offenders"

Red from Green

- NI 39 'alcohol harm related hospital admission rates per 100,000 population"

Red from Amber

- BVPI 225 "actions against domestic violence"
- NI 18 "adult re-offending rates for those under probation supervision"

NI 166 "average earnings of employees in the area" remained at **Red**

BVPI 126 "domestic burglaries per year, per 1,000 households" remained at **Red**

BVPI 127b "robberies per year, per 1,000 population remained at **Red**.

Overall performance

7. The overall position is positive with 69% of indicators **Green** and only 10% **Red**.
8. The following six indicators are judged **Red**:
 - NI 18 "adult re-offending rates for those under probation supervision"
 - NI 39 'alcohol harm related hospital admission rates per 100,000 population"
 - NI 166 "average earnings of employees in the area"
 - BVPI 126 "domestic burglaries per year, per 1,000 households"
 - BVPI 127b "robberies per year, per 1,000 population.
 - BVPI 225 "actions against domestic violence"
9. Details of the indicators reflecting each of the Corporate Plan themes are given in **Appendix A**. Within each theme indicators are separated into those that are included in the ICPR and other, related, indicators that are included in the Directorate Plans.

Customer satisfaction

10. Some services in both Directorates have had the benefit of regular monthly customer satisfaction surveys since March 2008, with results being available from June based on the new directorate structures. Coverage has gradually increased in the Environment and Culture Directorate, but only covers the Planning and Transportation division in the Regeneration Directorate at present.

RECOMMENDATION

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

BACKGROUND PAPERS

- None

NIS	Reference			Indicator	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn			RAG rating				Direction of Travel			Reason for judgements
	LAA	HCS	CP					BVP	APA	July	September	December	March	July	September	December	March	
Economic Development and Enterprise																		
ICPR indicators																		
152	Yes			Working age people on out of work benefits	Regeneration	8.90%	0.5% reduction by 2010-11	Outturn available November	8.6% (to May)	8.80%	A	A	G	G				On-course to achieve end-of-LAA target and better than last year.
161	Yes	Yes		Learners achieving a Level 1 qualification in literacy	Regeneration	58	32	Outturn available April	Data available in June	Data available in June	A	A	A	A				Activity showing progress towards target, but no outturn available
162		Yes	Yes	Learners achieving an Entry Level 3 qualification in numeracy	Regeneration		Establish baseline	Outturn available April	Data available in June	Data available in June	G	G	G	G				Outturn not yet available, but action plan being delivered
163	Yes			Working age population qualified to at least Level 2 or higher The data for this indicator will be derived from the Department for Innovation, University and Skills (DIUS) and will be available as calendar year data from the Office for National Statistics (ONS) Annual Population Survey (APS).	Regeneration		Establish baseline	Outturn available August 2009	69.80%		G	G	G	G				Baseline established
164	Yes			Working age population qualified to at least Level 3 or higher These are National Statistics collected via ONS' Annual Population Survey and are available with an 8 month time lag.	Regeneration		Establish baseline	Outturn available August 2009	Data available in June		G	G	G	G				Outturn not yet available, but action plan being delivered
165		Yes		Working age population qualified to at least Level 4 or higher These are National Statistics collected via ONS' Annual Population Survey and are available with an 8 month time lag.	Regeneration		Establish baseline	Outturn available August 2009	Data available in June		G	G	G	G				Outturn not yet available, but action plan being delivered
166	Yes			Average earnings of employees in the area	Regeneration	0.89-1 £384.40	>0.89-1 >£384.40	Outturn available October 2009	0.87-1 £389.40	0.87-1 £389.40	A	A	R	R				Although earnings have increased in Herefordshire, the gap between Herefordshire and the West Midlands has widened
171	Yes	Yes		New business registration rate per 100,000 resident population aged 16+	Regeneration	40.1 (2006)	Target to be set March 2009	Outturn available October 2009	59.2% (2007)	57.83% (2005-07 average)	A	A	G	G				Baseline established
172		Yes		% of small businesses in an area showing employment growth	Regeneration		Establish baseline	Outturn available April 2009	Reported by ONS at the end of the financial year		G	G	G	G				Activity reported that should impact on the baseline
	Yes			Number employed in knowledge and technology intensive industries	Regeneration	10,923	>10,923	Outturn available April 2009	11,722 (2007)		A	A	A	A				Better than target and last year
Other related indicators																		

NIS	Reference			Indicator	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn			RAG rating				Direction of Travel			Reason for judgements	
	LAA	HCS	CP					BVP/ APA	July	September	December	March	July	September	December	March	July		September
151				Overall employment rate These are National Statistics collected via ONS' Annual Population Survey and are available with an 8 month time lag.	Regeneration	78.70%		No data		79.5% (Latest outturn available is for April 06 to March 07 - next update due May 09)	A	A	A	G				△	Performance better than previously reported year
153				Working age people claiming out of work benefits in the worst performing neighbourhoods Data is reported quarterly by Jobcentre Plus with a 6 month time lag	Regeneration			No data		8.8% (to August 2008)	A	A	A	A					Data only available to August
173				People falling out of work and on to incapacity benefits	Regeneration		Establish baseline	No data		41.8% (forecast)	G	G	G	G					Although final outturn awaited, baseline will be established
174				Skills gaps in the current workforce reported by employers This data is collected by the LSC from a biennial survey.	Regeneration		Establish baseline	No data		6% (2007 for Herefordshire & Worcestershire)	G	G	G	G					Baseline established

Safer and Stronger Communities

ICPR indicators

4	Yes	Yes		% of people who feel they can influence decisions in their locality Data is collected through the Place survey biennially.	Regeneration		Establish baseline by March 2009			28.80%	G	G	G	G					Baseline established
6	Yes	Yes		Participation in regular volunteering Data is collected through the Place survey biennially.	Regeneration		Establish baseline by March 2009			29%	G	G	G	G					Baseline established
9	Yes	Yes		Use of public libraries	Environment & Culture		Establish baseline by March 2009			47.90%	A	G	G	G					Baseline established
11	Yes			Engagement in the arts	Environment & Culture		Establish baseline by March 2009			46.40%	A	G	G	G					Baseline established
17	Deleted	Yes	Yes	Perceptions of anti-social behaviour Data is collected through the Place survey biennially.	Environment & Culture	27%	Establish baseline by March 2009			12%	A	G	G	G					Baseline established

NIS	Reference			Indicator	Lead Directorate	2007-08 Outcome	2008-09 Target	Latest Outcome			RAG rating				Direction of Travel			Reason for judgements
	LAA	HCS	CP					BVP/ APA	July	September	December	March	July	September	December	March	July	
21	Yes		Yes		Dealing with local concerns about antisocial behaviour and crime by the local council and police Data is collected through the Place survey biennially.	Environment & Culture	Establish baseline by March 2009	25.40%										Baseline established
30	Yes				Re-offending rate of prolific and priority offenders (PPO)	Regeneration	49	No data	27	30	Data available in June							Increased numbers on system may mean target is not achieved
39	Yes (Local)				Alcohol/harm related hospital admission rates per 100,000	Regeneration	1260	272.8 (@ June)	265.3	533	1249							Target not achieved and worse than last year
40	Yes				Drug users in effective treatment	Regeneration	530	Due November	Due February	533	528 (quarter 3)							Quarter 4 figures awaited, better than last year
47	Yes	Yes	Yes	98a	People killed or seriously injured in road traffic accidents	Regeneration	133 (2007)	36 (January to June)	56 (January to August)	84 (January to November)	93							Target achieved and better than last year
48				98b	Children killed or seriously injured in road traffic accidents	Regeneration	11 (2007)	4 (January to June)	4 (January to August)	6 (January to November)	6							Target achieved and better than last year
				99c	The number of people slightly injured in road traffic collisions	Regeneration	<713	301 (January to June)	395 (January to August)	572 (January to November)	632							Target achieved and better than last year
				126	Domestic burglaries per year, per 1,000 households in the Local Authority area	Regeneration	<3.9	0.8	2	3.1	4.1							Target not achieved and worse than last year
				127a	Violent crime per year, per 1,000 population in the Local Authority area	Regeneration	<15.6	3.7	7.6	10.9	13.9							Target exceeded and better than last year
				127b	Robberies per year, per 1,000 population in the Local Authority area	Regeneration	<0.2	0.1	0.2	0.2	0.3							Latest outcome is worse than the same period last year
				128	The number of vehicle crimes per year, per 1,000 population in the Local Authority area	Regeneration	<5	1.2	2.5	3.6	4.8							Better than target and last year
				225	Actions against domestic violence	Regeneration	>81.8	No data	81.8	81.8	81.8 (forecast)							Target not achieved and same performance as last year
	Yes				Overall crime numbers	Regeneration	<11,172	3,850	5,662	8,103	10,471							Better than target and last year
	Yes				Perception of speeding traffic as a problem in your local area	Regeneration	Establish baseline by March 2009				Data not yet available							Outcome not yet available but baseline will be established
	Yes				Fear of crime as measured through the new Place Survey	Regeneration	Establish baseline by March 2009				Data not yet available							Outcome not yet available but baseline will be established
				104 2YJ	Substance Misuse: the proportion of young people with identified substance misuse needs who receive specialist assessment within 5 working days and, following the assessment, access the early intervention and treatment services they require within 10 working days (Substance Misuse Assessment)	Regeneration	To meet or exceed 95%	100%	100%	100%	100%							Better than target and last year

NIS	Reference			Indicator	Lead Directorate	2007-08 Outturn	2008-09 Target	Latest Outturn			RAG rating				Direction of Travel			Reason for judgements	
	LAA	HCS	CP					BVP	APA	July	September	December	March	July	September	December	March		July
Other related indicators																			
7				Environment for a thriving third sector	Regeneration		Establish baseline by March 2009				14.90%	G	G	G	G				Baseline established
10				Visits to museums and galleries	Environment & Culture		Establish baseline by March 2009		48%		48%	G	G	G	G				Baseline established
15				Serious violent crime rate	Regeneration			No data	0.331	0.768	0.970	R	A	A	A				New baseline established following revised data collection arrangements
16				Serious acquisitive crime rate	Regeneration			No data	3.565	5.263	6.950	R	A	A	A				New baseline established following revised data collection arrangements
18				Adult re-offending rates for those under probation supervision	Regeneration			No data	No data	No data	No data	R	A	A	R				No data
20				Assault with injury crime rate	Regeneration			No data	3.167	4.215	5.390	R	A	A	A				New baseline established following revised data collection arrangements
22				Perceptions of parents taking responsibility for the behaviour of their children in the area	Environment & Culture		Establish baseline by March 2009					G	G	G	G				No data but baseline will be established
24				Satisfaction with the way the police and local council dealt with antisocial behaviour	Environment & Culture		Establish baseline by March 2009					G	G	G	G				No data but baseline will be established
25				Satisfaction of different groups with the way the police and local council dealt with anti-social behaviour	Environment & Culture		Establish baseline by March 2009					G	G	G	G				No data but baseline will be established
27				Understanding of local concerns about anti-social behaviour and crime by the local council and police	Environment & Culture		Establish baseline by March 2009					G	G	G	G				No data but baseline will be established
28				Knife crime rate	Regeneration			No data	0.078	0.090	0.140	R	A	A	A				Data reported but no detail available of past performance or target
29				Gun crime rate	Regeneration			No data	0.028	0.039	0.05	R	A	A	A				Data reported but no detail available of past performance or target
32				Repeat incidents of domestic violence	Regeneration		Establish baseline by March 2009					R	G	G	G				Activity reported that should impact on the baseline
33				Atson incidents	Regeneration			No data	Quarter 1&2 data a) 1.35 b) 4.20	Quarter 1&2&3 data a) 2.12 b) 5.77	Q4 data awaited	R	A	A	A				Data reported but no detail available of past performance or target
34				Domestic violence – murder	Regeneration			No data	0	0	0	R	A	A	G				Although no target or activity reported performance is at maximum

NIS	Reference			Indicator	Lead Directorate	2007-08 Outcome	2008-09 Target	Latest Outcome			RAG rating				Direction of Travel			Reason for judgements	
	LAA	HCS	CP					BVP/ APA	July	September	December	March	July	September	December	March	July		September
38					Drug-related (Class A) offending rate	Regeneration	Establish baseline by March 2009				Data not yet available	R	G	G	G				No data but baseline will be established
41					Perceptions of drunk or rowdy behaviour as a problem	Environment & Culture	Establish baseline by March 2009				Data not yet available	G	G	G	G				No data but baseline will be established
42					Perceptions of drug use or drug dealing as a problem	Regeneration	Establish baseline by March 2009				Data not yet available	R	A	A	G				No data but baseline will be established
49					Number of primary fires and related fatalities and non-fatal casualties, excluding precautionary checks	Regeneration		No data	Quarter 1&2 data a) 76.22 b) 0.00 c) 1.68	Quarter 1&2&3 data a) 122.74 b) 0.00 c) 5.04	Q4 data awaited	R	A	A	A			Data reported but no detail available or past performance or target	
143					Offenders under probation supervision living in settled and suitable accommodation at the end of their order or licence	Regeneration		No data	81%	78%	78%	R	A	A	A				Data reported but no detail available or past performance or target
144					Offenders under probation supervision in employment at the end of their order or licence	Regeneration		No data	53%	54%	56%	R	A	A	A				Data reported but no detail available or past performance or target
Sustainable Communities																			
ICPR Indicators																			
	Yes				Ease of access to services (a) local shop (b) solicitor/CAB/other advice service (c) public transport facility (d) cultural/recreational facility	Regeneration	Establish baseline by March 2009				(a) 12% (b) 18% (c) 21% (d) 21%	R	G	G	G				Baseline established
	Yes				Quality of Life - % of people who feel certain aspects need improving: b. Affordable decent housing c. Job prospects d. Level of crime e. Level of traffic congestion f. Wage levels and local cost of living	Regeneration	Establish baseline by March 2009				(b) 30% (c) 26% (d) 17% (e) 33% (f) 26%	A	G	G	G				Baseline established

COMMITTEE WORK PROGRAMME

Report By: Head of Legal and Democratic Services

Wards Affected

County-wide

Purpose

- 1 To consider the Committee's work programme.

Financial Implications

- 2 None

Background

- 3 As reported to Council in May, work is ongoing on the response to the findings of the external healthcheck of the scrutiny function, undertaken by the Leadership Centre, which is also looking at the Council's governance arrangements as a whole and Member Development. Members of the Strategic Monitoring Committee have met informally to discuss the findings, some of which relate to the content of annual Work Programmes. Further work is being programmed. Work Programmes of all the Scrutiny Committees will need to be reconsidered in the light of these discussions. The Committee should have the opportunity to consider a revised work programme at its next meeting.
- 4 Pending the outcome of the above work, and in accordance with the Scrutiny Development Plan, a report on the Committee's current work programme is made to each of the scheduled quarterly meetings of this Scrutiny Committee. A copy of the work programme is attached as an appendix
- 5 Should any urgent, prominent or high profile issue arise, the Chairman may consider calling an additional meeting to consider that issue.
- 6 Should Members become aware of any issues they consider may be added to the scrutiny programme they should contact both the Director of Regeneration and the Director of Environment & Culture or Democratic Services to log the issue so that it may be taken in to consideration when planning future agendas or when revising the work programme.

Recommendation

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

BACKGROUND PAPERS

- None identified.

COMMUNITY SERVICES SCRUTINY COMMITTEE

WORK PROGRAMME PRESENTED FOR CONSIDERATION ON 29 JUNE 2009

5 October 2009	
Items	<ul style="list-style-type: none"> • Budget • Performance Monitoring • Edgar Street Grid – Update • Impact of the Economic Downturn • Consider the Executive’s Response to the Scrutiny Review of Tourism • Review of the Herefordshire Economic Development Strategy 2005- 25 • PACT Meetings
Scrutiny Reviews	
	Other issues
	<ul style="list-style-type: none"> • Review of Volunteering • Review of Access to Services • Review of Festivals in Herefordshire
7 December 2009	
Items	<ul style="list-style-type: none"> • Budget • Performance Monitoring • Edgar Street Grid – Update • Action Plan Monitoring: Scrutiny Review of Community and Safety Drugs Partnership.

Further additions to the work programme will be made as required.

