

AGENDA

Environment Scrutiny Committee

Date: **Monday 28 February 2011**

Time: **9.30 am**

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

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

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Agenda for the Meeting of the Environment Scrutiny Committee

Membership

Chairman	Councillor RI Matthews
Vice-Chairman	Councillor PJ Watts
	Councillor WU Attfield
	Councillor CM Bartrum
	Councillor GFM Dawe
	Councillor DW Greenow
	Councillor JW Hope MBE
	Councillor TW Hunt
	Councillor PM Morgan
	Councillor A Seldon
	Councillor NL Vaughan

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AGENDA

		Pages
1.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
2.	NAMED SUBSTITUTES (IF ANY) To receive details any details of Members nominated to attend the meeting in place of a Member of the Committee.	
3.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
4.	MINUTES To approve and sign the Minutes of the meeting held on 26 November 2010.	1 - 12
5.	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.	
6.	UPDATE ON PUBLIC RIGHTS OF WAY To provide an update on progress and issues set out in the Public Rights of Way report considered by Environment Scrutiny Committee on 13 th July 2010.	13 - 24
7.	ROAD OVER RAIL BRIDGES To inform the Committee on the number and condition of road over rail bridges, the responsibilities for maintenance, and the means of determining that maintenance.	25 - 30
8.	PRELIMINARY FLOOD RISK ASSESSMENT To: Introduce the requirements of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 in regard to the development of a Local Flood Risk Management Strategy for Herefordshire; and in particular the requirement for Herefordshire council as the Lead Local Flood Authority to prepare a Preliminary Flood Risk Assessment. To seek the Committee's views on the modification of the indicative national assessment of flood risk in Herefordshire; and To seek the Committee's guidance on the local significance of the criteria used in the preparation of the Preliminary Flood Risk Assessment Report, and in the subsequent development of Herefordshire's Local Flood Risk Management Strategy.	31 - 38

9.	INTRODUCTION TO EMERGENCY PREPAREDNESS PLANNING FOR FLOODING IN HEREFORDSHIRE	39 - 44
	To brief and provide information to the Committee on the Herefordshire Multi-Agency Flood Plan (MAFP) and the development of a Generic Reservoir Inundation Off-site Plan. Furthermore, to draw the committee's attention to the ongoing work programme that will enhance and develop our emergency preparedness for flooding; acknowledging the resources being committed by the Joint Emergency Planning Unit (JEPU).	
10.	UPDATE ON THE PROPOSED HEREFORD TRANSPORT HUB	45 - 50
	To update the Committee on progress in respect of the Transport Hub concept being explored by Hereford Futures in association with the redevelopment within the Edgar Street Grid area of Hereford.	
11.	CAPITAL BUDGET MONITORING	51 - 54
	To advise Scrutiny Committee on progress of the 2010/11 Environment Capital Programme within the overall context of the Council's Capital Programme.	
12.	REVENUE BUDGET MONITORING	55 - 60
	To advise members of the Environment Committee of the financial position for the Environment budgets for the six months to 31 st December 2010. The report lists the variations against budget at this stage in the year and the projected outturn for the year.	
13.	ENVIRONMENT PERFORMANCE UP TO DECEMBER 2010	61 - 68
	To report on the current outturns and progress against the actions for key national performance indicator targets for Environment Scrutiny Committee up to December 2010.	
14.	COMMITTEE WORK PROGRAMME	69 - 74
	To consider the Committee work programme.	

PUBLIC INFORMATION

HEREFORDSHIRE COUNCIL'S SCRUTINY COMMITTEES

The Council has established Scrutiny Committees for Adult Social Care and Strategic Housing, Children's Services, Community Services, Environment, and Health. An Overview and Scrutiny 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

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Adult Social Care and Strategic Housing

Statutory functions for adult social services and Strategic Housing.

Children's Services

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

Community Services Scrutiny Committee

Cultural Services, Community Safety (including Crime and Disorder), Economic Development and Youth Services.

Health

Scrutiny of the planning, provision and operation of health services affecting the area.

Environment

*Environmental Issues
Highways and Transportation*

Overview and Scrutiny Committee

*Corporate Strategy and Finance
Resources
Corporate and Customer Services
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HEREFORDSHIRE COUNCIL

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HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Environment Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Friday 26 November 2010 at 9.30 am

Present: Councillor PJ Watts (Vice Chairman)

Councillors: WU Attfield, CM Bartrum, GFM Dawe, JHR Goodwin, TW Hunt, G Lucas, PM Morgan, A Seldon and NL Vaughan

In attendance: Councillors: WLS Bowen, PJ Edwards and DB Wilcox (Cabinet Member - Highways and Transportation)

COUNCILLOR PJ WATTS IN THE CHAIR.

43. APOLOGIES FOR ABSENCE

Apologies were received from Councillor RI Matthews (Chairman) and Councillor DW Greenow. Apologies were also received from Councillor JG Jarvis, Cabinet Member (Environment & Strategic Housing).

44. NAMED SUBSTITUTES

Councillor G Lucas substituted for Councillor DW Greenow.

45. DECLARATIONS OF INTEREST

8. Railways - update report.
Councillor GFM Dawe, Personal, As Chair of the Rail for Herefordshire Group.

11. Connect 2 Greenway – Scheme Update
Councillor MD Lloyd-Hayes (in attendance) declared a personal interest as a member of the Greenway Steering Group.

46. MINUTES

RESOLVED: That the minutes of the meeting held 13 September 2010 be confirmed as a correct record and signed by the Chairman.

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

No suggested areas for scrutiny were received.

48. LOCAL TRANSPORT PLAN

The Committee received an update on progress made in preparing the third Local Transport Plan (LTP) and were invited to comment on the emerging strategy.

A number of written questions concerning the LTP3 had been received before the meeting from Mrs E Morawiecka. The questions and the written response have been appended to these minutes.

The Transportation Manager presented his report which set out: the history to the LTP and its importance to the County; the consultation undertaken in developing the emerging strategy; the significant funding pressures in the next few years around highway and transport services.

He also gave a presentation summarising the development of the LTP, current understanding of future funding and the timetable for adopting the strategy. Committee Members had previously received a copy of the draft LTP.

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

- Data for anticipated traffic growth in the City had been derived from various surveys and this had been modelled using the SATURN (Simulation and Assignment of Traffic to Urban Road Networks) system which in turn had been fed into the Local Development Framework model. Growth indicated in the LDF, and following consultation with the planning section, had been used to assess traffic growth in the rural areas. Statistics on traffic growth in Leominster had been based on work undertaken by a potential developer. The intention was to mitigate national trends/behaviours for increased local journeys.
- Statistics on fuel price/use used government projections within the SATURN system and were used as an industry standard.
- It was agreed that a number of aspirational elements in the LTP, particularly concerning rural roads and road maintenance, would need to be redrafted to provide greater focus. Funding issues will become an important issue especially in view of reduced government funding.
- Questioned whether the funding for the relief road could instead be used to fund improved sustainable transport (bus and cycle/walk ways) the Cabinet Member (Highways and Transportation) responded that the relief road was not a stand alone option. If the County wanted economic growth then a relief road and integrated transport would be needed and this had been endorsed by government ministers. He also pointed out that support to bus services was revenue funding and constructing a relief road would be capital funding.
- With an aging population it was questioned whether the traditional public transport service would be adequate in the long term. Questions were also raised regarding the 20% reduction in bus operator subsidy. The Cabinet Member (Highways and Transportation) responded that the LTP sought to ensure that a reasonable level of service was provided to the rural communities and pointed out that the subsidy reduction was due to government cuts. The Council were discussing the implications with operators. To maintain the current subsidy level would require support from Council resources.
- The Cabinet Member (Highways and Transportation) reported that he would also be discussing the resources situation with community transport operators.
- Comment was made that the LTP lacked any sense of how initiatives would be prioritised. The Assistant Director Highways Transport and Community Services responded that this would be difficult to do in view of the current funding uncertainties.
- Questioned on how improvements to cycleways/footways were anticipated, the Committee noted that in the current financial circumstances resources may need to go to their maintenance, rather than the provision of new routes.
- Questioned how the relief road accorded with the Council's Green Infrastructure Plans as, according to the relief road route diagram in the LTP, it severed a number of green routes to the West of the City. The Committee noted that the diagram in the draft LTP was a conceptual route. Various measures would be taken as part of any major development to protect the green routes.
- Following a public question regarding whether 'smart bus services', park and ride and sustainable measures had been considered instead of the relief road the Assistant Director Highways, Transport and Community Services reported that

improved public transport and other measures were included in the LTP. However, improving public transport in and around the City was dependent on improving traffic movement which would be facilitated by the proposed relief road.

- Questioned about whether statements or evidence contained in various reports undertaken or commissioned in the last few years had been taken into account, e.g. the Natural England report 2010, the Sustainable Communities Director responded that, depending on the report author's stance, some reports could appear contradictory with others, however, all evidence had been taken in to account.

RESOLVED: That where appropriate the comments made during the course of discussion be used by officers to inform the further drafting of the Local Transport Plan (LTP3).

49. ENVIRONMENTAL PERFORMANCE 2009 - 10 (GEM)

The Committee considered information on the Council's performance on environmental issues in 2009/10 in relation to commitments made, in particular in the environmental policy and corporate plan. (Good Environmental Management – GEM)

The Sustainability Officer presented the agenda report and highlighted: the five long term outcomes identified under the Corporate Plan environmental objectives; that the National Indicator set had now been dropped which meant that future reporting formats would have to be revised, and there was merit in expanding the set of measures reported against, and these were further set out in the report. Overall performance for 2009/10, indicated by the 'Year End Report', was good.

During the course of scrutinising the performance report the following principal points were noted:

- A number of issues within the 'Natural and Built Environment' section would be governed by the Local Development Framework once approved.
- The staff travel plan target had been achieved.
- One Council school, which was in the course of being redeveloped, and five private schools did not have school travel plans.
- It was suggested that while the use of recycled paper was commendable, cutting the use of papers would be more beneficial.
- The Sustainable Communities Director reported that a more strategic approach, following the national programme lead by the Carbon Trust, was being taken by the Council and PCT to ensure that carbon and cost savings were being made. The Council has set up a Carbon Board to consider how further initiatives could be progressed.
- Questioned on how the results for objective CM2 (per capita reduction in CO2) had been derived, it was noted that while these related to national statistics the local definition may need revising.
- Schools are large users of heat and power and Property Services were working with schools to reduce their carbon footprint. However, in many cases the required improvements would involve significant capital investment.
- Concern was expressed that if the County exceeded the household waste 'contract cost trigger', a large fine would be incurred. (objective WM1&2)
- Responding to a suggestion that an extension of the 20mph zones would contribute to safer communities and cut carbon, the Cabinet Member (Highways and Transportation) commented that commentary on 20mph zones was included in the draft Local Transport Plan. A review of all the speed limits in the County was underway.

- Questioned on how achievements for LEQ1 (environmental cleanliness) had been derived the Committee noted that a range of areas were sampled and compared against national indicators.

RESOLVED: That the Environmental Performance 2009-2010 report be noted.

50. RAILWAYS - UPDATE REPORT

Councillor GFM Dawe, declared a personal interest as Chairman of the 'Rail for Herefordshire Group'.

The Committee received an update on planned improvements for rail services and facilities in Herefordshire.

In response to the Committee request in June 2010 when Members criticised the rail operators for overcrowding on the Ludlow-Leominster-Hereford trains and concerns about the lack of access facilities, the Committee were informed by the Transportation Manager that: responsibility for the rail services and facilities in Herefordshire lay with a number of train operating companies and network rail; Arriva Trains Wales were developing measures to address overcrowding problems on the Ludlow-Hereford line, and improved access for users of Hereford and Leominster rail stations had now been programmed with Leominster works due to commence in January 2011. The agenda report summarised other key areas of progress in terms of ongoing and planned improvement to rail facilities and services in the County.

During the course of debate the following principal points were noted:

- Questioned whether the Council were in dialogue with the various rail franchise companies the Committee noted that meetings were held with the companies concerning a range of rail issues, however, being national companies meetings were sometimes difficult to arrange.
- Noting the recent government announcement to make a massive investment in rail infrastructure and questioning whether any improvements would be seen to county rail services, the Transportation Manager commented that the investment would be directed to London, the South East and major rail routes. The County may benefit from the knock on effect to the introduction of new rolling stock.
- While paragraph 13 of the report stated that 'track improvements between Hereford and Ledbury.....are likely to be prohibitively expensive' a Member claimed that it wasn't prohibitively expensive when compared to the total LTP funding.
- It was suggested that being part of a 'Quality Rail Partnership' may give added weight to any lobbying to get improved rail services.

The Cabinet Member (Highways and Transportation) commented that with only four stations (Hereford, Leominster, Ledbury and Colwall) Herefordshire wasn't seen as a priority by the franchise companies. Therefore this needed to be seen in the wider context and may be raised with the Local Enterprise Partnership. He also commented that he would be meeting with Lord Faulkner and would take the opportunity to put the case for twin-tracking, or at least passing loops, on the Hereford to Ledbury line.

RESOLVED: that the position outlined in the report be noted and the key providers of rail services and facilities in the County be invited to a future meeting to discuss issues of concern.

51. REPORT OF THE REVIEW GROUP ON THE HEREFORDSHIRE TRAVELLERS' POLICY

The Committee considered the findings of the review of the Travellers' Policy and progress made on the actions arising from the Herefordshire Travellers' Policy adopted on 25 November 2008.

The Chairman of the Review, Councillor WLS Bowen, reported that in 2008 the Travellers' Policy had been reviewed and a number of recommendations had been made. In accordance with the Committee's wish a further review had recently been undertaken and, having taken into account new government guidance and progress made against a number of actions previously identified, the Review Group made six further recommendations, set out in the report, for consideration by the Committee for forwarding to the Executive for consideration.

The Member for Bringsty ward, and member of the Review Group, briefly outlined the history to the Open Fields site at Linton, particularly in relation to its possible redevelopment by a developer and urged that progress be made.

It was suggested that in view of future planning applications being made the Planning Committee should be made aware of the Travellers' Policy.

RESOLVED: That

- 1. the conclusions of the Review Group on the Herefordshire Travellers Policy be agreed and forwarded to the Cabinet Member (Environment and Strategic Housing) for consideration;**
- 2. the Committee particularly supports the conclusion that work to secure the redevelopment of the Open Fields, Bromyard, site be progressed without undue delay;**
- 3. the Executive response to the Review be reported to the first available meeting of the Committee after the Cabinet Member (Environment and Strategic Housing) has approved his response;**
- 4. the Cabinet Member (Environment and Strategic Housing) considers involving the Review Group in any further development of the Policy; and**
- 5. that Members of the Planning Committee be reminded of the Travellers Policy when considering planning applications for traveller sites.**

52. COUNCIL VEHICLE FLEET

The Committee considered the results of the vehicle fleet review and details of the proposed approach to management of the vehicle fleet.

The report set out that: interim arrangements had been put in place for fleet management which provided assurance and control over the current fleet; management of the individual leased vehicle fleet across Herefordshire Public Services was expected to be consolidated and would ultimately be delivered from the Shared Services Organisation; arrangements for managing the rest of the fleet was being developed with the Council's fleet management partner, Amey Herefordshire. These arrangements will be put in place over the next 6 months so that the business fleet will be managed centrally early in the next financial year. The new arrangements will prioritise the development and roll out of policies and procedures that will help to reduce carbon emissions (and with them cost) and reduce the risks associated with fleet operation. Centralised fleet asset management will be rolled out commencing in April 2011. Centralising fleet management will allow both the implementation of a more consistent vehicle replacement policy and increased flexibility of asset use.

Questioned whether specific reductions in carbon emissions were planned the Committee noted that in relation to the Council's fleet these would be agreed as part of the management agreement with Amey Herefordshire. In relation to the 'gray fleet' (Councillors and officers private vehicles when used for business) this would be looked at as part of the overall carbon reduction policy.

It was suggested that alternative ways be explored for holding non-public meetings thereby saving travelling e.g. teleconferencing.

RESOLVED: That the report be noted and officers further explore the use of teleconferencing to further cut the business mileage.

53. CONNECT 2 GREENWAY - SCHEME UPDATE

Councillor MD Lloyd-Hayes (in attendance) declared a personal interest as a member of the Greenway Steering Group.

The Committee received an update regarding the Connect 2 Greenway scheme prior to submission of a planning application for the scheme.

The Construction Manager presented her agenda report and highlighted that following representations from local residents in the vicinity of the Preferred Route (New Bridge), additional investigations into possible routes utilising Outfall Works Road, the Welsh Water bridge and Network Rail underpass were being undertaken. This work would be sufficiently detailed to inform a decision on whether to submit the planning application for the current preferred route or whether to alter the preferred route and follow the original Welsh Water route.

Both options can still be delivered by spring 2013 which is the requirement of the Sustrans funding for this project. The scheme budget remains at £2.6M.

The Committee noted that in the interest of best value and the long term provision of the scheme the two options were being reviewed. Responding to a question concerning the scheme the Committee noted that the scheme represented phase one of the intention to take the cycle way to Holme Lacy.

RESOLVED: That the Committee noted the current position concerning the Connect 2 Greenway scheme as set out in the report.

54. ENVIRONMENT PERFORMANCE UP TO SEPTEMBER 2010

The Committee considered the current outturns and progress against the actions for key national performance indicator targets as they relate to Environment Scrutiny Committee.

On scrutinising the performance indicated in the report the Committee expressed a degree of concern that NI192 (household waste) was below target, however, it was noted that recycling continued to be promoted.

The Committee further noted that while the Local Area Agreement (LAA) targets had been removed, where a rational existed, the Council would continue to use a number of targets for monitoring purposes.

RESOLVED: that the position set out in the performance report be noted.

55. CAPITAL BUDGET MONITORING

The Committee considered progress of the 2010/11 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 reduced to £17,998k from the figure of £18,838k previously reported and this together with other variances, were set out in more detail in the report and appendix 1.

Questioned whether the cost of the poll (referred to at Council on 19 November 2010) to seek public opinion on the relief road, as contained in the draft LDF, would be met from the Environment budget the Sustainable Communities Director responded that officers were currently looking into the possibility and feasibility of holding the poll. He anticipated that if it went ahead the cost would be met from corporate budgets.

RESOLVED: That the position set out in the Budget Monitoring report be noted.

56. REVENUE BUDGET MONITORING

The Committee considered the financial position for the Environment budgets for the six months to 30 September 2010.

The Director of Resources representative presented the report and highlighted that the total environment budget for 2010/11 had increased to £24,921k from the amount previously reported (£24,881k). While this was a net increase she highlighted budget pressures in car parking due to reduced levels of income; public transport due to increased fuel prices, and planning due to the continued use of the document scanning system. Waste disposal was also being closely monitored in relation to the 'contract cost trigger'. Other variances were detailed in the report and appendix.

RESOLVED: That the position set out in the Revenue Budget Monitoring report be noted.

57. COMMITTEE WORK PROGRAMME

The Committee noted the work programme.

RESOLVED: That the work programme be noted and it be recommended to the Overview & Scrutiny Committee for approval.

The meeting ended at 12.30 pm

CHAIRMAN

Questions for Environment Scrutiny Committee 26.11.10

From Mrs Morawiecka

And response to questions issued 6 December 2010

On the LTP 3

Question 1.

The Report to this scrutiny committee says that an earlier consultation took place at the start of this year. Natural England submitted a report dated March 2010 on the Multi Modal study as part of this consultation process. The Natural England report stated

“Page 3:-

1. An ODR is forecast to increase the CO2 emissions by 2% & 10%.
3. Between 28-38 junctions in the city centre are forecast to cause considerable delay even with the ODR. By considerable delay, we mean operating at between 85% and 120% of capacity.
5. The ODR has varied impact on NO2, which designates part of Hereford as an Air Quality Management Area.
6. The ODR does not appear to be financially viable... TRL calculated that the ODR would produce journey time saving benefits of around £46.5M over fifteen years; this is small compared with the projected costs of the ODR of £130M, and suggests that, when estimated, the Benefit to Cost Ratio for the scheme is likely to be low.

Page 4 Inadequate Options Testing:-

2. No modelling of the sustainable transport options, detailed in the Place Shaping Paper, was undertaken.
3. The public transport provision modelled for 2026 was identical to that available in 2008.
4. Only one Park and Ride (P&R) option was modelled although the sustainable transport options suggest there should be more than one.
5. A multi-modal study of this nature would be expected to consider several other options, including enhanced public transport provision and alternative road construction requirements, such as:

- Substantial improvements to public transport including increased frequency and an increased service area;
- An additional river crossing without a full ODR;
- Enhanced train services;
- River Taxi;
- More Park and Ride sites;
- Flexible working hours (which would encourage peak spreading);
- Reduction in car parking in the centre of city; and
- Car sharing.

Page 5 “In response to Natural England’s specific questions:

- it has not been shown by the study that the relief road is essential for the scale and distribution of growth planned;
- there are likely to be credible alternative sustainable transport package options that should have been, and could be, considered;
- insufficient information on the phasing of housing development is provided to be able to assess how sustainable infrastructure investment could best be phased;
- without further information on the contribution made to future year traffic movements by each housing development it is not possible to fully assess how to best advance a western ODR route. From the information provided, it is likely, however, that a western route would be difficult to justify.”

Where have the officers involved in preparing the LTP3 communicated the conclusions of this report to councillors and how has it been taken into account in preparing the LTP3?

Response:

The Local Development Framework Task Group, whose membership includes Councillors and members of the Herefordshire Partnership including Mark July of Natural England, were made fully aware of the Natural England report. The report was considered within the Task Group and subsequent modelling work commissioned. The outputs from the subsequent modelling were considered in the preparation of LTP3.

Question 2.

If the Hereford Relief road is considered “not financially viable” (see above point 6) and that “a Western relief road would be difficult to justify” (point 5 above) resulting in a lack of funding for this capital project, how would the non delivery of a new western inner relief road impact on the delivery of the local transport plan, in the medium and long term?

Response:

The LTP has been produced to support the development proposals outlined within the emerging LDF Core Strategy. A relief road is a key enabler for the scale of development proposed within this emerging strategy for Hereford. The non-delivery of a relief road would significantly impact both the delivery of the LDF and consequentially the LTP in the medium and the long term.

Question 3.

The Amey Study of Options (Aug 2010) states “the eastern routes perform best in terms of reducing delay within the City. Many of the overcapacity junctions are on the east side of the city and as such the eastern bypass has the greatest improvement in these areas, resulting in the overall best results”.

The LTP3 states (Page 17) “Whilst the strategic proposals for the city do not support the identification of a fourth site to the east we will keep the need for an additional site serving the east of the city under review during the plan period.”

LTP3 proposes a western inner relief road. This would indicate that the LTP3 is not addressing the transport problems encountered on the majority of junctions operating beyond capacity, which are regularly used by residents on the East and people coming from Worcester and Ledbury to Hereford. Could the officers explain the reasons for this discrimination against the east of Hereford and why these junctions are to be neglected by the transport strategy?

Response:

In terms of transportation and network performance an eastern route performs marginally better than a western route. However, in terms of engineering and environmental impacts a western route is the preferred option.

Question 4.

The LTP3 second strategic goal states “ to prepare for a low-carbon future by supporting sustainable travel and ensuring responsible management plans are developed to maintain Herefordshire’s transport assets”

However, the LTP3 shows the green infrastructure routes separately from the western inner relief road, which disguises the severing affect of the western inner relief road on footpaths, bridleways and the quiet country lanes in Breinton. The Western inner relief road will in fact cut right through the centre of both the old Moorhampton rail line (the new proposed cycleway of the housing

development at Three Elms) and the historic Green Lane bridleway, the route of the Bishops of Hereford to their summer residence and a bridleway interconnecting with many other footpaths and bridleways all in daily use. The poor quality of the green infrastructure plan in the LTP, shown as Figure G, completely omits the City's only tourist cycle route that starts and finishes in the City and utilises the lanes and bridleways around Breinton. It also fails to highlight the only national trail that goes through Hereford – The Wye Valley Walk.

Instead, the LTP3 shows a different "green infrastructure corridor" that would appear to start and finish in the middle of fields and is completely unconnected to any existing public footpaths, bridleways or lanes.

How does the LTP3 plan to maintain these important historic, amenity, health and sustainable routes, whilst at the same time building a large relief road right through the middle of these same assets?

How does the western inner relief road proposal accord with the 2nd strategic goal?

Response:

The detailed planning of any relief road would include specific arrangements for maintaining existing accesses and rights of way. As this work has not been undertaken it is not possible to comment on any specific mitigation works which would be designed to maintain these accesses and rights of way.

Question 5

The first strategic goal of the LTP3 is "to support long-term economic growth within Herefordshire by improving journey time, reliability and predictability on key routes". The Amey Study of Options (Aug 2010) shows that with the provision of an inner western relief road "4.2.10 It can be seen from the total times in table 4.2 that all modelled scenarios perform worse than the 2008 base year". Why then is this council pursuing a growth and transport strategy which will increase journey times when this does not accord with their own strategic goal for transport?

Response:

As stated previously the LTP supports the emerging LDF Core Strategy and as identified within the question all scenarios tested result in increased journey times, including the no-road scenario. The preferred option does, however, enable a significant increase in transport movements and in particular amongst non-motorised forms of transport. Further work would be undertaken as the strategy develops to improve traffic management in the city, making best use of new infrastructure, further encouraging more sustainable modes and seeking to ensure journey time reliability and predictability.

Question 6.

LTP3 states on page 31/32 "The Hereford Relief Road will also help contribute to reducing pollutant concentrates within Hereford city as a lot of the traffic which currently passes through the city centre will bypass Hereford and relieve the city from congestion. The subsequent transfer of ownership of the A49 from the Highways Agency to the council will also allow sustainable transport infrastructure to be installed along the route including bus priority measures and cycle lanes."

Could officers please indicate where and when the Highways agency has agreed to transfer the ownership of the current A49 route to the council, especially as officers confirmed at the meeting at Trinity school on 3.11.10 that the new western inner relief road will actually be a road that passes through the middle of all the new housing and employment sites. Why are the Highways Agency looking to adopt a single carriageway housing estate access road?

In addition, where did officers obtain evidence that the Hereford Relief road will contribute to reducing pollutant concentrations within Hereford City when the Natural England report dated March 2010 shows that

“Page 3:-

1. An ODR is forecast to increase the CO₂ emissions by 2% & 10%.
5. The ODR has varied impact on NO₂, which designates part of Hereford as an Air Quality Management Area.” ?

Response:

The Highways Agency has not agreed to transfer the ownership of the A49 to the Council. The detailing of the relief road and its suitability as an alternative to the existing A49 for trunk road purposes have been subject of ongoing discussions with the Highways Agency and will be pursued subject to the proposal being adopted by the Council.

The Natural England commissioned report refers to modelling carried out in 2009 (The Hereford Multi Modal Model Forecasting Report) which has been superseded by revised modelling which forms an element of the Relief Road Study of Options. Importantly, the revised modelling includes sustainable transport packages which were not included in the original modelling.

The original modelling predictions for changes in emissions provided global outputs for the entire network and are not attributed to specific locations such as the A49 Air Quality Management Area. The report concluded that the addition of the relief road would reduce emissions associated with congested traffic (such as carbon monoxide) but would increase emissions associated with distance travelled (such as carbon dioxide).

Question 7

As many of the emergency services are located to the east of the city what will be the impact on the ability of emergency vehicles to attend incidents on the west and south of the city, where there is due to be a 30% increase in housing, when some of the roads currently dual carriageways will be reduced to single carriageways; and the overcapacity junctions will not have been improved?

Response:

The emergency services have been fully consulted during the preparation of the emerging LDF and LTP strategies and they will continue to be involved as formal development plans emerge.

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	UPDATE ON PUBLIC RIGHTS OF WAY
REPORT BY:	Parks, Countryside and Leisure Development Manager

CLASSIFICATION: Open

Purpose

To provide an update on progress and issues set out in the Public Rights of Way report considered by Environment Scrutiny Committee on 13th July 2010.

Recommendation

THAT: The report be noted.

Key Points Summary

- Environment Scrutiny Committee considered a review of the Public Rights of Way Service performance and outcomes in July 2010. A request was made for an update in February 2011.
- An update of current issues and performance around Definitive Map Modification Orders, public path orders and maintenance is set out.
- An update is provided on the list of issues presented by Mr. McKay at the July Environment Scrutiny Committee meeting.

Alternative Options

There are no alternative options.

Reasons for Recommendations

- 1 This is an information report for Scrutiny Committee.

Introduction and Background

- 2 At the Environment Scrutiny Committee meeting of 13th July 2010, Members received a comprehensive report setting out:
 - an overview of the service including its transfer to Amey;
 - the responsibilities of Amey and the Council;
 - the public rights of way legal order functions including performance in achieving those orders; statistics on the outstanding legal order work; the method of prioritisation and how the backlog was being tackled.

- the historic position regarding maintenance of the network, the current backlog position, the method of prioritisation of works, the involvement of the parish councils, and initiatives to tackle the backlog.
- benchmarking against other authorities
- the methods that the Council and Amey use to communicate, promote and engage with local communities and the wider public.
- the characteristics, differences and questions raised by members of the public concerning the List of Streets and the Definitive Map.
- the designation and inspection of unsurfaced county roads.

3. The committee resolved that:

- the list of suggested issues for scrutiny submitted by Mr McKay be forwarded to officers. Following consideration of the officer's response the Chairman and Vice-Chairman be authorised to decide whether any issue(s) should be brought to Committee for consideration as part of the Committee work programme.
- the Parks, Countryside & Leisure Officer investigate the possibility of obtaining funding from other 'partners' who benefit from the public using the rights of way network e.g. NHS, tourism;
- further consideration be given to how the public are informed about route closures, particularly major tourist routes, on the PROW network;
- consideration be given to approaching the NFU to urge them to remind their members of their responsibilities concerning any Public Right of Way over their property; and
- should the Herefordshire Local Access Forum extend an invitation to Herefordshire Council to meet with the Minister and MPs to discuss PROW issues, the Executive be requested that the Chairman and Vice-Chairman be invited to represent the views of the Committee.

Key Considerations

4. An update, mainly in tabular form, has been set out below showing progress for legal orders and maintenance

Orders Performance

5 The table below was presented to the committee in July 2010 and sets out the key stages of processing legal orders and the performance since 2007. A 2010 column has been added to show performance over the last year.

	Highways Act Orders				Town and Country Planning Act Orders				Definitive Map Modification Orders			
	2007	2008	2009	2010	2007	2008	2009	2010	2007	2008	2009	2010
Number of determinations per year	11	4	9	19	5	4	4	1	7	13	0	3
Number of orders made per year	12	3	2	7	5	4	4	1	0	0	5	4
Number of confirmed orders per year	6	7	4	5	6	3	3	2	0	0	0	1

Current position

6 The table below sets out the outstanding legal order work facing Herefordshire Council as at 1st February 2010 (as reported to Scrutiny in July 2010) and as at 1st January 2011

	Highways Act Orders		Town and Country Planning Act Orders		Definitive Map Modification Orders	
	01/02/2010	01/01/2011	01/02/2010	01/01/2011	01/02/2010	01/01/2011
No. of applications received but not yet determined	63	57	1	1	85	83
No. of applications determined but awaiting order making	1	8	0	1	16	16
No. of applications for which an order has been made and to which objections have been lodged and is awaiting a decision from Secretary of State	5	0	1	0	7	6
No. of applications received during previous 12 months	1	4	1	1	2	1

7. The progress in tackling the backlog of Highways Act orders has been particularly significant. This has been achieved by hard work on the part of the staff and a more robust approach to dealing with contentious applications and those lacking sufficient support. At the July 2010 Scrutiny meeting, a new procedure for dealing with such public path order applications was outlined that would have involved applicants appointing their own independent consultant to manage the application process. As so much progress has been made and it now appears likely that all future public path order applications can be managed by one (part-time) member of staff by mid 2011, thus enabling the other staff resources to be redirected to work on DMMO issues, the need for such a radical change in procedure has been reassessed. It is now proposed that the Public Rights of Way team will continue to manage the public path order process on behalf of applicants; applicants will be issued with enhanced guidance making it clear what level of service the Public Rights of Way team will be able to provide. They will still be free to appoint a consultant if they wish but this is unlikely to be necessary except in the most complex cases. The charging level and structure will also be revised to ensure that charges more accurately reflect the cost of providing the service and that the Public Rights of Way team minimise the amount of work they carry out in this area that is not rechargeable.

Since the July 2010 ESC meeting, the PROW Team has been asked to undertake two new areas of work. The first of these is to research applications for amendments to the Council's statutory List of Streets. The List of Streets is a document that records all highways maintainable at public expense. Unlike with Definitive Map Modification Orders there is no prescribed mechanism for seeking or implementing changes to the document but nonetheless the Council is required to act reasonably in this manner and modify the document when justified by evidence. Due to the close similarities in the type of evidence likely to be presented to the Council and the legal tests to be addressed in both List of Streets and Definitive map modification order applications, it has been decided that the Public Rights of Way definitive map modification order staff are best placed to deal with this additional work flow. The number of List of Streets "applications" is currently small but may have some impact on the availability of staff to deal with definitive map modification orders.

Of greater impact is the need to implement a solution to the Ordnance Survey's Positional Accuracy Improvement (PAI) programme. This was, in essence, a resurvey of the Ordnance Survey (OS) base mapping and has resulted in an apparent shift in the relative positions of some PROW and nearby physical features. Unfortunately the effect has not been uniform across the county and to correct this it is necessary to check every individual PROW and in some cases re-digitise its alignment. This project is a corporate GIS priority for the Council and again the staff able to do the work are the PROW DMMO staff. A plan has been drawn up that envisages a project duration of 10 - 15 months with the staff devoting approximately 20% of their time to PAI work. This will clearly have a direct impact on the number of determinations that the team is able to achieve whilst the PAI project is going on.

Finally, the PROW Team are also starting to deal with some of the contested orders that have been made but not yet resolved. This involves submitting the orders to the Secretary of State to determine, normally by means of a public inquiry. A three day inquiry is planned for June 2011 to determine such a contested order and this type of work will also impact on the number of existing applications that can be determined. In the light of these factors the suggested revised target numbers for 2011 are shown in bracket below

	Highways Act Orders			Town and Country Planning Act Orders			Definitive Map Modification Orders		
	2011	2012	2013	2011	2012	2013	2011	2012	2013
Estimated number of determinations per year	15	20	20	4	4	4	6 (3)	8	10
Estimated number of orders made per year	10	15	15	4	4	4	5	6	7
Estimated number of confirmed orders per year	8	12	12	4	4	4	3 (2)	3	4

Maintenance

- 8 At the July Committee meeting, the tables below were presented to show the current maintenance position as of the 31st May 2010. These tables have been updated to show the current position. Bridges have been removed from the table and dealt with under paragraph 9.

	Outstanding as of 31 st May 2010	Outstanding as of January 2011
Long Term Obstructions	108	113
General Service requests*	6682	6159

* General Service requests covers all requests for PROW services currently recorded

Examples of outstanding maintenance work**	Outstanding as of May 2010	Outstanding as of January 2011
Stiles	778	733
Gates	389	319
Signposts	758	671
Surface vegetation for strimming	667	Figures not available

** The nature of the work can be missing, broken, request for upgrade or requiring repair

Bridges

- 9 The poor condition of the bridge stock has resulted in a growing number of temporary closure orders whilst defective structures await replacement or repair. More detailed analysis of the work required to deal with these problems indicates that there are a total of 72 bridges that require replacement now or within the next few years. This figure excludes ditch crossings and small bridges of 4m span or less. Additionally, every year further structures are identified that also require replacement. Of the 72 currently recorded, 32 have been costed and programmed for replacement at a cost of approximately £228,000. The entire PROW capital budget is £45,000 per annum of which £25,000 is identified for bridge works and other large capital schemes. It can be seen that without significant investment the bridge stock is likely to deteriorate further.

Enforcement

- 10 During the period, July 2010 – January 2011, the Enforcement Officer has issued a total of 26 legal Notices, 21 of which have been for ploughing and cropping offences. 25 of these were complied with by the 7 day deadline, with only one landowner receiving an invoice for some enforcement costs.

The remaining 5 Notices have been in respect of other miscellaneous obstructions, of which 2 were long-term obstructions where all previous attempts at persuasion and co-operation had failed. Only one Legal Notice has expired without resolution, but it has involved extensive negotiation and site visits with several landowners and legal representatives, and there is confidence that it will be resolved in the medium term by way of a Diversion Application.

All matters that were initially earmarked for consideration for prosecution have been resolved either through negotiation or the service of Legal Notices. The need for prosecution is always treated as a last resort, and it is a testament to the success of the enforcement strategy over the past 6 months that this has not yet been necessary. However, prosecution will always be considered in appropriate cases. If and when it becomes necessary in a particular matter, then we will seek to maximise publicity in order to achieve greatest impact among the landowner community.

The Amey Enforcement Officer and the Council's Parks, Countryside & Leisure Manager attended a meeting of the County branch of the National Farmers Union in January 2011. There was lively discussion and it provided a useful opportunity to stress the importance of a well maintained and useable PROW network to the rural community and to develop a closer working relationship with the NFU.

List of issues raised by Mr P. McKay

- 11 At the July meeting, Mr. McKay presented a list of issues he felt should be considered by the Scrutiny Committee. The committee resolved that rather than go through the issues, the list should be handed over to officers to deal with and if the Chair felt any particular item needed to be addressed by the committee it could be at a later date. The updated list along with comments made by both officers and the Local Access Forum are attached. Rather than bring any of the listed issues back to the committee, any outstanding matters should be worked through by the local access forum or officers as set out.

Communications

- 12 Since the July Committee meeting the website has been further developed to include copies of all current public notices and orders including emergency and temporary closures and

PPOs and DMMOs. The DMMO online register of orders has also been extensively improved and complies with statutory requirements.

Community Impact

- 13 The public rights of way network is used extensively by local communities for walking, cycling, horse riding, driving etc. and any improvements will be of direct benefit. The network also provides considerable income for tourism, local tourist related businesses and an open, accessible and well promoted network will also bring much needed income into the local economy.

Financial Implications

- 14 No financial implications identified

Legal Implications

- 15 No legal implications

Risk Management

- 16 A number of improvements have been set out in this report and are currently being implemented. If there is any delay in the implementation, there is a risk of formal complaints which will tie up staff time and damage the reputation of the council. There is also a risk that continued financial budget restrictions will cause the maintenance backlog to increase and the network to deteriorate further. These risks will be added to the service risk register be monitored on a regular basis.

Consultees

- None for this report

Appendices

- Issues list from Mr. Mckay

Background Papers

- None

		Topics for review and consideration	Officers comments	Potential?	Workload?	Priority?	Links
DMMO	D1	Review DMMOA determination procedure, taking into consideration Council Auditor recommendation	Already considered by Scrutiny Committee. HC to monitor agreed targets and review procedure in 12 months.	Mod/Low	Moderate	Low	
DMMO	D2	Review policy re making of PPO's and DMMO's scattered about county, rather than in clusters, risking scattered inquiries rather than one combined inquiry, and also requiring multiple inspection of historic records rather than one overall inspection	Amey Lead. Operational - matter of work efficiency and appropriate use of resources. Already good examples of work clustering. No need for review at this stage	Moderate	Moderate	Medium	ROWIP
DMMO	D3	Review content of History of Herefordshire Definitive Map' document with view to making it a useful DMMO supporting document	Amey – Operational document. Recently reviewed and fit for purpose. No need to review at this stage.	Mod/Low	Moderate	Low/Mod	
DMMO	D4	Review practice re self registration of DMMOA's coming about due evidence discovered by Council, and need to do this before rights extinguished in 2026 have to be reinstated by payment of compensation, e.g., 360 anomalies need to be resolved at 23 per year to avoid this risk.	HLAF lead. Amey do not have the resources to commit to this substantial body of work. HLAF may wish to carry out research and submit as DMMO applications	Moderate	Moderate	Mod/High	ROWIP
DMMO	D5	Review action re anomalies on definitive map.	Current policy covered by Scrutiny review. HLAF lead. No Amey resource -HLAF to research and submit as DMMO applications? (anomalies).	Moderate	High	Moderate	
DMMO	D6	Review policy regarding the management and inspection of unrecorded roads adjacent to recorded fieldside footpaths	Operational and resource matter. No requirement in inspect unrecorded roads.	Low/Mod	Moderate	Low	HMP
LAF &	R1	Review and update ROWIP, expiring	HC Lead – Strategic policy decision	High	Mod/High	High	ROWIP

RoWIP		2011.	with input from HLAf. Review of ROWIP to begin at end Oct. In hand	Mod/High	Low/Mod	Medium	
LAF & RoWIP	R2	Review practice re advertising HLAf					
LAF & RoWIP	R3	Review policy re advertising of Council maintained country parking, picnic and view points	Operational decision. Looking at alternatives for delivery and management of countryside car parks. Input from HLAf useful	Moderate	Moderate	Moderate	ROWIP
Maintenance	M1	Review policy of not clearing paths and ways once is determined is a PRoW till order confirmed. H&WCC used to clear paths and ways once they decided was a PRoW, and is thought to have aided order confirmation, i.e., Inspector could walk and view the path or way.	AMEY – Operational matter. No input needed from HLAf. No need to review at this stage.	Low	Low	Low	
Maintenance	M2	Review policy and procedure regarding maintenance / replacement of stiles, gates, and other structures across paths and ways, that are not recorded as legitimate limitations on the written statements, to ensure unrecorded rights are not unlawfully obstructed or obstructions unlawfully maintained	Procedures already put in place to ensure all future structures are authorised. No resources to go back and look at existing structures.	Moderate	High	Mod/Low	ROWIP /HMP
Maintenance	M3	Review action re long term obstructions on Definitive map.	Long term obstructions is operational matter and is being addressed.	Moderate	Moderate	Moderate	
Parish Initiative	P1	Review Parish Files, and in particular consider what action ought be taken concerning a) CRF's & CRB's, b) 'Not Accepted' paths and ways, and c) ways about which information was not provided, such as 'Roads mainly used as roads' i.e., white roads, but which are not recorded on County Road Map	HLAF - Could be something that could be developed with local parishes. Current economic climate means any new additions to List of streets are unlikely to have any maintenance money spent on them	High	High	Medium	ROWIP LOS
Parish Initiative	P2	Review availability of informative documents that would be required by	Documentation already available as part of DMMO application process	Moderate	Moderate	Moderate	

		parishes, or others, to check and complete PRow and highway records (I have raised a list for consideration)							
Parish Initiative	P3	Review role Parishes could play in checking and completing PRow and highway records (if done by others to complete 250 parishes by 2026 would be one parish every two weeks)	HLAF lead. Could be project which parish council's could become involved in. Insufficient HC and Arney resources to become involved in this area of work other than in advisory capacity	High	High	Moderate	Moderate	Moderate	ROWIP
Unsurfaced roads	U1	Review Inspection Policy for unsurfaced county roads, e.g., present policy does not provide information about which are obstructed	Operational Matter being led by highways – review currently being carried out	Mod/High	Mod/High	Moderate	Moderate	Mod/High	HMP
Unsurfaced roads	U2	U2 Review policy regarding signing of unsurfaced county roads	Operational Matter being led by highways – review currently being carried out	Mod/High	Mod/High	Moderate	Moderate	Mod/High	HMP
Unsurfaced roads	U3	Review procedure for adding unrecorded county roads to the county road map	Operational Matter being led by highways – review currently being carried out	Mod/High	Mod/High	Moderate	Moderate	Mod/High	HMP
Unsurfaced roads	U4	Review apparent failure to transfer information about Private Streets from paper county road map to computer version	Operational Matter being led by highways – review currently being carried out	Low	Low	Moderate	Moderate	Low	HMP
Unsurfaced roads	U5	Review Highways management of unsurfaced county roads, to consider if would be better managed by PRow in exchange for Highways management of urban paths and well used BOAT's, they adding 36% of routes suitable for equestrian use if managed according to PRow principles rather than highway principles	HC lead as part of ROWIP review with input from HLAf	Mod/High	Mod/High	Moderate	Moderate	Mod/High	ROWIP
Unsurfaced roads	U6	Extend RoWIP to include unsurfaced county roads		Mod/High	Mod/High	Low/Mod	Low/Mod	Mod/High	
Unsurfaced roads	U7	Review action re anomalies Unsurfaced	Current policy covered by Scrutiny	Mod/High	Mod/High	High	High	Mod/High	

roads		County Roads	review . HLAF lead. No Amey resource -HLAF to research and submit as DMMO plications (anomalies).				
Unsurfaced roads	U8	Review action re long term obstructions on Unsurfaced County Roads	Long term obstructions is operational matter and is being addressed.	Mod/Low	Moderate	Mod/Low	
Unsurfaced roads	U9	Review action re gates, etc., across unsurfaced county roads	Operational Matter being led by highways – review currently being carried out	Moderate	Mod/High	Medium	HMP



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	ROAD OVER RAIL BRIDGES
PORTFOLIO AREA:	HIGHWAYS AND TRANSPORTATION

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To inform the Committee on the number and condition of road over rail bridges, the responsibilities for maintenance, and the means of determining that maintenance.

Recommendation(s)

THAT: the report is noted

Key Points Summary

- In Herefordshire there are 32 bridges over live rail (Network Rail have maintenance responsibility for 29 and Herefordshire Council has maintenance responsibility for 3 road and 2 footbridges). There are 31 bridges over disused rail lines (the British Rail Residuary Board being responsible for 26 of these and Herefordshire Council has maintenance responsibility for 5, of which 2 are footbridges).
- All bridges for which Herefordshire Council is responsible are managed in accordance with national standards to determine their condition, that they are safe for traffic and to identify maintenance works.
- Network Rail and British Rail Residuary Board state that their bridges are managed in accordance with their national standards.
- All 59 road bridges have been assessed as being capable of taking full highway loading, while 4 road bridges are classed as substandard. Footbridges are not included.
- All road over rail and disused rail bridges that are classed as substandard are managed in accordance with national standards to ensure that the bridges are safe for use.
- All road over rail bridges have been assessed, with Network Rail, to the national standard for the assessment of risk of accidental incursion of highway vehicles onto the railway. Risks have been assessed as low and the programme of mitigation measures

Further information on the subject of this report is available from David Harvey,
Technical Director, Consulting Highways, Amey tel 01432 845900

is in preparation together with consideration of accident records to reduce the risks, to as low as reasonably possible with low cost schemes.

- Herefordshire Council currently has no ongoing issues with Network Rail associated with land/fences at bridges other than those associated with the review of risk accidental obstruction of the railway by road vehicles.

Introduction and Background

- 1 In Herefordshire there are 34 bridges over live rail (Network Rail have maintenance responsibility for 27; Herefordshire Council has maintenance responsibility for 5 and Highways Agency for 2). There are 31 bridges over disused rail lines with the British Rail Residuary Board being responsible for these.
- 2 Amey Herefordshire provide the Council with all bridge maintenance services and have the responsibility for ensuring the Council meets its obligation in this respect.

Table of bridges by owner and type with totals

Bridges over live rail	
Footbridges over live rail owned by Herefordshire	2No.
Highway bridges carrying road over live rail owned by Herefordshire	3No.
Highway bridges over live rail owned and maintained by Network Rail	25No.
Footbridges over live rail owned and maintained by Network Rail	2No.
Highway Bridges owned and maintained by Highways Agency	2No.

Bridges over disused rail	
Footbridges over disused rail owned by Herefordshire	2No.
Highway bridges carrying road over disused rail owned by Herefordshire	3No.
Highway bridges carrying road over disused rail owned by BRB (Residuary) Ltd. (Previously British Railways Board)	26No.

- 3 All bridges for which Herefordshire Council is responsible are inspected in accordance with “Highway Structures, A Code of Practice”, the national standard for the determination of their condition, ensuring they are safe for traffic and for the identification of maintenance works.
- 4 Network Rail and British Rail Residuary Board state that their bridges are managed in accordance with their national standards. Network Rail responsibilities are defined in *The Railway Bridges (Load Bearing Standards) (England and Wales) Order 1972 (SI 1072 No. 1705)*,
- 5 All road over rail bridges have been assessed with Network Rail to “Managing the accidental obstruction of the railway by road vehicles”, the national standard for

assessing the risk of accidental incursion of highway vehicles onto the railway.

Key Considerations

- 6 Inspections on bridges for which Herefordshire Council has responsibility are undertaken every two years, with a detailed inspection every 6 years in accordance with national guidelines. The inspection, covering all structural and other elements of the bridge, identifies the condition of each element and the overall condition of the bridge. Maintenance works or further inspection is determined from these inspections.
- 7 Inspections by Network Rail and British Rail Residuary Board for their bridges is every two years, with a detailed inspection every 6 years in accordance with national guidelines.
- 8 There are inspections, known as safety inspections, on all Network Rail and British Rail Residuary Board bridges by Amey every two years. These inspections fulfil the duty of care required by the Highway Authority and are to confirm, at the time of inspection, that the bridge is safe for use.
- 9 Assessments have been carried out on all bridges. A total of 55 bridges have been assessed as being capable of taking full highway loading (including the three bridges for which Herefordshire Council has responsibility), while 4 bridges are classed as substandard.
- 10 All road over rail bridges that are classed substandard are managed in accordance with national standards to ensure that the bridges are safe for use. All bridges in this category, when last inspected, were safe for use.
- 11 Where a substandard structure also has a capacity below that defined in "The Railway Bridges (Load Bearing Standards) (England and Wales) Order 1972" responsibility for strengthening is with Network Rail or British Rail Residuary Board as appropriate.
- 12 Risks of highway vehicle incursion on the railway have been assessed as low and the programme of mitigation measures is in preparation.
- 13 The four bridges assessed as below full highway loading are as follows:-

BB0234, Woodleigh Road (Railway)

Assessed capacity - 7.5t gvw or Fire Engine group 1(FE1)

A highway bridge owned and maintained by Herefordshire carrying road over disused rail.

It is currently protected by a signed 7.5t weight limit and is managed under the strategy for management of substandard structures in the County. It carries the unclassified road U67221 over a footpath. No works other than monitoring are currently planned.

BR5063, College Rd Railway Bridge

Assessed capacity - 7.5t gwv

The bridge's capacity is below the legal obligations of Network Rail (A defined in The Transport Act 1968 (Part VIII Bridges and level Crossings etc) and loading further clarified in *The Railway Bridges (Load Bearing Standards) (England and Wales) Order 1972 (SI 1072 No. 1705)*, HMSO. The condition of fencing on the east side of the approach to the bridge has been raised with Network Rail and Amey Herefordshire are in discussion to ensure this is improved on this main approach to the city centre.

This is highway over live rail bridge owned and maintained by Network Rail currently assessed as having a capacity of 7.5t gwv and is protected by signs stating this .

Network Rail is obliged to restore the capacity to that of its obligations as defined in the act. These obligations are in general to maintain a capacity to the codes current at the time of the Act (1968), this is generally taken to be approximately 24Tons, however because current codes are more onerous, bridges may have a capacity less than this and still meet the Network Rail obligations. Under such a scheme the contribution from Herefordshire Council is likely to be relatively small. However, if Herefordshire Council were to require either a greater capacity than Network Rail's obligations or alterations to the current alignment or any similar alterations then the burden of costs falling on Herefordshire Council will be significantly increased and may be the majority of the costs. Knowledge of the structural condition of the bridge is limited but it can reasonably be assumed that works will be required on structural grounds in approximately 5 years though if the Council is content for works to be to Network Rail's obligations then programming lies with Network Rail. Negotiations with Network Rail are being undertaken on behalf of the Council by Amey Herefordshire to bring forward necessary works to meet highway requirements.

BR5037, Old Castle Railway

Assessed capacity - 7.5t gwv or Fire Engine group 1(FE1) at edge beams (17t on inner beams). The bridge's capacity is greater than the legal obligations of BRB (Residuary) Ltd.

A highway bridge carrying road over disused rail (Hay and Brecon line) owned by BRB (Residuary) Ltd.

This bridge is currently being considered for safety improvements, including a Road Safety Audit in respect of parapet protection. The long term solution is to be considered in 2011/12 in liaison with BRB to determine the best value strategy to manage this sub standard structure.

BR5067, Huntington Court Railway

Assessed capacity - 17t gwv. The bridge's capacity is greater than the legal obligations of BRB (Residuary) Ltd.

A highway bridge carrying road over disused rail (Hay and Brecon line) owned by BRB (Residuary) Ltd.

This bridge is currently being considered for safety improvements, including a Road Safety Audit in respect of parapet protection. The long term solution is to be considered in 2011/12 in liaison with BRB to determine the best value strategy to manage this sub standard structure.

Conclusion

- 14 This report sets out the robust approach taken to the important duty to effectively maintain highways bridges in partnership with Network Rail and British Rail Residuary Board. Members' comments are invited.

Community Impact

- 15 The appropriate capacity of a bridge and its availability for use supports the well being of that community.

Financial Implications

- 16 All inspections and maintenance works are carried out within existing budgets.

Legal Implications

- 17 The management of highway structures in accordance with national code of practice does not prevent prosecution but not to carryout management to the code of practice could lead to prosecution, exposure to Civil compensation claims and loss of reputation to Herefordshire.

Risk Management

- 18 The Code of Practice for the Management of Highway Structures is a good practice guide to the management of highway structures. The code sets out the procedures, processes and standards to be adopted in order to manage highway structures efficiently and effectively for the safety of the public.
- 19 Managing the accidental obstruction of the railway by road vehicles, is guidance with a risk based methodology for assessing the risk of incursion of highway vehicles onto the railway. Undertaking assessments at all rail bridge sites in accordance with the methodology set out in this document minimises the risks of such an incident.

Consultees

- 20 None

Appendices

None

Background Papers

None



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	PRELIMINARY FLOOD RISK ASSESSMENT
PORTFOLIO AREA:	Highways and Transportation, Environment

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To:

- Introduce the requirements of the Flood Risk Regulations 2009 and the Flood and Water Management Act 2010 in regard to the development of a Local Flood Risk Management Strategy for Herefordshire; and in particular the requirement for Herefordshire council as the Lead Local Flood Authority to prepare a Preliminary Flood Risk Assessment.
- To seek the Committee's views on the modification of the indicative national assessment of flood risk in Herefordshire; and
- To seek the Committee's guidance on the local significance of the criteria used in the preparation of the Preliminary Flood Risk Assessment Report, and in the subsequent development of Herefordshire's Local Flood Risk Management Strategy.

Key Decision

This is a Key Decision because it is likely to be significant in terms of its effect on communities living or working in Herefordshire in an area comprising one or more wards.

It was not included in the Forward Plan, however inclusion in the agenda gives the required notice in accordance with Section 15 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000.

Further information on the subject of this report is available from
Clive Hall, Highway Network Manager on (01432) 260786

Recommendations

THAT Scrutiny Committee:

- (a) Propose that the indicative national assessment of flood risk in Herefordshire is not amended; and
- (b) Supports the preparation of the Preliminary Flood Risk Assessment Report in accordance with the Guidance provided to all Lead Local Flood Authorities by DEFRA, and provides its views on the local significance of the criteria contained therein.

Key Points Summary

- The deadline for the submission to the Environment Agency of the Preliminary Flood Risk Assessment Report is the 22nd June 2011
- The Preliminary Flood Risk Assessment Report will be made available to the public by 22 December 2011.
- The indicative national flood risk map prepared by the Environment Agency provides a consistent assessment of flood risk across England and Wales. The indicative flood risk map identifies nationally significant flood risk areas.
- Drawing on local knowledge of flood risk it has been determined that there are no nationally significant flood risk areas in Herefordshire.
- A consistent approach is required nationally for the assessment of flood risk and this is supported by detailed guidance. The Preliminary Flood Risk Assessment (PFRA) will identify if from local knowledge there are Flood Risk Areas within Herefordshire. The identification will be based on the identification of significant harmful consequences on human health, economic activity and the environment.

Alternative Options

- 1 The committees proposes that Herefordshire Council as the Lead Local Authority (LLFA) draws on local knowledge to determine amendments to the flood risk areas.

Reasons for Recommendations

- 2 The indicative flood risk map has been prepared to identify national areas of flood risk. This decision, not to amend the flood risk map, allows Herefordshire Council as the LLFA to develop flood mitigation strategies and flood risk management plans that are the most appropriate for this county.
- 3 The guidance on the significance of criteria for flood risk ensures the strategies to be developed will be appropriate for Herefordshire.

Introduction and Background

- 4 The Flood Risk Regulations 2009 (the Regulations) implement the European Floods

Directive 2007/60/EC. This provides a consistent approach to managing flood risk across Europe. Herefordshire Council is the Lead Local Flood Authority (LLFA) for Herefordshire. Under the Regulations (and in line with responsibilities under the Flood and Water Management Act 2010 (the Act)) the LLFA is responsible for managing local flood risk in its area.

- 5 The approach the government has adopted for the management of flood risk starts with a Preliminary Flood Risk Assessment (PFRA) Report. The report is an initial screening to review historical and future flood risk to determine flood risk areas.
- 6 The deadline for the completion of the PFRA report is the 22nd June 2011. The report will then be reviewed by the Environment Agency (EA).
- 7 The PFRA to be prepared by all LLFAs are not required to cover flooding from the sea, main rivers and reservoirs, the assessment of these risks will be lead by the EA. The PFRA should not include for flooding from blocked sewers or burst water mains, but sewer surcharge due to heavy rainfall events, or the like must be included for.

Key Considerations

- 8 The PFRA Report is required to cover the following aspects:
 - Governance by Herefordshire Council for the management of local flood risk,
 - Partnership and communications with partners for the management of local flood risk
 - Past floods – listing of past floods and their consequences
 - Future floods – identification of the broad areas at risk of flooding in the future, and the consequences of that flooding, based on indicative flood risk areas provided by the Environment Agency (EA).
 - The report will contain map(s) of past floods and a summary table of consequences. These will provide a summary of all readily available information on past floods. This will be used in the development of local strategies.
 - The EA have provided an indicative flood risk map for each LLFA area based on national data. To ensure a consistent and proportionate approach DEFRA has identified significant criteria and thresholds to define flood risk areas.
- 9 The EA has applied these criteria and thresholds to produce indicative Flood Risk Areas. These areas are based on nationally available data. It is important that this is reviewed by the LLFA for the Report. The indicators and threshold values that have been used to determine the indicative Flood Risk Areas are included in Appendix 1 to this report.
- 10 The methodology adopted by the EA was to inspect 1 km grid squares for local flood risk and to seek clusters of flood risk in order to identify nationally significant flood risk areas. This process has identified 8 areas in England and 5 in Wales, none include Herefordshire. The nature of the national methodology is such that it is areas of major population that have been identified with nationally significant flood risk. As a result of the methodology these indicative national flood risk maps prepared by the EA do provide a consistent assessment of flood risk across England and Wales and do identify nationally significant flood risk areas.

- 11 The review of the PFRA undertaken by the EA will aim to ensure that the national method for identifying Flood Risk Areas has been applied appropriately and consistently by LLFA's in England and Wales. The EA will publish all Preliminary Flood Risk Assessment Reports and Flood Risk Areas by 22 December 2011 before making them available to the European Commission.
- 12 In line with EA recommendations the PFRA Report will be available to the public by 22 December 2011.
- 13 The EA's review will focus on the Flood Risk Areas particularly where these have been amended. They will check that any changes are justified and nationally consistent. To promote consistency, the Department for Environment Food and Rural Affairs (DEFRA) have published detailed guidance and alongside the details of the indicators and threshold values to determine Flood Risk Areas (Appendix 1), A series of other factors for LLFAs to consider for nominating new or expanded Flood Risk Areas are detailed. These consider further information on:
 - the risk to human health, including the vulnerability of sites such as caravan parks to flood risk and the impact on critical infrastructure such as schools, hospitals, nursing homes, power and water services;
 - economic factors, such as agricultural areas, road and rail links; and
- 14 Environmental factors, such as designated sites, heritage sites and pollution.
- 15 As the LLFA, Herefordshire Council may draw on local knowledge to review the indicative flood risk map prepared by the Environment Agency and determine if it wishes to amend the flood risk areas. Reasons for amending the indicative flood risk areas could include knowledge of geography, past flooding, future flooding. Unless the reasons for amendment are compelling the Environment Agency does not recommend amendments.
- 16 If accepted by the EA there are no financial benefits from amendment to the indicative flood risk areas. A decision not to amend the flood risk map allows Herefordshire Council as the LLFA to develop flood mitigation strategies and flood risk management plans that are the most appropriate for this county.
- 17 The EA review panel will make recommendations to the relevant Regional Flood Defence Committee (Midlands RFDC) for endorsement. Following consideration by the RFDC the final stage of the EA review will be signing off by the relevant EA director.
- 18 The PFRA stage of the Regulations will provide a flood risk assessment for local flood risk strategy in the Act. LLFA's without Flood Risk Areas will be able to choose the management approach they feel is most appropriate for the area. LLFA's are encouraged to consider the full range of local flood risk across their area.
- 19 Preliminary Flood Risk Assessment (PFRA) will identify local flood risk areas and be based on the identification of significant harmful consequences on human health, economic activity and the environment.

Community Impact

- 20 Flood events have a significant impact on the health, welfare and economic viability of our communities and the environment in which the live, work and travel.

Financial Implications

- 21 There are no direct costs to the proposals. Governance, Partnership building, the development of flood mitigation strategies and flood risk management plans is contained within existing budgets. The government has provided area grant funding for 2011/12 and 2012/13 for duties contained within the Flood and Water Management Act 2010. This falls within the new duties.

Funding is not limited by the recommendations

Legal Implications

- 22 The Regulations require the submission of the PFRA Report by 22 June 2011.

Risk Management

- 23 Under the Regulations Herefordshire Council as the LLFA for Herefordshire is responsible for managing local flood risk in the county. Herefordshire Council as the LLFA is required to review the PFRA in accordance with its own internal processes. The purpose of such a review is to ensure that as a LLFA it is satisfied that its products are fit for purpose in meeting the Regulations.

Consultees

- 24 The EA has been consulted on whether any area in Herefordshire will meet the significance criteria set out above. The EA has indicated that no area will meet the criteria.

Appendices

- 25 DEFRA Indicators and threshold levels to determine flood risk areas.

Background Papers

Herefordshire Strategic Flood Risk Assessment

Selecting and reviewing Flood Risk Areas for local sources of flooding – Guidance to Lead Local Flood Authorities. As published by DEFRA

Indicators and threshold values to determine Flood Risk Areas

Area designation	Indicators	Threshold	Assessed Nationally or Locally
Human Health			
Indicative Flood Risk Areas	Number of people (based on number of residential properties x 2.34)	Set at 30,000 (England), 5,000 (Wales) within a cluster where risk is most concentrated.	Nationally
	Critical services (including schools, hospitals, nursing homes, power and water services)	“Nominal threshold” 150 (England) 25 (Wales) although number of people is the deciding threshold for indicative Flood Risk Areas.	Nationally
LLFA proposed new or expanded Flood Risk Areas	Number of people (based on number of residential properties x 2.34)	New Flood Risk Areas could be identified on the basis of being at equivalent risk to the indicative Flood Risk Areas. Annex A describes criteria which may be used to determine this.	Locally
	Critical services – (including schools, hospitals, nursing homes, power and water services)	Locally held information might provide a more accurate assessment of the number of people who depend on specific critical services. Although new Flood Risk Areas are unlikely to be identified on the basis of critical services alone, local information might suggest that a Flood Risk Areas might be expanded.	Locally
Economic activity			
Indicative Flood Risk Areas	Non-residential properties (including shops and businesses).	“Nominal threshold” of 3,000 (England) 500 (Wales) although number of people is the deciding threshold for indicative Flood Risk Areas.	Nationally
LLFA proposed new or expanded Flood Risk Areas	Non-residential properties (including shops and businesses).	Areas could be identified on the basis of being at equivalent risk to the indicative Flood Risk Areas. Generally business properties represent less than 2% of total properties in Flood Risk Areas so it is unlikely that additional non-residential properties alone will lead to new Flood Risk Areas.	Locally
	Agricultural land (e.g. area of land (hectares) based on agricultural grade)	Consequences of flooding to agricultural land from local flood risks are unlikely to identify new Flood Risk Areas but may contribute to Flood Risk Areas selected on other indicators.	Locally
	Roads and rail (length in km)	Consequences from local sources of flood risk to roads and rail are unlikely to lead to new Flood Risk Areas being identified, but may contribute to Flood Risk Areas which are identified on the basis of other indicators.	Locally

Indicators and threshold values to determine Flood Risk Areas

Environment			
LLFA Proposed new or expanded Flood Risk Areas.	Area of internationally or nationally designated site, (e.g. Special Areas of Conservation; Special Protection Areas; Ramsar sites or Sites of Special Scientific Interest	Consequences of flooding could be positive or negative; some habitats depend on seasonal flooding, although prolonged or unusually extensive flooding might damage habitats. Flooding by polluted/contaminated water might increase damage.	Locally
	Number of nationally / internationally important heritage features. - World heritage sites - Scheduled monuments (SMs) - Listed buildings - Registered parks and gardens	LLFAs should consider the potential consequences of flooding specific to each site.	Locally

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	INTRODUCTION TO EMERGENCY PREPAREDNESS PLANNING FOR FLOODING IN HEREFORDSHIRE
REPORT BY:	Assistant Director Public Health

CLASSIFICATION: OPEN

Wards Affected – County-wide

Purpose

To brief and provide information to the Committee on the Herefordshire Multi-Agency Flood Plan (MAFP) and the development of a Generic Reservoir Inundation Off-site Plan. Furthermore, to draw the committee's attention to the ongoing work programme that will enhance and develop our emergency preparedness for flooding; acknowledging the resources being committed by the Joint Emergency Planning Unit (JEPU).

Recommendations

THAT:

- (a) **Note the development of the Herefordshire MAFP and the Generic Reservoir Inundation Off-Site Plan;**
- (b) **Note the continued work of the JEPU to maintain and enhance these plans.**

Key Points Summary

- The JEPU has produced the Herefordshire MAFP in line with: the Civil Contingencies Act 2004 (CCA) duties required of Category 1 emergency responders; the guidance provided by the Environment Agency (EA) and DEFRA; and, the recommendations made within the Pitt¹ Review.
- Local Authorities are the lead responders in relation to multi-agency planning for severe weather emergencies.
- The Plan has been exercised on a multi-agency basis and scored (against DEFRA requirements) by the Environment Agency (EA) and our Multi-Agency Partners and is considered "very satisfactory"; the EA are considering using it as their exemplar for other counties to follow. The Chief Executive endorsed the plan on 23 February 2011.

¹ Lessons from the 2007 Floods, An independent review by Sir Michael Pitt, (The Pitt Review), December 2007.

- The JEPUs have contributed to the development of a West Mercia Local Resilience Forum (WMLRF) generic Reservoir Flood Inundation Off-Site Plan that incorporates specific hazard mapping for Herefordshire.

Alternative Options

1. Not Applicable - this is a legal compliance process.

Reasons for Recommendations

2. To inform, promote and give assurance that adoption of these key flooding response plans (which follow national statutory and non-statutory guidance) provide a vehicle for training, validation and audit. These plans also provide the stimulus to enhance Category 1 & 2² partner engagement, ensuring critical infrastructure interdependences are considered in response planning.

Introduction and Background

Increasing Risks from River and Surface Water Flooding - Drivers for Emergency Preparedness

3. With increasingly accepted evidence that the climate of the UK is changing, Herefordshire along with the rest of Western UK, is projected to experience increasingly wetter winters raising the risks associated with river and surface water flooding. Indeed, the recent Strategic Defence and Security Review placed flooding as one of the top three national risks.
4. Of the 92 recommendations made within the Pitt Review, recommendation 41 became a driver for an improved coordinated response at a local resilience forum level. Pitt observed that although the 2007 floods stretched multi-agency resources, improved command and control at Strategic (Gold) and Tactical (Silver) levels would maximise response efficiency. Pitt also suggested that upper tier local authorities (LAs) were best placed to assess the potential impact of local flooding based on previous experience, assessments by their staff and with the advice of other emergency responders. Therefore, upper tier LAs should lead the triggering of local multi-agency arrangements. Consequently, within the Flood and Water Management Act 2010 and the Flood Risk Regulations 2009, Government identified LAs as the lead responders in relation to: multi-agency planning for severe weather emergencies; triggering multi-agency arrangements for warning and informing; and, carrying out local impact assessments.
5. The Herefordshire MAFP has been drawn up by the JEPUs in compliance with guidance³ and has been peer reviewed by WMLRF partner agencies (e.g. Police, Ambulance, Fire, EA) and considered "very satisfactory" when scored against the DEFRA MAFP Checklist.

Risks from Reservoir Flood Inundation

² As defined within the Civil Contingencies Act 2004, Schedule 1.

³ Part 3, Section 12 of the National Flood Emergency Framework www.defra.gov.uk/environment/flooding/documents/planning/emergency-framework-290710.pdf

6. Reservoir Safety Legislation dates back to the Reservoirs (Safety Provisions) Act 1930⁴. The Act was superseded by the Reservoirs Act 1975 which currently provides the legal framework for ensuring the safe operation of large raised reservoirs, i.e. greater than 25,000 M³ capacity. The risk from catastrophic reservoir flooding is very low and putting the risk in context, between 2004 and 2008 there were 14 incidents that were deemed to be serious⁵, the most high profile being the Ulley reservoir in Rotherham which was at risk of collapse following rainfall damage during the summer of 2007. This incident led to the evacuation of some 1000 people from their homes and closed the M1 motorway. The Pitt Review highlighted the need to improve reservoir emergency preparedness, recommending that reservoir flood inundation maps be prepared allowing local resilience forums to prepare generic emergency off-site plans and meet their duties under the CCA.
7. The responsibility to maintain a register of large raised reservoirs transferred from LAs to the EA under the Water Act 2003; LAs still have a duty to register those reservoirs for which they are an 'undertaker'. In addition, the Flood and Water Management Act 2010 makes a number of amendments to the Reservoirs Act 1975⁶ including:
 - Reducing the capacity at which reservoirs will be regulated from 25,000M³ to 10,000M³;
 - All undertakers with reservoirs over 10,000M³ are to register their reservoirs with the EA;
 - All undertakers are to prepare a reservoir flood plan.
8. In response to the Pitt recommendations and DEFRA requirements, a country-wide survey was carried out by the EA on all high risk and large raised reservoirs. For Herefordshire, this survey confirmed that there were no high risk reservoirs but offered inundation mapping and risk assessments for 9 large raised reservoirs.

Key Considerations

The Herefordshire MAFP

9. Part 1 & 2 of the MAFP focuses on the risks associated with fluvial (river flooding). Part 3 offers an initial assessment of pluvial (surface water) flooding in Herefordshire and, in so doing, references the work undertaken within the Herefordshire Strategic Flood Risk Assessment⁷. For the purposes of risk assessment, the plan divides the county into 10 river catchment areas (see Appendix 1), these catchments are then further subdivided by Parish or Parish Group, allowing community based risk assessments to be conducted.
10. The MAFP details how all responding Category 1 & 2 emergency responding agencies will work together on an agreed coordinated response to severe flooding and uses existing multi-agency Strategic (Gold) and Tactical (Silver) command and control arrangements.
11. Key elements of the plan include:
 - The vulnerable areas at risk from different forms of flooding at Parish or Parish Group level, including properties, critical infrastructure, health economy assets as well as vulnerable groups such as schools and residential care/nursing homes;

⁴ Following a number of reservoir failures in the 1920's which resulted in loss of life.

⁵ Requiring the emergency drawdown of water to affect repair.

⁶ Secondary legislation will be required before these amendments can come into force and at this time there is no requirement for undertakers to complete an on-site emergency plan, however it remains best practice to do so.

⁷ Local Development Framework-Strategic Flood Risk Assessment, 2009.

- How the plan will be activated through Met Office/EA intelligence and actions required against the new EA Flood codes;
 - The roles and responsibilities of partner agencies at certain trigger points;
 - Links and interdependencies of other emergency response arrangements held across all partners.
12. The MAFP has been validated in “Exercise UNITE”, a Herefordshire multi-agency flood exercise held in Nov 2010. It will be further evaluated as a tactical tool during the national strategic exercise “WATERMARK” on 8 Mar 2011.

The Generic West Mercia Local Resilience Forum Reservoir Inundation Off-Site Plan

13. The Reservoir Inundation Off-Site Plan provides a framework to facilitate a co-ordinated multi-agency response to the off-site consequence of a potential or actual dam breach at a reservoir. This may be either within West Mercia, or from a dam in a neighbouring region whose water course provides a path to inundate West Mercia.
14. It aims to ensure that local emergency responders are able to make a swift and effective response to any reservoir emergency and covers activation, alerting (warning & informing) and command and control arrangements during the response phase. For example, it outlines the type of response (e.g. rescue, setting up Rest Centres, etc) which may be necessary during a reservoir emergency and the facilities and resources which would be available to do so. Although a generic response plan, it contains specific hazard mapping relating to the Herefordshire.

Further work and ongoing enhancement of planning arrangements

15. The following work programme and plan enhancements are required/ongoing:
- Currently, the MAFP does not cover flooding risks from foul sewage, burst water mains, canals or ground water. Specific response arrangements will be incorporated into successive plan iterations in accordance with Flood Risk Regulations 2009 compliance;
 - Development of a Tactical Flood Advisor training programme to embed the plan across partner agencies;
 - The recent issue of EA surface water flood mapping data allows for more detailed surface water risk assessments to be carried out at Parish/Parish Group level;
 - Collaborative working/research with the EA in the development of a flood visualisation tool for Herefordshire – improving warning and informing protocols;
 - Development and delivery of a local multi-agency table exercise to validate the Generic Reservoir Inundation Off-Site Plan.

Community Impact

16. Information at community level was sought during the development of the MAFP through a Parish questionnaire. The plan has incorporated local intelligence for those Parishes that responded. In addition the JEPUs, in support of the Sustainable Communities Directorate and the Herefordshire Association of Local Councils, has developed a community resilience

coordinator training package and template tool.

17. This package, which incorporates EA best practice community flood planning advice, is designed as a non-prescriptive support tool for communities/Parish Councils who wish to take part in the Herefordshire community resilience planning programme. The programme outcomes will provide improved community resilience, promote community risk awareness and enhance the links between communities and emergency responders.

Financial Implications

18. In order to undertake the work referred to in paragraph 15, there will be associated costs. With JEPU funding maintained at existing levels, these costs will be met from within existing budgets.

Legal Implications

19. The undertaking of this work is a legal requirement under the Civil Contingencies Act 2004.

Risk Management

20. The recent Strategic Defence and Security Review identified flooding as one of the top 3 domestic risks. The development of these plans help to mitigate this risk.

Consultees

21. West Mercia Local Resilience Forum partners have been fully consulted in the development of these plans.

Appendices

22. Appendix 1 offers a map of Herefordshire divided into 10 river catchments.

Background Papers

- None.

Appendix 1. Designation of MAFP river catchment areas



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	UPDATE ON THE PROPOSED HEREFORD TRANSPORT HUB
PORTFOLIO AREA:	HIGHWAYS AND TRANSPORTATION

CLASSIFICATION: Open

Wards Affected

Hereford – Central Ward

Purpose

To update the Committee on progress in respect of the Transport Hub concept being explored by Hereford Futures in association with the redevelopment within the Edgar Street Grid area of Hereford.

Recommendation

THAT: the contents of the report are noted.

Key Points Summary

- The Transport Hub is a concept for integrating access at Hereford Rail Station which forms part of a wider set of proposals for the Edgar Street Grid area.
- Delivery of the Hub is contingent on progress made in re-developing the Edgar Street Grid and implementation of the link road.
- A Regional Growth Fund bid has been submitted to government to secure funding to deliver the link road.
- Development of the Hub concept is being led by the Hereford Futures team and progress has been made in terms of discussions with Network Rail and Arriva Trains which own and manage the rail station and key areas of land to the front of the station forming the existing forecourt area.

Further information on the subject of this report is available from
Steve Burgess, Transportation Manager (01432) 260968

Introduction and Background

- 1 The proposals for a sustainable transport hub, located at Hereford Rail Station first emerged during consultation on the draft Edgar Street Grid Masterplan and were incorporated in the final Masterplan endorsed by Cabinet on 11 September 2008. The Masterplan indicates that the hub will “incorporate multi-modal forms of transport including cycle hire and opportunities for other green travel options”.
- 2 The transport hub is located in an area identified as Station Square in the Masterplan and development of this area is closely related to the construction of the link road and includes improved pedestrian connectivity with the existing city centre and the ESG area via a new pedestrian link to be provided between the rail station and Blackfriars. The Masterplan is included at Appendix 1 and helps set the hub in the wider context.

Key Considerations

Relationship to the Link Road

- 3 Development of the transport hub is currently linked to the delivery of the Link Road. The plan at Appendix 1 indicates the relationship between the hub and the alignment of the new road. The Link Road provides a number of opportunities to improve access to the rail station and enable greater integration with pedestrian links, cycle links and bus services.
- 4 A bid has been submitted by Hereford Futures to the Regional Growth Fund to secure funding required to construct the link road. The bid has been endorsed by the Marches Local Enterprise Partnership. It is anticipated that Government will determine the bid by the end of April 2011.

Progress on Transport Hub

- 5 Preliminary designs of a hub were developed during late 2008. This was followed by a major public consultation event in the TGS Bowling Centre on 29 January 2009, which was attended by representatives of Hereford’s transportation organisations (rail, bus, taxi, cycle), special user groups (including the Royal National College for the Blind), as well as the wider general public.
- 6 Discussions on identifying options for a Transport Hub around the Railway Station resumed during the summer and autumn of 2010. These were, and continue to be, based on opportunities for joint development with Network Rail and Arriva Trains (Wales). Additionally consideration has also been given to assisting with land and business requirements that will arise from the construction of the Link Road.
- 7 The main features of these discussions have been:
 - Exploiting earlier design work of a hub arrangement, and its aspirations for facilities including buildings to ‘frame’ the new ‘station square’ area.
 - Enabling retail to retain a presence east of the station.
 - Ensuring that the current and future needs of Network Rail and Arriva Trains (Wales), principally access and increased parking to meet forecast growth, are incorporated.

- Identifying opportunities for joint development. An example could be between Sanctuary Group and Network Rail/Arriva Trains (Wales) in the development, west of the Station, of a multi-story station car park faced on the southern, Link Road side with housing units.
- 8 Responses from both Network Rail and Arriva Trains (Wales) have been very encouraging indicating a willingness to enter into more detailed discussions when the outcome of the bid for the Link Road funding is known.
- 9 Further more detailed work to progress the transport hub is currently on hold pending the outcome of the Regional Growth Fund bid for the Link Road and subsequent programme of delivery of that scheme should the bid be successful.

Community Impact

- 10 None as a result of this report.

Financial Implications

- 11 None as a result of this report

Legal Implications

- 12 None as a result of this report.

Risk Management

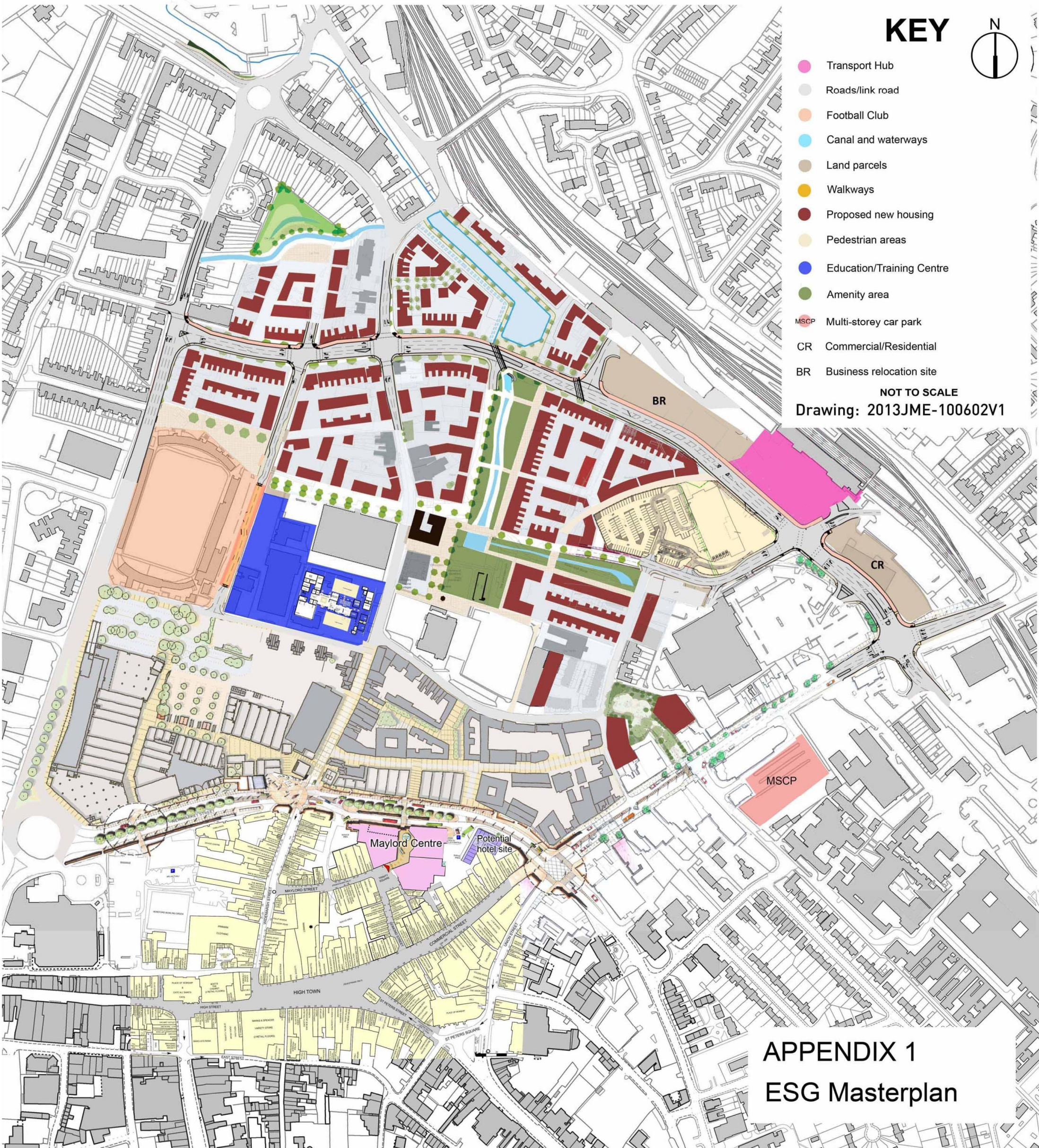
- 13 None as a result of this report.

Appendices

Appendix 1: ESG Masterplan

Background Papers

None



KEY



- Transport Hub
- Roads/link road
- Football Club
- Canal and waterways
- Land parcels
- Walkways
- Proposed new housing
- Pedestrian areas
- Education/Training Centre
- Amenity area
- MSCP Multi-storey car park
- CR Commercial/Residential
- BR Business relocation site

NOT TO SCALE
 Drawing: 2013JME-100602V1

APPENDIX 1
ESG Masterplan



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	CAPITAL BUDGET MONITORING
REPORT BY:	DIRECTOR OF RESOURCES

Wards Affected

County-wide

Purpose

To advise Scrutiny Committee on progress of the 2010/11 Environment Capital Programme within the overall context of the Council's Capital Programme.

Key Decision

This is not a Key Decision.

Recommendation

THAT the report be noted.

Introduction and Background

- 1 This report is largely based on the latest round of capital monitoring, which involved the examination of all schemes at the end of December 2010. The Environment Capital Working Group is keeping the overall spending position under careful review.
- 2 The total spent and committed at 31 December 2010 is £16.3 million or 87% of the Revised Forecast. The actual amount spent at the end of December is £13.1 million.

Key Considerations

- 3 The Capital budgets for Environment for 2010/11 are shown in summary on Appendix 1, on scheme basis with funding arrangements indicated in overall terms.
- 4 The total of the Capital Programme increased to £18.749m from the figure of £17.998m previously reported to this committee. This is an increase of £751k and relates to the following variances:
 - a. An increase of £50k in relation to Hereford Transport Strategy in relation to the Relief Road Study funded from Growth Point revenue grant.

Further information on the subject of this report is available from
Cathy Stokes, Principal Accountant on (01432) 261849

- b. An increase of £95k in relation to Stretton Closed Landfill site following the allocation of corporate funding for future site works
 - c. An increase of £6k in relation to the purchase of Radios for the Parking and Community Protection teams, this is funded through revenue budget savings within Parking.
 - d. An addition of £600k for the off site highway improvements associated with the new Livestock Market. This is funded by Growth Bid Capital Grant.
- 5 At the end of January 2011, the final position on the Ross Flood Alleviation Scheme has been agreed with the main contractors and the final additional funding requirement has been agreed to be funded in full by the Environment Agency. The final cost of the project is £12.5 million.

Financial Implications

- 6 These are contained in the body of the report. The forecast is based on the Capital Budget Monitoring to the end of November 2010.

Appendix

Appendix 1 – Summary Environment Capital Programme Budget 2010/11

Background Papers

- None identified.

Summary Environment Capital Programme Budget 2010/11

Schemes	Forecast as at 30th September 2010	Revised Forecast as at 31st December 2010	Change in Forecast	Spend & Commitments to 31st December 2010	% Spend & Committed to 31st December 2010 %
Hereford Integrated Transport Strategy:	£000	£000	£000	£000	%
Behavioural Change Countrywide	62	62	0	33	53.2
Hereford Transport Strategy	640	722	82	519	71.9
Rural Herefordshire Transport Strategy	360	358	(2)	324	90.5
Road Safety Strategy	785	755	(30)	627	83.0
Maintaining the Transport Network	11,176	11,176	0	10,399	93.0
Integrated Transport Staff Contribution	678	678	0	678	100.0
LTP TOTAL	13,701	13,751	50	12,580	91.5
Other Schemes					
Emergency Fund Winter Damage 2010/11	1,017	1,017		777	76.4
Growth Area Funding (Hereford Transport Infrastructure)	0	0			
Widemarsh Street Refurbishment Scheme	891	891		952	106.8
Hereford Crematorium	27	27		5	18.5
Grafton Travellers' site	33	33		0	-
Leominster Closed Landfill Site Monitoring Infrastructure	10	10		10	100.0
Waste Infrastructure Capital Grant	115	115		115	100.0
Connect 2	558	558		286	51.3
Stretton Sugwas Closed Landfill Site)	25	120	95	57	47.5
Strangford Closed Landfill Site	15	15		10	66.7
Taxi CCTV Scheme	22	22		0	-
Specific Road Safety Grant	27	27		27	100.0
Improvements of A40 & A465	130	130		17	13.1
Transport Asset Management Plan	56	56		56	100.0
Pay on foot Parking Scheme	120	120		120	100.0
Rotherwas Access Road	187	187		165	88.2
Yazor Brook Flood Alleviation Scheme	750	750		696	92.8
Purchase of Gritters	288	288		290	100.7
Parking & Community Radios	26	32	6		-
Livestock Market Access Improvements		600	600	140	23.3
Ross Flood Alleviation Scheme				2	
Section 106 Schemes				16	
OTHER SCHEMES TOTAL	4,297	4,998	701	3,741	74.8
Expenditure to be Financed	17,998	18,749	751	16,321	87.0

Funded by:	Forecast as at 30th September 2010	Revised Forecast as at 31st December 2010
	£000	£000
Supported Capital Expenditure (Revenue)	12,315	12,315
LTP Prudential Borrowing	1,000	1,000
LTP Grant	174	174
Bridge Strengthening Grant	95	95
Growth Point Grant (Capital)		600
Growth Point Grant (Revenue)	117	167
Department of Transport Grant	1,017	1,017
Specific Road Safety Grant	27	27
DEFRA Grant - Closed Landfill		95
Prudential Borrowing	1,797	1,803
Capital receipts Reserve	33	33
Waste Infrastructure Capital Grant	115	115
Sustrans - Connect 2	350	350
Detrunking Grant - Improvements of A40 & A465	130	130
Transport Asset Management Plan	56	56
Advantage West Midlands (Hereford Futures)	750	750
Taxi CCTV Scheme	22	22
Total Environment Capital Funding	17,998	18,749



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2011
TITLE OF REPORT:	REVENUE BUDGET MONITORING
REPORT BY:	DIRECTOR OF RESOURCES

Wards Affected

County-wide

Purpose

To advise members of the Environment Committee of the financial position for the Environment budgets for the six months to 31st December 2010. The report lists the variations against budget at this stage in the year and the projected outturn for the year.

Key Decision

This is not a Key Decision.

Recommendation

THAT the report be noted

Key Points Summary

- The current position for Environment is a projected overspend of £1.096 million.
- The Sustainable Communities and Public Health Directorates are also adhering to the Chief Executive's 'freeze on all discretionary spend' which is being monitored and reported.
- There is currently a saving of £271k identified by the Sustainable Communities Directorate in response to the Chief Executive's discretionary spend edict to help mitigate the Council's overall budget overspend position in October. This is derived from various one off savings across the Directorate including surplus planning fee income of £155k.

Further information on the subject of this report is available from
Cathy Stokes, Principal Accountant on 01432 261849

Key Considerations

1. The detailed Budget Monitoring Report to 31st December 2010 is attached at Appendix 1 for Members' consideration.
2. The total Environment budget for 2010/11 has increased to £25,571k from the amount reported to previous meeting, which was £24,922k. This is a net increase of £649k and mainly relates to the following virements;

- a) The addition of £760k from Area Based Grant funding for expenditure to the end of October 2010. This specifically related to:

Public Transport	£542k
Highways Maintenance (detrunking)	£188k
Sustainability	£30k

- b) The reduction of £117k in relation to Growth Bid revenue grant being used to support Local Framework Development work in the Environment Capital Programme, specifically in relation to the Outer Distributor Road project costs.

3. The summary position is set out in the table below and included in full at Appendix 1.

2010/11	Annual Budget	Projected Outturn	Under/ (Over) spend
Service Area	£000	£000	£000
<u>Sustainable Communities</u>			
Highways, Transport & Community Services	10,043	11,580	(1,537)
Environment, Planning & Waste	13,383	13,213	170
Savings	163	(108)	271
<u>Public Health</u>			
Environmental Health & Trading Standards	1,982	1,982	0
Environment Total	25,571	26,667	(1,096)

Highways, Transport & Community Services

4. The Highways, Transport & Community Services budgets that fall within the Environment Scrutiny portfolio are expected to overspend by £1.537 million for the year.
5. There is an overspend of £1.582 million in relation to Winter Maintenance; this reflects

the impact of a heavy winter thus far. As at 31st December 2010, 7053 tonnes of salt had been used compared with 1800 tonnes used for the same period last year. Up to the end of December 2009, the council's gritters carried out 36 priority runs, 4 secondary runs and 4 part treatments whereas in the period up to December 2009 there were 65 priority runs, 12 secondary ones and 11 part treatments.

6. Pressures within Transportation budgets have been mitigated since last reported and is currently forecasting a net under spend of £45k due to the recent bad weather resulting in reduced costs for concessionary fares.
7. It was previously reported that there was expected shortfall of income for the year on Car Park income of £125k. Further one off savings have now been identified in expenditure budgets within Highways, Transport & Community Services to address this pressure along with the estimated impact of the increase in the standard VAT rate from 1 January 2011. Adverse weather conditions have also affected income levels in relation to Car Park ticket sales with 8% lower received in December 2010 than in December 2009 however latest figures show that the revised income target for the year are still expected to be met following an improved January position.
8. There is currently a saving of £271k identified by the Sustainable Communities Directorate in response to the Chief Executive's discretionary spend edict to help mitigate the council's overall budget overspend position in October. This is derived from various one off savings across the Directorate including surplus planning fee income of £155k and utilisation of Housing and Planning Delivery Grant received in previous years.

Environment, Planning & Waste

9. Environment, Planning & Waste services are currently forecasting that they will underspend by £170k in 2010/11.
10. One off savings in relation to Planning income of £155k are expected to be achieved in 2010/11 based on income to date and will be used to mitigate the Council's overspend position.
11. It was previously reported that pressures within the planning services in relation to scanning and legal costs would be met from Housing and Planning Delivery Grant in 2010/11 and that these pressures are expected to diminish in 2011/12 when new document scanning systems are introduced. The remaining grant funding, which is expected to be £102k, will also be used to mitigate the Council's overspend position in 2010/11.
12. Based on the latest estimates, available at the end of December 2010, the joint Waste Disposal PFI contract costs for 2010/11 predicts an underspend of £170k for Herefordshire. The outturn estimate reflects a one-off Landfill Tax credit £613k, of which £113k has been received to date, and reduced costs for Energy for Waste. Further updates of the budget position have now been received and there is likely to be a further reduction in joint contract costs of £50k for the year.
13. The outturn estimate incorporates the 1% increase in Herefordshire's share of the joint contract to reflect the current tonnages. Whilst it was previously reported that Herefordshire's tonnage share had increased by 1.6% above the base, compared with Worcestershire, this has now reduced to 1.3%.
14. Following the resolution of a minor dispute with FOCSA, in January 2011, the costs of the waste collection contract for 2010/11 are expected to reduce. Further savings are

also expected in relation to efficiency savings achieved through investment of capital grant funding from DEFRA and the hold on discretionary spend.

Environmental Health & Trading Standards

15. Overall Environmental Health & Trading Standards are expected to meet budget for the year.

Recovery Plan

16. The winter reserve of £500k has been assumed to be utilised in the overall forecast, it is needed to mitigate the pressure caused by the severe winter conditions.

Financial Implications

17. These are contained in the body of the report.

Risk Management

18. The risks are set out in the body of the report in terms of the pressures and the report notes the actions planned to address these.

Appendix

Appendix 1 – Summary Environment Revenue Budget 2010/11

Background Papers

- None identified.

SUMMARY ENVIRONMENT REVENUE BUDGET REPORT 2010/11
AS AT 31ST DECEMBER 2010

	Annual Budget £000	Outturn £000	Under/ (over) spend £000	Actual to date £000	Budget to date £000	Under/ (over) spend to date £000
<u>Highways, Transport & Community Services</u>						
MAC Services	1,199	1,199		1,897	1,871	(26)
MAC Client Team	165	165		224	255	31
<u>Highways</u>						
Public Conveniences	383	383		331	264	(67)
Highways Running Costs (inc staff)	382	382		313	318	5
Roads Maintenance	1,692	1,692		1,136	1,137	1
NRSWA	(132)	(132)		4	21	17
Emergency Maintenance	155	155		155	103	(52)
Winter Maintenance	799	2,381	(1,582)	579	313	(266)
Detrunking Grant	(42)	(42)		0	0	0
Land Drainage/Flood Alleviation	172	172		108	100	(8)
Bridgeworks	57	57		(13)	35	48
Street Lighting	850	850		773	606	(167)
Traffic Management	81	81		79	49	(30)
Street Cleansing	1,247	1,247		816	836	20
Public Rights of Way	266	266		203	183	(20)
Parking & Comm Protection Management & Admin	69	69		52	52	0
Community Protection Team	287	287		205	200	(5)
Parking	(1,284)	(1,284)		(869)	(966)	(97)
<u>Transportation</u>						
Road Safety Aip	92	92		61	78	17
Bus Stations	(16)	(16)		10	5	(5)
Design Planning	55	55		(10)	12	22
S38	(46)	(46)		(52)	(46)	6
Public Transport Rural	121	206	(85)	80	91	11
Public Transport	1,679	1,679		1,818	1,695	(123)
Concessionary Travel	1,112	1,062	50	894	678	(216)
Road Safety	147	112	35	79	112	33
Running costs	133	133		107	102	(5)
Staff	440	395	45	287	345	58
Searches	(20)	(20)		(20)	(19)	1
Sub-Total Highways, Transport & Community Services	10,043	11,580	(1,537)	9,247	8,430	(817)

SUMMARY ENVIRONMENT REVENUE BUDGET REPORT 2010/11
AS AT 31ST DECEMBER 2010

	Annual Budget £000	Outturn £000	Under/ (over) spend £000	Actual to date £000	Budget to date £000	Under/ (over) spend to date £000
<u>Environment, Planning & Waste</u>						
<u>Planning Services</u>						
Building Control	(101)	(101)		(110)	(77)	33
Conservation	730	730		533	535	2
Development Control	149	149		127	110	(17)
Forward Planning	598	598		52	(33)	(85)
Planning Management	334	334		273	246	(27)
Head Of Planning Services	99	99		73	74	1
B Servs, Mkt & Fairs Management	19	19		7	14	7
Markets, Fairs and Street Trading	(219)	(219)		(154)	(171)	(17)
<u>Bereavement Services</u>						
Cemeteries Budget	44	44		1	21	20
Hereford Crematorium	(361)	(361)		(250)	(264)	(14)
<u>Waste Management</u>						
Waste Disposal	7,867	7,697	170	4,555	4,306	(249)
Household Waste Recycling	2,079	2,079		1,213	1,316	103
Trade Waste Collection	(476)	(476)		(522)	(470)	52
Domestic Waste Collection	2,434	2,434		1,412	1,593	181
Sustainability	187	187		135	143	8
Sub-Total Environment, Planning & Waste	13,383	13,213	170	7,345	7,343	(2)
<u>Environmental Health & Trading Standards</u>						
Commercial Environmental Health	366	366		267	270	3
Pollution	336	336		193	195	2
Air & Water Pollution	73	73		75	43	(32)
Landfill & Contaminated Land	334	334		189	211	22
Pest Control	16	16		(7)	11	18
Animal Health & Welfare	128	128		115	119	4
Trading Standards	380	380		255	281	26
Licensing	(125)	(125)		(195)	(167)	28
Travellers' Sites	43	43		53	33	(20)
Envt Health Management & Support	415	415		322	309	(13)
Public Health Support	16	16		14	16	2
Sub-Total Environmental Health & Trading Standards	1,982	1,982	0	1,281	1,321	40

MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28TH FEBRUARY 2011
TITLE OF REPORT:	ENVIRONMENT PERFORMANCE UP TO DECEMBER 2010
REPORT BY:	Principal Directorate Services Officer

CLASSIFICATION: Open

Purpose

To report on the current outturns and progress against the actions for key national performance indicator targets for Environment Scrutiny Committee up to December 2010. This report has used the same format as used previously, and now incorporates the adopted performance rating system being used in the new corporate performance report for Cabinet; an explanation of the ratings is shown at Appendix A.

Recommendation(s)

THAT:

- (a) the report be noted;**
- and;**
- (b) areas of concern continue to be monitored.**

Key Points Summary

- The majority of targets across the services have supporting actions that are being delivered and closely monitored; with work continuing within the services to ensure that any improvements that need implementing to address any targets that are currently failing are introduced.
- Overall the actions are being delivered and are assisting the services to meet the targets. However, some targets are still failing but there are mitigating actions in place to address these.

Reasons for Recommendations

1. To update the Scrutiny Committee Members on Environment performance.
2. To ensure Scrutiny Committee are kept apprised of the plans to improve performance within the services.

Introduction and Background

3. The performance is monitored against the National Indicators (NI) that were introduced from April 2008 Regular reports are sent to the Government of the West Midlands and many of the

Further information on the subject of this report is available from
Chris Jones, Principal Directorate Services Officer, Sustainable Communities Directorate,
chris.jones@herefordshire.gov.uk or on (01432) 261596

government departments.

4. This report covers the Performance Indicator Outturns as at 31st December 2010, against target figures for 2010-11, along with information about Direction of Travel and Status, which are defined as:
 - Direction of Travel – indicates whether the current position demonstrates improvement against the previous year's out-turn
 - Status – indicates whether the current position demonstrates progress in line with the agreed target – G = Green (exceeded target by over 10%, B = Blue (on target or above target by up to 10%), A = Amber (within 5% of the target) and R = Red (5% or more below target).
5. Progress continues to be assessed regularly, together with the risks and the actions being taken to address these and improve performance.

Key Considerations

6. **NI 182 - Business Satisfaction with Regulatory Services** – Data due to be reported by mid December 2010 for the second quarter as there is a time delay of approximately 2-3 months for the information to be analysed and reported. However the outturn to September 2010 reported that 76% of business were satisfied with regulatory services and therefore is rated as Green as it is 10% or more above the target.
7. **NI 195 - Improved street cleanliness and environmental cleanliness** - The revised action plan that is in place with Amey has delivered all of the 4 sub targets in the second quarter and is rated as blue, which means that they continue to achieve the target for 2010/11. There continues to be improvement in 1 of the sub targets that is rated as green as it is 10% or more above the target .
8. **NI 196 - Improved street cleanliness and environmental cleanliness – fly tipping** - The revised action plan has ensured that this target continues to be achieved and therefore rated as blue as it is on target; with the community protection team continuing the enforcement work.
9. **NI 193 – Percentage of municipal waste – Landfilled** – The amount of residual waste per household continues to decrease with increased recycling performance. There is also a national trend of a reduced amount of waste coming from households during the Recession. This trend could be threatened by any upturn in the economy. This indicator is on target and is currently rated as blue
10. **NI 192 – Percentage of household waste sent for reuse, recycling and composting –** The direction of travel on this indicator is improving despite this the indicator is currently amber as the outturn is below target by up to 5%. The team continue to promote recycling and are confident that the target will be achieved for 2010/11.
11. **NI 157 – Processing of Planning Applications** – All of the three sub targets of this indicator are now on track and are rated as green, the outturn is above target by over 10%. The focus remains on processing the major and strategic project applications as these contribute most directly to the economic regeneration of the county.
12. **NI 197 – Improved biodiversity** – This indicator is currently below target and therefore is rated as amber. Work is taking place on 27 sites currently, however there is a halt on Area Based Grant spend that may affect the delivery of the challenging target of 50 sites.
13. **NI 168 – Condition of Principal Roads & NI 169 Condition of non-principal roads** – This indicator is currently blue, the targets have become more challenging as a result of the severe winter weather. However, this is being mitigated with an extensive programme of

maintenance and improvement work for highways which has been agreed with Amey and continues to be monitored on a monthly basis.

14. **NI 47 – Reduction in the number of People killed or seriously injured** - This indicator is currently green, above target by over 10%. The Planning and Transportation Road Accident Investigation and Prevention teams continue to lead on a wide range of education, training and publicity to address road traffic collisions. The latest outturn was 61 up to the end of December. However, it needs to be recognised that these figures are not final and are subject to change by West Mercia Constabulary until they are finalised at the end of the calendar year. Furthermore, the 3 year outturn was 86, which continues to show the reduction in the number of people killed or seriously injured.
15. **Customer Contact Satisfaction** – This is measured on a monthly basis across a number of services within the Sustainable Communities and Public Health Directorates; and for the year up to December 78% of the respondents were satisfied with the service that they received overall while 14% were dissatisfied. (8% expressed no opinion).
16. Further information in respect of the performance outturns can be found in Appendix B.

Community Impact

17. Not Applicable.

Financial Implications

18. None Identified

Legal Implications

19. None Identified

Risk Management

20. None Identified

Consultees

21. None Identified

Appendices

22. Appendix A : Key to Performance Reports
23. Appendix B : Details of Key Performance outturns for Environment Scrutiny for the 2010/11 financial year




Background Papers

25. None identified.




KEY TO PERFORMANCE REPORTS

LEVEL 1

PERFORMANCE AGAINST TARGETS AND ACTION PLANS	
4	Overall, performance is significantly better than target(s)
3	Achieved, or on track to achieve, target(s)
2	Slightly behind target(s)
1	Significantly behind target(s)

DIRECTION OF TRAVEL	
	Overall, performance is better than for the same period last year
	Overall, performance is the same as for this period last year
	Overall, performance is behind that for the same period last year

LEVELS 2 & 3

PERFORMANCE AGAINST TARGETS AND ACTION PLANS	
4	Outturn is 10% or more above target
3	Outturn is above target by up to 10% or , where up to date performance data against target is not available for good reason, the action plan shows satisfactory progress
2	Outturn is below target, but within 5% or where up to date performance data against target is not available for good reason, the action plan shows inadequate progress
1	Outturn is 5% or more below target or no target has been set without good reason or there is no action plan
N.B. Where data is available this determines the judgement made for each indicator. Action plans are used to judge performance only where relevant data is unavailable.	
DIRECTION OF TRAVEL	
	Performance is better than for the same period last year
	Performance is the same as for this period last year
	Performance is behind that for the same period last year

Economic Development & Enterprise

Indicator	Lead Director	Tolerance	2008-09	2009-10	Target 2010-11	Latest Performance	Judgement		Direction of Travel		Analysis
							Sept	Dec	Sept	Dec	
Citizen											
NI 168 – condition of principal roads (proxy: delivery against highway maintenance plan) (LAA)	Director of Sustainable Communities	Smaller is better	4%	5%	5%	5% (March 2010)	3	3	n/a	n/a	This data is the outturn for 2009-10. Data collection for this year has finished; however, before the outturn is available a Department for Transport decision is still awaited on the parameters for data analysis. The current year's target has become more challenging as a result of the impact of the severe winter weather. However, this is being mitigated by: A more challenging standard for highway defect management has been agreed with Aney and implemented for 2010-11, with performance being reviewed monthly. An extensive programme of maintenance and improvement work for highways which has been agreed with Aney which is reviewed monthly.
NI 169 – condition of non-principal roads (proxy: delivery against highway maintenance plan) (LAA)	Director of Sustainable Communities	Smaller is better	11%	9%	8%	9% (March 2010)	3	3	n/a	n/a	
Service											
NI 182 – business satisfaction with regulatory services	Director of Public Health	Bigger is better		62%	63%	76% (Sept 2010)	4	4	n/a	n/a	Latest outturn above target, continued excellent performance.
Partnership											
NI 178 – bus services running on time (LAA)	Director of Sustainable Communities	Bigger is better	80%	86%	73%	86% (March 2010)	4	4	n/a	n/a	This data is collected annually by various surveys that take a sample of bus passenger users on certain days of the week throughout particular months each year. We have exceeded our 2009/10 target of 71%. Issues arising in terms of punctuality problems are dealt with in partnership with bus operators providing the specific service. The bus service contracts were reviewed and renewed during September. Only two services were withdrawn, one of which is already covered by a commercial service. Monitoring is ongoing. Further development of the LTP will be progressed following a Cabinet decision, which is to be made before the end of February 2011. Implementation of the current Local Transport Plan continues to take place.
Statutory											
NI 157 – processing of planning applications: Major applications within 13 weeks Minor applications within 8 weeks Other applications within 8 weeks	Director of Sustainable Communities	Bigger is better									
a) Major applications within 13 weeks			73%	79%	60%	75%	3	4	▲	▲	Although the processing of 'other' applications is below target in the month of January it remains on target overall. Major and minor applications are also on target overall in 2010/11.
b) Minor applications within 8 weeks			73%	67%	65%	76%	3	4	▲	▲	
c) Other applications within 8 weeks			87%	72%	80%	75%	3	4	▲	▲	

Safer Communities		Indicator		Tolerance		2008-09		2009-10		Target 2010-11		Latest Performance		Judgement		Direction of Travel		Analysis	
		Lead Director				2008-09		2009-10		Target 2010-11		Latest Performance		Sept		Dec			
Citizen																			
NI 47 – people killed or seriously injured in road traffic accidents (calendar year) (LAA)		Director of Sustainable Communities		Smaller is better		115 (3 year average)		105 (2009) 110 (3-year average)		126 (2010) 108 (3-year average)		61 66 (3-year average)		4 4		▲ ▲		The target has been exceeded for 2010, resulting in an overall (3-year) output of 66. The reasoning for this years exceeded target performance and the reduction in the number of these figures will be looked at in the 2010 County Sustainability Report which will be released in September. We intend to allow some comparison with National Statistics. It is worth noting that it is thought part of the reason for such a low output this year may be down to the economic downturn causing a decrease in vehicle use and therefore it may prove difficult to sustain this level in future. Progress continues to be made in this area with specific sites being identified that either need treatment or have been treated. Some of the remedial measures may be at risk as the decision in respect of the ABG funding is awaited.	
Environment																			
NI 191 – residual household waste per household (LAA)		Director of Sustainable Communities		Smaller is better		690.01kg		639.95		665 kg		309.20 kg		4 4		▲ ▲		Indicator is currently performing better than target. There has been a national reduction in household waste which is attributed to the current economic climate. In addition we have been strongly promoting waste minimisation through initiatives such as "Love Food, Hate Waste", distributing reduced price home composters and launching a new website "lets-wasteless.com". The analysis should be read in conjunction with NI 192 and 193.	
NI 195 – improved street cleanliness and environmental cleanliness.		Director of Sustainable Communities		Smaller is better		5%		5%		5%		5% (Nov 2010)		3 3		▲ ▲		The data is for the first and second 4-month survey tranches. To reduce the levels of detritus in urban areas a street cleansing campaign targeting areas with high volumes of parked vehicles commenced in July 2010. Coordinated sweeps have taken place in these areas with Amey organising alternative parking for residents in order to clear each area of vehicles the night before the clean is due to take place. This campaign has been very successful to date and it is intended to widen the scope of operations.	
a) Litter																			
b) Detritus						13%		9%		8%		9% (Nov 2010)		3 3		▲ ▲			
c) Graffiti						1%		2%		1%		1% (Nov 2010)		4 3		▲ ▲			
d) Fly-posting						1%		1%		1%		0% (Nov 2010)		4 4		▲ ▲			
NI 196 – improved street cleanliness and environmental cleanliness – fly tipping		Director of Sustainable Communities		Smaller is better		Grade 1		Grade 1		Grade 1		Grade 1 (December 2010)		3 3		▲ ▲		34 incidents of fly-tipping recorded in December (64 in 2009). 571 incidents ytd compared to 543 in 2009/10 (4.9% increase - a much improved position from last month that showed a 10.8% increase). Actions against fly-tipping remain high. In December there were a further 2 prosecutions at Magistrates Court; both resulted in a conviction - one defendant received a conditional discharge, the second was fined £500 with £627 costs. One person received a formal caution. Two FPNs were issued for failure to produce waste transfer notes. 16 duty of care inspections were carried out. The weighted defra score for the authority remains at grade 1 - very effective.	
Service																			
NI 192 – % of household waste sent for reuse, recycling and composting		Director of Sustainable Communities		Bigger is better		33.24%		35.60%		41%		40.30%		2 2		▲ ▲		Further improvement of recycling performance will continue by introducing the service to more flats and similar developments and further expansion to schools. Following agreement with our contractors we hope to introduce recycling services to village halls and charities within the next few weeks. We will continue to promote recycling, composting and waste prevention through events and promotional events. It should be noted that the 40.8 recycling figure is supported by a seasonally high level of garden waste composting which will reduce over the winter months. Consequently the initiatives identified here will be even more important as we reach the end of year so we meet, or exceed our 41% year-end target.	
Partnership																			
NI 197 – improved biodiversity (LAA)		Director of Sustainable Communities		Bigger is better		40.90%		43.20%		44.10%		43.2% (March 2010)		2 2		n/a		Work is taking place on 27 sites towards the target of 50. However 23 sites are still outstanding due to halt in ABG spend. The indicator may not be met if further funds are not found.	
Statutory																			
NI 186 – CO ₂ emissions (LAA)		Director of Sustainable Communities		Smaller is better				13.1% (2010)		13.1% (2010)		2.3% (2007)		3 3		n/a		Meetings of HP partners and stakeholders are progressing well and they have proposed a county reduction target of a 34% reduction by 2020 to Herefordshire Partnership. There is currently no funding in place for specific support and co-ordination of work to reduce county carbon beyond March 2011.	
NI 193 - % of municipal waste landfilled		Director of Sustainable Communities		Smaller is better		64.61%		62.30%		60.00%		57.4% (August 2010)		4 3		n/a		Complete data available from 1 April 2010 to 31 December 2010. We are on target for this NI due to increased diversion of waste from landfill with the successful introduction of the new refuse and recycling collection service. As with NI 191 the reduction in overall waste has also helped reduce the amount of municipal waste sent to landfill.	



MEETING:	ENVIRONMENT SCRUTINY COMMITTEE
DATE:	28 FEBRUARY 2010
TITLE OF REPORT:	WORK PROGRAMME
REPORT BY:	Democratic Services Officer

CLASSIFICATION: Open

Wards Affected

County-wide.

Purpose

To consider the Committee's work programme.

Recommendation

THAT subject to any comment or issues raised by the Committee the Committee work programme be recommended to the Overview and Scrutiny Committee for approval.

Introduction and Background

1. The Overview and Scrutiny Committee is responsible for overseeing, co-ordinating and approving the work programme of the Committee, and is required to periodically review the scrutiny committees work programmes to ensure that overview and scrutiny is effective, that there is an efficient use of scrutiny resources and that potential duplication of effort by scrutiny members is minimised.
2. The work programme, set out at Appendix 1, may be modified by the Chairman following consultation with the Vice-Chairman and the Directors in response to changing circumstances.
3. Should any urgent, prominent or high profile issue arise, the Chairman may consider calling an additional meeting to consider that issue.
4. Should Members become aware of any issues they consider may be added to the scrutiny programme they should contact the Democratic Services Officer to log the issue so that it may be taken into consideration by the Chairman when planning future agendas or when revising the work programme.
5. To enable the Committee to track the result of previous recommendations Appendix 2 is attached for information only. Where possible this includes a comment by the relevant officer on the current position concerning the issue at the time of going to print.

Background Papers

- None identified.

ENVIRONMENT SCRUTINY COMMITTEE WORK PROGRAMME

For consideration by Committee on 28 February 2011

9.30am 4 July 2011	
	<ul style="list-style-type: none">• Recycling – actions being taken to encourage further recycling.• Land Maintenance and its effect upon the County (e.g. Hedge cutting, drainage ditch clearance etc)• Review of the Herefordshire Travellers' Policy – Executive Response to the Scrutiny Review.• Capital Budget Monitoring• Revenue Budget Monitoring.• Report on Performance Indicators.• Committee Work Programme

9.30am 12 September 2011	
	<ul style="list-style-type: none">• Capital Budget Monitoring• Revenue Budget Monitoring.• Report on Performance Indicators.• Committee Work Programme

9.30am 25 November 2011	
	<ul style="list-style-type: none">• Environmental Performance 2010-11 (Good Environmental Management - GEM Annual Report)• Capital Budget Monitoring• Revenue Budget Monitoring.• Report on Performance Indicators.• Committee Work Programme

Items may be added for consideration as the programme is further developed.

- Rail Services and Facilities in the County – invite the key providers to a meeting to discuss issues of concern relating to rail facilities and services. (see minute 50 26.11.10).
- Consider any impact of the Open Windrow Greenwaste composting facility at Morton-on-Lugg (see Minute 60-Committee work programme and Minute 64). Invite Environment Agency to discuss.

Provided for the Committee's information only and not debate.

Progress in response to recommendations made and issues requiring action raised by the Environment Scrutiny Committee.

Committee date: 28 June 2010

School Travel Plans	
Recommendations	Response/Action
A member briefing note be produced setting out the position concerning how the three Herefordshire Colleges were complying with the planning conditions in relation to travel plans;	Information awaited from planning.

Committee date: 13 July 2010

Review the Rights of Way Service performance and outcomes	
Recommendations	Response/Action
should the Herefordshire Local Access Forum extend an invitation to Herefordshire Council to meet with the Minister and MPs to discuss PROW issues, the Executive be requested that the Chairman and Vice-Chairman be invited to represent the views of the Committee.	No date has been set but the Local MP, Jesse Norman is still keen to observe a Forum meeting and if possible bring along the relevant minister. The Cabinet Member and Chair and V-Chair of Scrutiny will be informed when the HLAFF has arranged a meeting.

Update on the operation of the Planning Committee and Enforcement Function	
Recommendations	Response/Action
That the report be noted and a Member briefing note be provided on the work of the Section 106 officer together with progress on implementing and monitoring agreements.	This information was provided to Members on 13 July 2010 direct from the officer.

Committee date: 26 November 2010

Railways – Update Report	
Recommendations	Response/Action
That the position outlined in the report be noted and the key providers of rail services and facilities in the County be invited to a future meeting to discuss issues of concern.	Noted in the work programme for scheduling for a future meeting.

Report of the Review Group on the Herefordshire Travellers' Policy

Recommendations	Response/Action
3) the Executive response to the Review be reported to the first available meeting of the Committee after the Cabinet Member (E&ST) has approved his response.	The findings from the Review have been passed to the Executive for consideration. A report setting out the Executive response has been listed in the work programme for the July 2011 meeting.