

**MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 13 September 2010 at 9.30 am**

**Present:** Councillor RI Matthews (Chairman)  
Councillor PJ Watts (Vice Chairman)

Councillors: WU Attfield, CM Bartrum, DW Greenow, JW Hope MBE, TW Hunt, PM Morgan and A Seldon

**In attendance:** Councillors: WLS Bowen, GFM Dawe, PJ Edwards, JG Jarvis (Cabinet Member - Environment and Strategic Housing), AT Oliver and RV Stockton.

**29. APOLOGIES FOR ABSENCE**

No apologies were received from members of the Committee. An apology was received from Councillor DB Wilcox (Cabinet Member Highways and Transportation).

**30. NAMED SUBSTITUTES**

There were no named substitutes.

**31. DECLARATIONS OF INTEREST**

No interests were declared.

**32. MINUTES**

**RESOLVED:** That the minutes of the meetings held 28 June and 13 July 2010 be confirmed as a correct record and signed by the Chairman.

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

No suggestions for scrutiny were received.

The Chairman informed the Committee that questions had been received from two members of the public and these would be dealt with under agenda items 6 - Local Development Framework and Item 14 - Committee work programme.

**34. LOCAL DEVELOPMENT FRAMEWORK**

The Committee received an update on progress with the Local Development Framework (LDF)

Elizabeth Morawiecki, Chairman, Breinton Parish Council submitted the following questions:

1. In its Place Shaping Consultation document the Council stated that "2.8 to ensure that consideration of sustainable development is built into the core strategy, a process of Sustainability appraisal (SA) is undertaken throughout the preparation process. In addition,... any development ...will be subject to rigorous examination through a process of Habitat Regulations Assessment HRA)." As neither of these reports are yet available and the fact that the Hereford Relief Road Study options was only signed

- off on 10th September, how can this council put forward a preferred option for Hereford and propose a western relief road when all the evidence is not yet available for councillors and officers to consider?
2. As the preferred option for Hereford under the LDF and the choice of a western relief road so closely follow the housing and transport proposals initially put forward by the Church Commissioners and Bloor Homes in their 2008 plan for future development in Hereford, please confirm that the sale of 48 acres of land by the Church Commissioners to Herefordshire Council for the new cattle market was in no way connected to these forward plans by a major landowner who stands to make considerable profits from the council's preferred options? In addition, would the council now publish all the correspondence and contracts relating to the purchase of land at the new cattle market site as there can now be no commercial sensitivity arising from these documents?
  3. Why is the council determined to continue to follow a level of housing growth in Hereford that has been shown by 2 Council commissioned transport reports to actually increase journey times within the city even if at least £86million and likely considerably more, is spent on a relief road.

Responding to question 1 The Planning Policy Manager reported that for consultation to take place there needed to be something to consult upon. Both the SA and the HRA had been published at each stage of the process and in principle both had been through the iterative process as part of the Place Shaping paper. Consultation could be undertaken at the same time as the SA and HRA process.

Questioned about whether sustainability should be established first, the Planning Policy Manager responded there was no reason that sustainability could not be undertaken at the same time as the remainder of the work as this would speed up the process.

The Cabinet Member (Environment and Strategic Housing) responded to comments about the timing and method of the release of information to Council members by assuring the Committee that members would receive information before it was released to the press or placed on the web site. However, he warned that timescales would be tight and members may not receive much notice. He emphasised that Cabinet on 16 September 2010 would only be deciding whether to approve the Hereford Core Strategy: Hereford Preferred Option paper for consultation. Council in February 2011 would be considering all the evidence in the Core Strategy document.

Responding to question 2 the Cabinet Member (Environment and Strategic Housing) stated there was no connection with the new cattle market or housing development referred to by the questioner. Correspondence relating to the purchase of land for the new cattle market could be requested through the Freedom of Information process.

Responding to question 3 the Cabinet Member (Environment and Strategic Housing) commented that many working age people were leaving the county for employment reasons. Herefordshire had to attract employment opportunities offering decent levels of pay and promote other amenities and facilities to encourage people to stay in the County. Some people may be effected by the proposals, however, the Council had to look at the bigger picture and work for the good of the County.

The Planning Policy Manager presented his report which set out the history to the item; the consultations undertaken; indicated the scope of further work to be undertaken and the intention to report a recommended Core Strategy (the central strategy document of the LDF) to Council for consideration on 4 February 2011.

Questioned on sustainable transport measures he responded that these had been included in the consideration process and would be part of the consideration by Cabinet and Council.

While the Regional Spatial Strategy had been revoked by government it contained a substantial evidence base that had been tested in public and found to be sound and therefore work continued to be supported by that evidence.

Asked how the new 'Localism Bill' would effect the Plan, the Assistant Director Environment, Planning and Waste, responded that the detail of the bill was awaited, however, the 'Bill' wouldn't negate the need for the work being undertaken. He also commented that evidence continued to be gathered and updated to ensure that the resultant Plan, when submitted to the Secretary of State as part of the process, could be shown to be sound.

Responding to how soon the Plan could be reviewed the Assistant Director Environment, Planning and Waste, responded that the Unitary Development Plan (UDP) was part of the LDF and therefore could only be changed by Council. Therefore a future administration could decide to make changes.

The Committee requested a time table setting out the key actions/dates for getting the Core Strategy to Council.

**RESOLVED: that the Committee noted the position set out in the report and information given at the meeting.**

### **35. LOCAL TRANSPORT PLAN - UPDATE**

The Committee received an update on progress in preparing the third Local Transport Plan (LTP) and were informed of the timetable for completing the plan.

The Transportation Manager presented the report which set out: the requirement to review and replace the current LTP; the range of documents the LTP would comprise of; that the LTP and the emerging Local Development Framework Core Strategy were being developed in tandem to ensure both strategies worked together; a timetable for completing the LTP preparation, and that the Committee would have the opportunity to review the current draft LTP at its November meeting.

Questioned whether the location of housing and businesses in the LDF determined where new roads went, or vice versa, the Committee were informed that land use proposals came first and their highway impacts modelled to assess impacts on the transport network. This enabled feedback to inform the preferred option for Hereford. While the public were in favour of a relief road their response through the survey responses had been evenly balanced between an eastern or western route.

Comment was made that while the revised LTP would plan for the future it also provided opportunities to solve some of the current transportation problems. It was also commented that the Council needed to maximise every opportunity of securing funding for schemes. It was further commented that in planning for the future serious consideration needed to be given to the higher end of any predicted traffic flow statistics to ensure that a degree of future proofing was built into the plan.

It was noted that the LTP wasn't just about the relief road and major schemes and therefore the Committee shouldn't lose sight of other transport issues e.g. cycling and walkways.

Responding to concern over how the LTP would be delivered e.g. where the finance would come from, the Sustainable Communities Director reported that, as part of the process, the Government Inspector would test the Council on the deliverability of the Plan.

**RESOLVED: that the report be noted and:**

- 1. the Committee recommends that the Executive:**
  - a. takes particular account of the higher range of traffic volume estimates when formulating the Local Transport Plan; and**
  - b. ensures that the Council maximises any funding opportunities for transport issues; and**
- 2. the importance of cycle ways, walkways etc be noted for discussion when the Committee debates the draft LTP in November.**

**36. SAFER ROADS PARTNERSHIP - UPDATE**

The Committee received an update on the work of the West Mercia Safer Roads Partnership and considered emerging issues around future funding.

The Transportation Manager presented his report which set out: Speed Enforcement Performance at 'Core Sites'; preliminary data for speed enforcement at 'Community Concern Sites', and findings from the West Mercia Crime and Safety Partnership Survey 2009-10. The report also set out funding issues for the Partnership, particularly for the member local authorities following the government announced in year savings. Clarity over future funding was expected following the government's spending review announcement later in the year.

Mr R Reynolds, Safer Roads Partnership Manager, informed the Committee of: the benefits derived from partnership working; the work undertaken since the last report in November 2009, that the partnership were managing the cut in this years funding primarily through reducing the back office functions; that Herefordshire was performing better than the national average in reducing the number of killed or seriously injured; the work of the partnership's Operations Forum, and the educational work being undertaken.

The Committee debated the effectiveness of vehicle activated SIDs (speed indicator signs); the need for sensible speed limits to be set to match road condition/design; the possibility of the NHS contributing towards accident preventative measures and, with an ageing population, whether there was sufficient emphasis given to eyesight test for older people.

The Committee also debated issues arising from agricultural traffic namely: child passengers in tractor cabs; the age at which young people can drive a tractor and trailer on the road, and the problems arising from tractors causing a queue and whether there were adequate passing places for them to pull in to.

**RESOLVED: That the report be noted and the Committee recommends that an awareness campaign be initiated to highlight to the agricultural community the contribution they can make to improving road safety.**

At this point the Committee adjourned for 10 minutes and resumed at 11.35am.

**37. COLWALL RAILWAY BRIDGE - ISSUES ARISING**

The Committee received a verbal update on any issues arising following the opening of the Colwall railway bridge.

At its meeting on 20 April 2009 the Committee requested that it be informed of any incidents or accidents following the opening of the new Colwall railway bridge.

The Assistant Director, Highways, Transport and Community Services, verbally reminded the Committee that local concern had arisen over changing access over the bridge from two way working to single way working controlled by 'smart' traffic lights. He reported that no accidents or incidents had been reported and there were no safety concerns

Invited to comment by the Chairman the Ward Member (Councillor RV Stockton) thanked the Council for persuading Railtrack (the owners of the bridge) to bring forward the replacement date by one year and that residents had now accepted the traffic controlled working.

Questions were asked regarding how many road over rail bridges there were in the County and what their state of repair was. The maintenance responsibility for roads over former rail bridges was also asked.

**RESOLVED: that the verbal report and the comments by the ward member (Cllr Stockton) be noted and a report be presented on the number and condition of road bridges over railway lines for which the Council has any liability for maintenance.**

### **38. PROGRESS REPORT - ACTIONS FOLLOWING SCRUTINY REVIEW OF ON-STREET PARKING**

The Committee considered progress on implementing the recommendations arising from the Scrutiny Review of On-Street Parking.

The Committee commissioned a scrutiny review into on-street parking, the findings from which were reported to Cabinet 29 October 2009. Cabinet's response and action plan were reported to Committee on 23 November 2009. The agenda report and appendix updated the Committee on further progress achieved against the recommendations from the review.

The Transportation Manager reported that the Car Parking Study for Hereford had been completed and had been published on the Council's website; the Study was helping to inform the review of the current Hereford Transport Strategy and Countywide Car Parking Strategy as part of the preparation of the third Local Transport Plan (LTP3); and a project to introduce pay on foot parking in Maylord Orchards was underway for delivery later in the year.

The Chairman commented that most of the recommendations from the Review had been accepted by the Executive and a number would now be considered as part of the LTP review process.

**RESOLVED: that progress against the action plan be noted.**

### **39. CAPITAL BUDGET MONITORING**

The Committee were advised of the position for the Environment Capital Programme within the overall context of the Council's Capital Programme.

The Director of Resources representative presented the report and highlighted that the total programme had increased to £18,838k from the figure of £18,476k previously reported to Committee and this, together with other variances, was set out in more detail in the report and appendix 1.

On scrutinising the report the Committee noted the following principal points:

- The Park & Ride scheme at the Holmer Road Leisure Centre was currently on hold.
- Various financing options had been considered when acquiring the three winter gritters. In the long term purchasing had been considered best value and provided the degree of resilience required.
- Funding for the Yazor Brook Flood Alleviation was currently still in place as it was considered a major scheme by Advantage West Midlands. The Sustainable Communities Director confirmed that works would not start until all elements were in place. Currently the outcome of the Compulsory Purchase Order enquiry was awaited.
- Widemarsh Street Refurbishment scheme was on track to be finished before Christmas 2010. While not a fixed price contract the works had been highly specified in the contract.

**RESOLVED: that the position set out in the Capital Budget Monitoring report be noted.**

#### **40. REVENUE BUDGET MONITORING**

The Committee were advised of the revenue position for the Environment budgets for the period to 31 July 2010, variations against budget and the projected outturn for the year.

The Director of Resources representative presented the report and highlighted that the total environment budget for 2010/11 had increased to £24,881k from £24,818k previously reported to Committee. The current position projected an overspend of £165k which mainly reflected a shortfall in income from parking of £230k. Further detail on the budgets was contained in the agenda report and its appendix.

On scrutinising the report the following principal points were noted:

- While great improvements had been made in waste recycling the County was financially still highly dependant on meeting targets, particularly in relation to reducing landfill. The Committee were informed that a number of councils in the region were now aiming for more challenging targets.
- The Committee were concerned that the costs incurred through document scanning in planning were continuing. The Assistant Director Environment Planning and Waste, anticipated that the new system of scanning would be in place before the end of the year. Computerisation of the planning process had now reached phase two and great efforts were being made to ensure that it met as many expectations as possible.
- In view of the financial cuts it was questioned whether the levels of expenditure on public transport could be maintained. The Sustainable Communities Director responded that this would depend on the outcome of the governments spending review but various options were being explored in advance of any announcement.

**RESOLVED: that**

- 1. the position set out in the Revenue Budget Monitoring report be noted; and**
- 2. a report on the actions being taken to further encourage recycling, and consequently reduce landfill, be logged in the work programme for reporting to a future meeting.**

#### **41. ENVIRONMENT PERFORMANCE UP TO JUNE 2010**

The Committee received an update on the current outturns and progress against the actions for key national performance indicator targets within the remit of the Committee.

On scrutinising the performance report the Committee questioned performance in relation to the registration time for planning applications. The Assistant Director Environment Planning and Waste reported that work on an application could start before it was formally registered. Performance had improved and would improve further when the new computerised planning system had been embedded and document scanning had been brought in-house.

**RESOLVED: that the performance report be noted.**

#### **42. COMMITTEE WORK PROGRAMME**

The Committee considered its work programme.

A question had been submitted by Mr WM Everitt. Mr Everitt referred to previous Committee debate on the issue of Public Right of Way Service performance, especially the meeting held 13 July 2010, and asked “1) when considering the Committee work programme should the Committee consider whether it is content that a satisfactory and acceptable level of service is being provided, or 2) whether a further report or reports should be scheduled into the work programme to monitor the level of service being provided?”

The Committee agreed that a further monitoring report on the performance of the PROW service be scheduled into the work programme, the timing of which to be subject to consideration by the Chairman and the Sustainable Communities Director.

#### **RESOLVED That**

- 1. an update on the performance of the PROW Service be included in the work programme; and**
- 2. subject to the inclusion of the items agreed earlier in the meeting the work programme be agreed and recommended to the Overview and Scrutiny Committee for approval.**

The meeting ended at 12.35 pm

**CHAIRMAN**