

Corporate Services

Dean Taylor, Deputy Chief Executive and Director
Your Ref:

Our Ref: CC/SAHC

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TO: ALL MEMBERS OF THE COUNCIL

21 May 2012

Dear Councillor

YOU ARE HEREBY SUMMONED to attend the meeting of the Herefordshire Council to be held on **Friday 25 May 2012** at The Shirehall, St Peter's Square, Hereford. at 10.30 am at which the business set out in the attached agenda is proposed to be transacted.

Please note that car parking will be available at the Shirehall for elected Members.

Yours sincerely



C CHAPMAN
ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

Working in partnership for the people of Herefordshire
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AGENDA

Annual Council

Date: **Friday 25 May 2012**

Time: **10.30 am**

Place: **The Shirehall, St Peter's Square, Hereford.**

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

For any further information please contact:

Sally Cole, Committee Manager Executive

Tel: 01432 260249

Email: scole@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format or language, please call Sally Cole, Committee Manager Executive on 01432 260249 or e-mail scole@herefordshire.gov.uk in advance of the meeting.

Agenda for the Annual Meeting of the Council

Membership

Chairman

Vice-Chairman

Councillor LO Barnett

Councillor ACR Chappell

Councillor PA Andrews
Councillor CNH Attwood
Councillor PL Bettington
Councillor WLS Bowen
Councillor AN Bridges
Councillor MJK Cooper
Councillor BA Durkin
Councillor DW Greenow
Councillor RB Hamilton
Councillor EPJ Harvey
Councillor JW Hope MBE
Councillor RC Hunt
Councillor TM James
Councillor AW Johnson
Councillor JLV Kenyon
Councillor JG Lester
Councillor G Lucas
Councillor PJ McCaull
Councillor JW Millar
Councillor NP Nenadich
Councillor FM Norman
Councillor GA Powell
Councillor R Preece
Councillor SJ Robertson
Councillor A Seldon
Councillor J Stone
Councillor DC Taylor
Councillor DB Wilcox

Councillor AM Atkinson
Councillor CM Bartrum
Councillor AJM Blackshaw
Councillor H Bramer
Councillor EMK Chave
Councillor PGH Cutter
Councillor PJ Edwards
Councillor KS Guthrie
Councillor J Hardwick
Councillor AJ Hempton-Smith
Councillor MAF Hubbard
Councillor JA Hyde
Councillor JG Jarvis
Councillor Brig P Jones CBE
Councillor JF Knipe
Councillor MD Lloyd-Hayes
Councillor RI Matthews
Councillor SM Michael
Councillor PM Morgan
Councillor C Nicholls
Councillor RJ Phillips
Councillor GJ Powell
Councillor PD Price
Councillor P Rone
Councillor P Sinclair-Knipe
Councillor GR Swinford
Councillor PJ Watts
Councillor JD Woodward

GUIDANCE ON DECLARING PERSONAL AND PREJUDICIAL INTERESTS AT MEETINGS

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

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

Whether an interest is prejudicial is a matter of judgement for each Councillor. What Councillors have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the Councillor's interest was so important that their decision would be affected by it. If a Councillor has a prejudicial interest then they must declare what that interest is. A Councillor who has declared a prejudicial interest at a meeting may nevertheless be able to address that meeting, but only in circumstances where an ordinary member of the public would be also allowed to speak. In such circumstances, the Councillor concerned will have the same opportunity to address the meeting and on the same terms. However, a Councillor exercising their ability to speak in these circumstances must leave the meeting immediately after they have spoken.

AGENDA

		Pages
1.	CHAIRMAN OF COUNCIL To elect the Chairman of Council.	
2.	PRAYERS	
3.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
4.	DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
5.	VICE-CHAIRMAN OF COUNCIL To appoint the Vice-Chairman of Council.	
6.	MINUTES To approve and sign the Minutes of the meeting held on 2 March 2012.	1 - 28
7.	CHAIRMAN'S ANNOUNCEMENTS To receive the Chairman's announcements and petitions from members of the public.	
8.	QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	29 - 40
9.	FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS To receive any written questions from Councillors.	
10.	LEADER'S REPORT To note the intention to revise the timetable for production of a policy framework item; and to provide an overview of the Executive's activity since the last meeting of Council.	41 - 46
11.	POLICE AND CRIME PANEL REPORT To approve the establishment of a Police and Crime Panel (PCP).	47 - 62
12.	TRANSITIONAL STANDARDS MATTERS To authorise the recruitment of an Independent Person as required by Section 28 (7) of the Localism Act 2011.	63 - 66
13.	ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE To inform the council of the activities of the Audit and Governance Committee during the previous year.	67 - 74
14.	ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE To inform Council of the work undertaken by the Scrutiny function from May 2011 to April 2012.	75 - 78

15. ANNUAL REPORT OF THE PLANNING COMMITTEE	79 - 80
To inform the Council of the activities of the Committee during the previous year.	
16. ANNUAL REPORT OF THE REGULATORY COMMITTEE	81 - 84
To note the main activities of the Committee during the period May 2011 – May 2012.	
17. ANNUAL REPORT OF THE STANDARDS COMMITTEE	85 - 88
To inform the Council of the main activities of the Standards Committee during the period from March 2011 May 2012.	
18. DATES OF FUTURE MEETINGS	
To approve the programme of ordinary meetings of Council.	
Friday 20 July 2012	
Friday 23 November 2012	
Monday 18 February 2013	
Friday 08 March 2013	
Friday 31 May 2013	
All meetings will commence at 10.30 am and will be held in the Assembly Hall at the Shire Hall, Hereford unless otherwise advised.	
19. DEED OF ADOPTION	
Following the formal business of Council a presentation of a Deed of Adoption will be made by the Chairman to The Rifles Regiment on the adoption of The Rifles as the County Regiment.	

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO:-

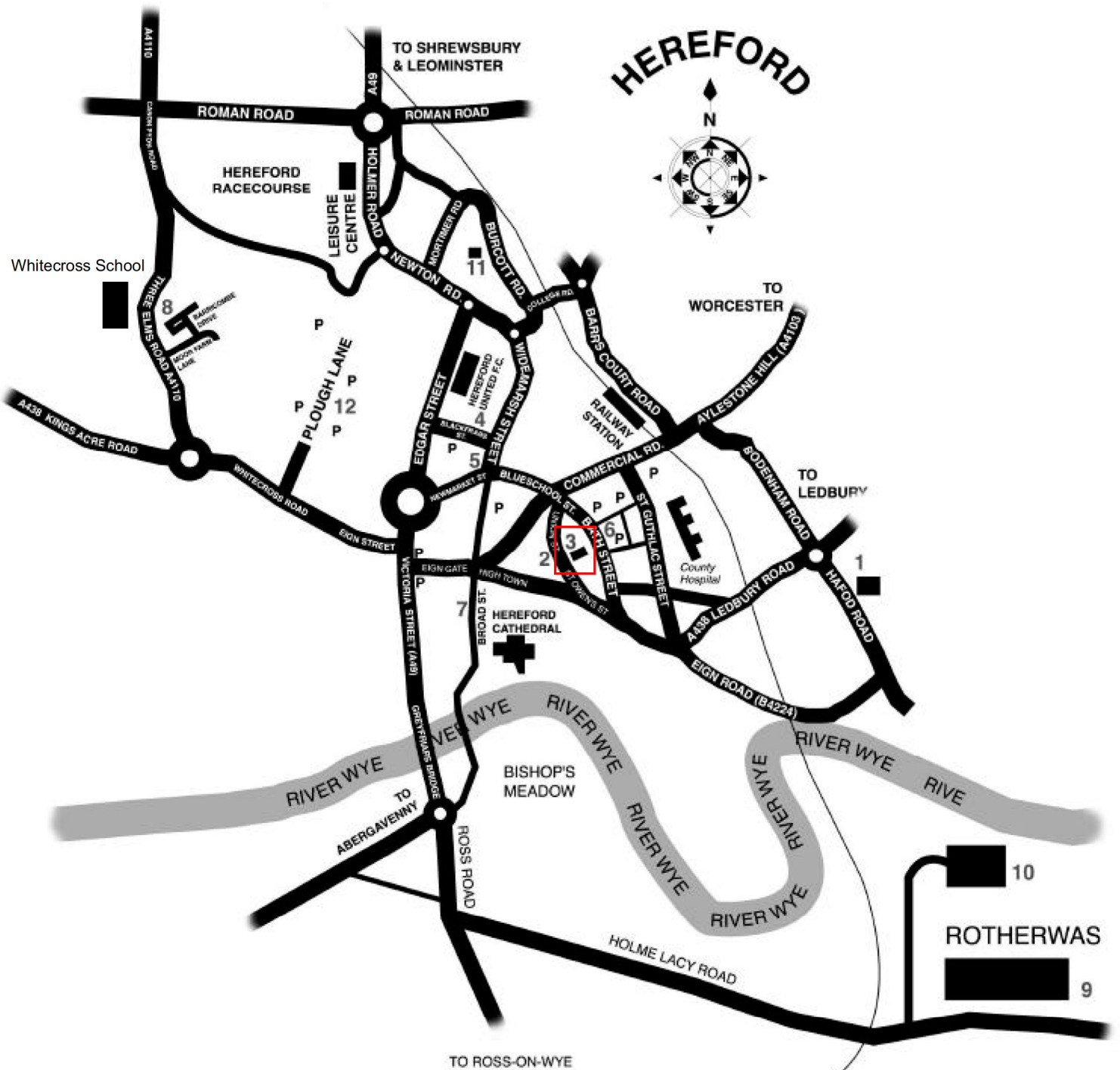
- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of the Cabinet, of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50, for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.
- A member of the public may, at a meeting of the full Council, ask a Cabinet Member or Chairman of a Committee any question relevant to a matter in relation to which the Council has powers or duties or which affects the County as long as a copy of that question is deposited with the Monitoring Officer eight clear working days before the meeting i.e. by 12:00 noon on a Monday in the week preceding a Friday meeting.

Public Transport Links

- The Shirehall is ten minutes walking distance from both bus stations located in the town centre of Hereford. A map showing the location of the Shirehall is found opposite.



Where possible this agenda is printed on paper made from 100% Post-Consumer waste. De-inked without bleaching and free from optical brightening agents (OBA). Awarded the Nordic Swan for low emissions during production and the Blue Angel environmental label.



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|---|------------------|----|-----------------------------------|
| 1 | Brockington | 7 | Kemble House |
| 2 | Town Hall | 8 | Trinity House |
| 3 | Shire Hall | 9 | Thorn Office Centre |
| 4 | Education Centre | 10 | Herefordshire Commercial Services |
| 5 | Garrick House | 11 | Merchant House |
| 6 | Bath Street | 12 | Plough Lane |

FIRE AND EMERGENCY EVACUATION PROCEDURE

IN CASE OF FIRE

(no matter how small)

1. Sound the Alarm
2. Call the Fire Brigade
3. Fire party - attack the fire with appliances available.

ON HEARING THE ALARM

Leave the building by the nearest exit and proceed to assembly area on:

GAOL STREET CAR PARK

Section Heads will call the roll at the place of assembly.

HEREFORDSHIRE COUNCIL

MINUTES of the meeting of Council held at The Shirehall, St Peter's Square, Hereford. on Friday 2 March 2012 at 2.00 pm

Present: Councillor LO Barnett (Chairman)
Councillor ACR Chappell (Vice Chairman)

Councillors: AM Atkinson, CNH Attwood, PL Bettington, AJM Blackshaw, WLS Bowen, H Bramer, AN Bridges, EMK Chave, MJK Cooper, PGH Cutter, BA Durkin, PJ Edwards, DW Greenow, KS Guthrie, RB Hamilton, EPJ Harvey, AJ Hempton-Smith, JW Hope MBE, MAF Hubbard, RC Hunt, JA Hyde, TM James, JG Jarvis, AW Johnson, Brig P Jones CBE, JLV Kenyon, JF Knipe, JG Lester, MD Lloyd-Hayes, RI Matthews, PJ McCaull, SM Michael, JW Millar, PM Morgan, C Nicholls, FM Norman, RJ Phillips, GA Powell, GJ Powell, R Preece, PD Price, SJ Robertson, P Rone, A Seldon, P Sinclair-Knipe, J Stone, GR Swinford, PJ Watts, DB Wilcox and JD Woodward

In attendance: Councillors

56. APOLOGIES FOR ABSENCE

Apologies for absence were received from:

Councillors:	PA Andrews	CM Bartrum
	J Hardwick	G Lucas
	NP Nenadich	DC Taylor

57. DECLARATIONS OF INTEREST

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor A Seldon, Personal, Notice of Motion One - In receipt of an Armed Forces pension..

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor JG Jarvis, Personal, Notice of Motion Three - Director of Hereford Futures.

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor JLV Kenyon, Personal, Notice of Motion One - In receipt of an Armed Forces pension..

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor P Sinclair-Knipe, Personal, Notice of Motion One - Retired soldier.

7. NOTICES OF MOTION UNDER STANDING ORDERS.

Councillor WLS Bowen, Personal, Notice of Motion One - In receipt of an Armed Forces pension..

9. PRAYERS AT COUNCIL MEETINGS.

Councillor Brig P Jones CBE, Personal, Church Warden.

9. PRAYERS AT COUNCIL MEETINGS.

Councillor EMK Chave, Personal, Holds a Bishop of Hereford license as a Reader in the diocesan..

9. PRAYERS AT COUNCIL MEETINGS.

Councillor JA Hyde, Personal, Practising Christian.

9. PRAYERS AT COUNCIL MEETINGS.

Councillor JW Hope MBE, Personal, Church Warden.

9. PRAYERS AT COUNCIL MEETINGS.

Councillor P Sinclair-Knipe, Personal, Church Warden.

12. COMMUNITY GOVERNANCE REVIEW - ROSS-ON-WYE.

Councillor PGH Cutter, Personal, Town Councillor.

13. PAY POLICY STATEMENT.

Councillor ACR Chappell, Personal, Trade Unionist Member.

13. PAY POLICY STATEMENT.

Councillor RJ Phillips, Personal, Member of the National Joint Council.

Following declarations of interest the Chairman moved for the suspension of Standing Orders in order that Agenda Item 9 could be dealt with. This seconded by the Leader and agreed by all Members.

58. PRAYERS AT COUNCIL MEETINGS

The Chairman moved the recommendation that Council resolve pursuant to Section 1 of the Localism Act 2011 to continue the practice of prayers before the main body of its agendas. Councillor Hyde seconded the recommendation.

RESOLVED: That the Council, pursuant to Section 1 of the Localism Act 2011, continue to practice prayers before the main body of its agendas.

The Chairman then called upon the Reverend Prebendary Carl Attwood to lead the Council in prayers.

59. MINUTES

That the Minutes of the Council meeting held on 3 February 2012 were approved as a correct record, subject to the following amendments:

Minute Number 55 - Draft Financial Strategy and Budget 2012/13 bullet point six: Although Cabinet had requested the Overview and Scrutiny Task and Finish Group to review income and charging, the Chairman of the Task and Finish Group stated the Group had not been given the opportunity to be involved with the Price, Waterhouse, Cooper income and charging review project.

Appendix One to the Minutes, Member Questions to Council - Children and Young People in poverty. The amendment to the question on child poverty to read: *'That the matter of child poverty was being discussed at the Children and Young People's Partnership Forum'* and to remove reference to child poverty being discussed by a Young People's Forum.

60. CHAIRMAN'S ANNOUNCEMENTS

The Chairman in her announcements:

- Informed Council of an urgent item of business. Council was reminded that Councillor Lucas had been unwell over the last few months and unable to attend any meetings. Although Councillor Lucas wished to resume his duties as soon as possible Council sent their best wishes to Councillor Lucas for his recovery and pursuant to Section 85(1) of the Local Government Act 1972, Council agreed that the six month period of absence be extended for a further three months.
- Members were informed that the microphones before them were not for voting and that voting would be carried out by a show of hands.
- The Chairman and Councillor Allen Conway, Mayor of Ledbury, met with the Princess Royal and the Lord Lieutenant Lady Darnley at Haygrove Farm, Ledbury where a tour was given of the orchards. Haygrove was chosen for the royal visit as it carries out sustainable business practices both in the UK and in South Africa with the Bright Futures project at Haygrove Heaven, a programme supporting farm workers from local disadvantaged communities.
- The Chairman, along with Councillor Jarvis, Leader of the Council, accompanied the Princess Royal and the Lord Lieutenant to meet apprentices currently following a course at Herefordshire Group Training Association.
- The Chairman reminded Council that at the November Council meeting a certificate of recognition was presented to Mrs Davies on behalf of her son Chaz on his becoming Supersport World Motorcycle Champion. The Chairman also nominated Chaz for the Annual Herefordshire Sports Awards which took place at the Royal National Blind College where he also received an award.
- The Chairman and Vice-Chairman attended the launch of the film 'Over the Hill', which was part of the Borderlines Film Festival at the Courtyard. The film was the result of a three year campaign to highlight the challenges faced by people growing older living in rural areas.
- The Chairman reminded Council of the Civic Service to be held on Sunday 25 March at the Cathedral, followed by tea at the Town Hall.

PETITIONS

The Chairman informed Council that she had received a petition from Councillor Glenda Powell regarding traffic calming measures in the Belmont Ward which the Chairman handed to Councillor Blackshaw, Cabinet Member Highways, Transportation and Sustainability.

61. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the public questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 1.

62. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

A copy of the Member questions and written answers, together with the supplementary questions and answers asked at the meeting are attached to the Minutes as Appendix 2.

63. NOTICES OF MOTION UNDER STANDING ORDERS

Notice of Motion One - Adoption of the Rifles as the County Regiment, proposed by Councillor Sinclair-Knipe and seconded by Councillor Seldon. In presenting the Notice of Motion Councillor Sinclair-Knipe asked for the consent of Council as he wished to amend the Motion as follows, copies of which had already be circulated.

Amended Notice of Motion One:

In order to honour The Rifles for their service in Iraq and Afghanistan, I ask that Council formally adopts The Rifles as the County Regiment. This in no way cuts across the Freedom that The Rifles have been granted by Hereford City Council and Leominster Town Council and offered by Ross-on-Wye Town Council.

This adoption does not give the Regiment any specific privileges, but it does recognise the sacrifices made by Herefordians serving with The Rifles and its predecessors going back to the Herefordshire Rifle Volunteers formed in 1861.

Councillor Sinclair-Knipe informed Council that the Rifles had been formed in 2007 as part of the reorganisation of the Army, which had included the Light Infantry, which was relevant to Herefordshire and associated with the King's Shropshire Light Infantry. He added the adoption was important as it recognised the sacrifices soldiers had made. Councillor Seldon seconded the motion and stated that the adoption made a difference to the soldiers currently serving as their efforts were being recognised at home. Council was reassured that the adoption would not cut across the other town councils.

The motion was put and a vote taken. It was agreed unanimously.

RESOLVED: That in recognition of the service of The Rifles in Iraq and Afghanistan The Rifles be adopted as the County Regiment.

Notice of Motion Two: Prayers at Council meetings proposed by Councillor Blackshaw - withdrawn as the matter had been dealt with under Minute Number 58 above.

Notice of Motion Three: Hereford Futures, proposed by Councillor Matthews, seconded by Councillor James, also signed by Councillors: Robertson, Seldon, Kenyon, Harvey and Chave.

In presenting the Notice of Motion Councillor Matthews referred to

- the concerns of other Councillors regarding the powers and expenditure of Hereford Futures as an un-elected and unaccountable body.
- He stated he believed it was difficult to discover the exact work of Hereford Futures and welcomed clarity on the cost of the organisation and why funding for certain activities was made to Hereford Futures.
- Councillor Matthews believed the organisation needed to be seen to be working for local interests, as the old livestock market site was a valuable site.
- It was felt that outside consultants had too much influence and that non executive Members of the Council were being kept isolated and uninformed.
- Councillor Matthews strongly urged all Members to support the Notice of Motion.

Other points raised included:

- It was recognised that those appointed to Hereford Futures or Hereford Business Board gave their expertise freely, however Members were concerned about the setting up of arms length companies that did not appear to have any employees to deal with queries raised by residents, and who were referred to a London consultancy firm.
- Reference was made to the Hereford localities meeting and that only ten ward Members had attended the meeting.

- Reference was made by Councillor Bridges to his involvement on the county rail structure with Hereford Business Board, network rail and the Cabinet Member. It was noted that the project had now been placed with Hereford Futures which excluded the voluntary sector and it was felt this decision did not show best value for money or best use of the local expertise available.
- Councillor Blackshaw assured Council that Councillor Bridges, as the lead Member on transport and rail, would be part of the sub group and would be able to work with the Head of Hereford Futures.
- In referring to Hereford locality meetings it was stated that the membership was large and it was difficult to get all Members together to meet on a periodic basis.
- It was felt that the Board of Hereford Futures had not had genuine communications with all 58 Councillors and there needed to be more openness, transparency and accountability.
- Some Members stated they were unaware that property receipts were ring fenced to Hereford Futures and that although Members had met with the Hereford Futures board, Members still unaware of what was done by the organisation. It was asked how many Herefordians were part of the organisation and involved with the decision making. It was stated that no Hereford city ward Members had been involved.
- The Cabinet Member Enterprise and Culture stated that all members of the Board of Hereford Futures lived in Hereford. The money for the properties bought belonged to Hereford Council. There had been opportunities for meetings with Hereford Futures where Members were afforded the occasion to question the Board.
- The Leader of the Liberal Democrat Group stated that there was a need to bring back openness on what Council money and assets were being used for.
- The Leader stated that there had been 67 occasions when Members could have been briefed by the Hereford Futures team. Additionally the Cabinet Member and the Town Clerk had regular quarterly meetings with Hereford Futures. He added that he was grateful for the work of the non-executive Members on the board. With regard to the site he stated that the hoarding would be put up shortly to secure the site. He stated that significant progress had been made with tenants and after the 29 March he would be in a position to provide Members with further information. The Leader asked that Members respect the confidentiality of the information that would be made available on 29 March and stated that he did not support the motion.
- It was stated that the locality meeting with city Councillors would be opened up to all locality members.
- It was believed that the main issue was public perception as well as Members feeling they were not receiving the information they required. It was felt this was an issue that affected the whole county, although Members not in city ward would not be invited to a Hereford localities meetings. Should the motion be defeated it was hoped that the administration would take on board the concerns raised by the public and backbench Members.

The motion was put that: *This Council notes the concerns of many Council Members regarding the present trend of allocating ever-increasing powers and expenditure to Hereford Futures, which is a body run by an un-elected and unaccountable group of people*, the motion was defeated with 27 against, 23 for and 1 abstention.

64. LEADER'S REPORT

The Leader of the Council, Councillor Jarvis, presented his report. Members made comments on the following points:

- Local Development Framework (LDF) – In response to a question on the recent High Court ruling on the Norwich City LDF Core Strategy, the Leader confirmed that he was aware of the High Court Action.
- Assurance was sought that slippage in the timetable for the LDF would not preclude the Overview and Scrutiny Committee meeting from discussing the LDF prior to it going before Cabinet. The Leader confirmed the requirement for a consistent approach to public consultation.
- Paragraph five – housing. It was requested that the Secretary of State for Communities and Local Government is asked by the Leader to look at the social housing needs in the Belmont Ward. In response the Leader stated he was aware of the issue and would speak with the Member outside of the Council meeting.
- Paragraph 12 – Youth Services. With regard to the Youth Service review, disappointment was expressed that the Council's facebook had only had six responses. The Cabinet Member advised that the consultation exercise had been revised and was now progressing well.
- Paragraph 12 – Variation to existing Waste Contract. The Leader advised that further information would be available shortly, however, the matter was currently being looked at by the Secretary of State.

RESOLVED:

THAT

- a) the revised timetable for the production of the Local Development Framework, as set out at paragraph 11 of the Leader's report be agreed; and
- b) the overview of the activities of the Executive be noted.

65. COUNCIL TAX RESOLUTION 2012/13

The Leader presented to Council the report of the Chief Officer Finance and Commercial and moved the recommendations. It was noted that there was a zero increase in Council Tax for Herefordshire Council, the Police Authority and the Fire and Rescue Service. The Deputy Leader seconded the recommendation.

RESOLVED

THAT:

- (a) It be noted that the council calculated the tax base 2012/13;
 - 1) for the whole council area as 71,981.60
 - 2) for dwellings in those parts of the area to which a parish precept relates as in the attached Annex 1(i);
- (b) in respect of council tax for 2012/13 that the following amounts be approved by the Council for the year 2012/13 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011) :
 - (i) £359,718,266 being the estimated aggregate expenditure of the Council in

- accordance with Section 31A (2) of the Act, including all precepts issued to it by Parish Councils;
- (ii) £270,277,078 being the estimated aggregate income of the Council for the items set out in Section 31A (3) of the Act (including Formula Grant);
- (iii) £89,441,188 being the amount by which the aggregate at (b)(i) above exceeds the aggregate at (b)(ii) calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year (including Parish precepts);
- (iv) £1,242.56 being the amount at b(iii) above divided by the amount of the Council Tax base calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- (v) £2,696,917 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act;
- (vi) £1,205.09 being the amount at (iv) above less the result given by dividing the amount at (v) above by the amount of the Council Tax base calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
- (c) That the precepting authority details incorporated in Annex 1 (i-v), relating to Special Items, West Mercia Police and Hereford and Worcester Combined Fire Authority be approved in accordance with Sections 30(2), 34(3), 36(1) and Section 40 of the Local Government Finance Act 1992 (as amended).
- (d) That the council tax requirement for the council's own purposes for 2012/13 (excluding parishes) be approved as £86,744,271; and
- (e) In respect of the Council's 2012/13 Budget a council tax of £1,205.09 be levied (at Band D).

The Leader presented to Council the report of the Head of Governance on the proposed submission to the Local Government Boundary Commission in respect of the council size.

The following points were made in discussion:

- It was stated that Members were only being asked to consider the reduction in the number of Councillors and not how wards would be configured.
- Members were reminded that the final decision on the size of the council would lie with the Boundary Commission and not the Council.
- In response to concerns over a ward boundary mapping exercise, Council was informed the initial mapping exercise was a first attempt and not the basis of any proposal for future ward boundaries.
- The IOC Group Leader stated the majority of the political groups were in agreement on the proposed future size of the council. It was felt that when looking at the size of the council it should be remembered that the majority of citizens were working and council should give consideration to evening meetings to allow working people to attend meetings.
- Some Members expressed an objection to any reduction in the number of Councillors on the Council. Other Members welcomed the idea of single Member wards.

The Leader moved the recommendation which was seconded by Councillor Price. The recommendation was approved with:

For	35
Against	17
Abstentions	0

RESOLVED: That the submission to the Local Government Boundary Commission in respect of Council size be approved.

67. COMMUNITY GOVERNANCE REVIEW - ROSS-ON-WYE

The Leader presented to Council the report of the Assistant Director Law, Governance and Resilience on Community Governance Review – Ross-on-Wye and advised that the review was at the request of both Ross Town Council and Ross Rural Parish Council. Council was advised that due to the current Local Government Boundary Review the result of the review would not come into effect until 2015.

RESOLVED

THAT:

- a) the Council undertake a community governance review of the areas of Ross Town Council and Ross Rural Parish Council in the Autumn of 2013; and**
- b) the Audit and Governance Committee be empowered to undertake community governance reviews and to make recommendations to Council in that regard.**

68. PAY POLICY STATEMENT

The Leader presented the Pay Policy Statement to Council.

The Leader moved the recommendations, which were seconded by Councillor Price.

The following points were noted in discussion:

- Group Leaders had previously met and agreed at a meeting of the Employment Panel to put forward the recommendation based on the current pay policy statement in the knowledge that a full review of the policy would be carried out as set out in the recommendations to the report.
- Council was informed there was a government requirement to adopt a policy by 31 March 2012.
- In referring to paragraph 14 of the report it was proposed that all posts above £50k in salary were put before Council for approval and a list of all the posts at this scale were made available for public scrutiny in preference to only those above £100k.

It was proposed by Councillor Bridges that an amendment be made to the recommendations to add recommendation *d) that any salary above £50k is approved by the Council*. The amendment was seconded by Councillor Robertson. The amendment to the recommendation was lost:

For	14
Against	31
Abstentions	2

RESOLVED

THAT:

- a) the pay policy statement summarising existing council policies (as set out at Appendix A to the report) be approved;**
- b) the planned review of the policies underpinning this statement be noted; and**
- c) authority be delegated to the Monitoring Officer to make any necessary amendments to the Constitution to ensure compliance with the legislation, and reflect the responsibilities of the Employment Panel (as set out at paragraph nine to the report).**

69. STANDARDS COMMITTEE

Mr Stevens, the Chairman of the Standards Committee, presented the report of the meetings of the Standards Committee held on 10 November 2011 and 13 January 2012.

RESOLVED: That the report of the meetings of the Standards Committee held on 10 November 2011 and 13 January 2012 be received.

70. HEREFORD & WORCESTER FIRE AND RESCUE AUTHORITY

Councillor Brig. Jones CBE presented the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 14 December 2011. Council was informed that there would be a public consultation meeting held within the next two months with regard to the review of fire stations.

RESOLVED: That the report of the meeting of the Hereford & Worcester Fire and Rescue Authority which was held on 14 December 2011 be received.

71. WEST MERCIA POLICE AUTHORITY

Councillor WLS Bowen presented the report of the West Mercia Police Authority held on 13 December 2011.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 13 December 2011 be received.

The meeting ended at 5.02 pm

CHAIRMAN

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012**Question from Mr A Powers, Hereford**

Question 1

The budget is proposing further savings in school transport of £220K. The Council's own Local Sustainability Transport Fund bid in April 2011 stated that school traffic could account for a doubling of numbers of vehicles on some radial routes into Hereford during term time. If this analysis is correct would not congestion in the city be more efficiently and swiftly addressed if the £300K to be allocated to yet another relief road study were instead to be spent on improving sustainable transport measures for local schools and residents?

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 1

It would be a mistake to think this is a case of either/or. The proposed relief road is not intended to address issues in the city in the short term, but is an essential longer term component of the infrastructure required to support the future natural and necessary growth of our city.

However I agree entirely that more can be done to encourage individuals to use alternatives to the car and am delighted that the Local Sustainable Transport Fund bid, 'Destination Hereford' secured additional resource to promote alternatives for short car journeys. Around a third of all journeys in peak periods are made by car and are less than 3 miles. The school run is part of this pattern and Destination Hereford is targeting these journeys through a partnership with schools to promote walking cycling and the use of existing bus services.

The school transport savings of £220k will be delivered through good housekeeping rather than the removal of specific services and the Council will continue to fulfil its statutory responsibility to provide home to school transport for eligible scholars.

Supplementary Question

Why is the Council spending £2.9m, which is half of the overall destination Herefordshire budget, on refurbishment of Broad Street when money could be better spent on sustainable transport?

Response at the meeting

The Cabinet Member advised that a written response would be provided.

Written Response

The Destination Hereford project comprises an appropriate balance of physical infrastructure improvements which support sustainable modes of transport and the local economy and behavioural change initiatives. This balance ensured its success in a competitive bidding process to government as it secured 100% funding.

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012

The project includes the public realm upgrade for Broad Street, which will also improve pedestrian, cycle and tourism access to the city centre. This scheme is identified in the Council's adopted Streetscape Design Strategy. The project also comprises an ambitious behavioural change programme focused on reducing short trips by car in Hereford.

The funding for the Broad Street refurbishment scheme was secured from Department for Transport as part of the overall Destination Hereford bid and cannot be diverted to fund other sustainable transport projects across the County.

The project aims to build on the recent investment in Widemarsh Street, and will improve both the local movement connections for pedestrians and cyclists, whilst maintaining access to businesses along the street.

The Council delivers a programme of sustainable transport schemes funded from its Local transport budget allocation from the Department of Transport and will continue to take all available opportunities to secure additional funding for transport improvements from other sources.

Question from Mrs E Morawiecka, Breinton, Hereford

Question 2

"Herefordshire Council believed that the 1% decrease in traffic volume in 2009/10 was a response to high fuel prices (report to Environment Scrutiny Nov 2010, page 23). As diesel and petrol prices have increased since then by 15% and 12% respectively and with a further duty increase of 3.02p/l due to be implemented on 1st August 2012, what motor vehicle traffic volumes are the transport department forecasting for Hereford City in their Local Transport Plan 3?"

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 2

The report in 2010 referenced the 2009/10 fuel price rises as a probable cause. Local Transport Plan 3 will not be considered and adopted by the council until later in the year; however the modelling tools used in developing traffic projections are those recognised as national standard. They take into consideration a wide range of factors including projected fuel prices.

Supplementary Question

What reduction in traffic volumes are further expected as a result of the investment in the sustainable transport fund plan Destination Hereford which includes the Connect 2 river crossing and will this bridge be completed before the deadline of March 2013?

Response at the meeting

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012

The Cabinet Member advised that a written response would be provided.

Written response

The Destination Hereford project aims to reduce peak hour congestion in Hereford by the time of its completion in 2015. The project has a target of a 6% reduction in peak hour vehicle flows compared with the peak hour average for 2010. The programme for delivery of Connect 2 Scheme aims to complete the scheme including the new bridge by March 2013.

Question from Mrs J Morris, Hereford

Question 3

Herefordshire Council supplies a number of private limited companies with staff on secondment and also provides legal and other professional services by sharing public employees. As these private companies have no clear reporting structure to Herefordshire Council, could you tell me the total cost of staff seconded to these companies in the last 3 years and could you include the cost of the hours of professional advice provided by local tax payers through council employees working for these companies?

Answer from Councillor PD Price, Cabinet Member Corporate Services & Education

Answer to question 3

Where secondments to any organisation are, or have been, in operation the receiving employer covers the cost of that secondment.

No legal or other professional advice has been provided by council employees working for private companies.

Supplementary Question

As members of staff have been paid by the substitute employer, can you let me know what has been the specific saving to the Council to those staff costs?

Response at the meeting

The Cabinet Member advised that a written response would be provided

Written Response

The Council has seconded staff to the project to assist its delivery. Where appropriate seconded staff have their posts covered to ensure service continuity.

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012

Question from Ms C Protherough, Clehonger, Hereford

Question 4

"What is the anticipated impact by 2020 of the ageing population on estimated car use in Herefordshire, taking into account that older people are more likely to rely on public transport, or if still driving use their vehicles for less frequent and shorter journeys ? in addition in the same period what is the projected increase or decrease in school age children needing transport at peak hours?"

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 4

Local Transport Plan 3, which will be considered by the council later in the year, will include modelling projections to 2031; however modelling outputs are across the whole population and it is not possible to clarify the specific impacts of travel patterns amongst older people or younger people.

Question from Mr S Brown, Bucknell

Question 5

When will the Council publish the results of last year's consultation on the revised Local Development Framework and the current Local Development Scheme?

Answer from Councillor DB Wilcox, Cabinet Member Environment, Housing & Planning

Answer to question 5

The analysis of the consultation responses will be published as part of the consideration of the final draft version of the Core Strategy, together with a revised Local Development Scheme, scheduled for June.

Question from Mr M Moore, Bredenbury, Herefordshire

Question 6

In March 2011, the Parliamentary Under Secretary of State for Transport, Norman Baker, announced additional (transitional revenue) funding to support local transport authorities and communities specifically in the development of community transport services. He stated that he did not expect authorities to use the extra DfT funding to displace planned expenditure on community transport for 2011/12. Under this arrangement Herefordshire was granted £157,463. Community Transport (CT) schemes in Herefordshire were

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012

advised of these funds (“Baker money”) through the Herefordshire CT Forum, and initially encouraged to make applications for grants from that source for service development projects. On several occasions subsequently, and as recently as 7 February 2012, Herefordshire’s CT schemes have been informed by the Council that they should delay bids for the CT grant provided by DfT until the Council issued guidelines on the bids which it wished to do in the context of proposals going forward – its aim being to support activity which improved capacity and longer term financial sustainability. The proposals referenced are those within the Council’s Review of CT Services 2012, still on-going and for which the process and, draft, reported outcomes have been heavily criticised by the Herefordshire CT Schemes. As we near the end of the 2011/12 year, no effective and direct action has been taken by the Council to use and dispose the extra DfT funding for the development of Herefordshire’s CT schemes. Furthermore and contrary to the principles of the Herefordshire Compact, access to this funding by the CT schemes is being denied until the Council obtains an agreement and a mandate to pursue its policy on the future arrangements for CT schemes in Herefordshire.

When will the Council enable the county’s CT schemes to access the funds they desperately need to develop and improve the vital services they provide to their communities?

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 6

Whilst I cannot accept some of the assertions made by Mr Moore in the preamble to his question, I fully acknowledge the importance of community transport services, particularly within rural areas. A review of Herefordshire’s community transport services is almost complete, with the overall aim of increasing the capacity of the community transport services provided in the county. Pending the outcome of this review, the council has protected the budget available for community transport, even at a time when savings have had to be made on bus services.

Additional funding, provided by direct grant from central government, will be allocated in the context of the review findings early in the new financial year. Mr Moore will, of course, be aware that consultation on the review findings was extended at his request.

Supplementary Question

As the Overview and Scrutiny Committee had considered the LDF consultation process, would it not have been better if the recommendations made by Overview and Scrutiny had been taken into consideration when drafting the community transport consultation and would it not have made a huge difference if the community transport organisations had been managed differently?

Answer:

The Cabinet Member advised that the £160k funding for rural transport was not specifically for community transport, but there was a strong role for community transport which would

PUBLIC QUESTIONS TO COUNCIL – 2 MARCH 2012

feed into the transport plan. The Cabinet Member stated a meeting would be arranged with the chairmen of transport organisations and one member from each locality area. A further report was expected at the end of March.

Question from Ms P Mitchell, Hereford

Question 7

Status of the Local Transport Plan

Local transport authorities are required by law to produce and maintain a Local Transport Plan that sets out the authority's strategy, implementation plan and targets for improving transport in their community. The government permitted the Council's second Local Transport Plan to be extended for one year (to the end of March 2012) after the Hereford Preferred Option consultation resulted in rejection of a key element of the draft third Local Transport Plan, the relief road.

In the absence of coverage by a legally adopted Local Transport Plan, what steps subject to public scrutiny is the Council taking to maintain its targets for improving transport in the county and ensure its transport planning and investment processes are lawful?

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 7

Council took the decision at its meeting on 4 March 2011 to adopt the Local Transport Plan 2 as its interim Local Transport Plan 3 'pending finalisation of the Local Development Framework submission'. Hence, the Local Transport Plan 2 remains the council's legally adopted transport strategy and decisions on investment are being carried out in the context of adopted policy.

Supplementary Question

Will the people of the county be able to see and comment on the LTP3 before it is adopted?

Response at the meeting

The Cabinet Member advised that the LTP would be dealt with in tandem with the LDF with full consultation with Cabinet and Council. He added that a written response would be provided.

Written Response

Extensive public consultation has been carried out during the development of the Local Transport Plan in association with formal consultations in relation to the Local

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Development Framework. The proposed Local Transport Plan 3 will be made available as part of the approval process through Cabinet and Council over the coming months which will provide further opportunity for comments to be made directly or via their Local Members prior to its adoption.

Question from Mr A Fisher, Hereford

Question 8

The October 2011 version of the Draft Revised Preferred Option Background Paper described some 'detailed changes ... proposed for Hereford' (para 4.21) including another crossing of the River Wye (which would 'not be considered to be a substitute for the western relief road currently proposed', para 4.21 iv). Given the rejection of a Western Relief Road in the Hereford Preferred Option consultation and the investment by the Council earlier in 2011 in testing and eliminating the 'East Is Best' partial relief road proposal, given, that is, the very controversial nature of this 'detailed change',

Why was the proposal for an additional eastern river crossing not put forward in last year's Revised Preferred Option consultation and when will it be subject to public consultation?

Answer from Councillor AJM Blackshaw Cabinet Member Highways, Transportation and Sustainability

Answer to question 8

The possibility of additional transport links to the east of Hereford was mooted in the context of the then recent announcement of Enterprise Zone status for Rotherwas. The merits of such links are presently being examined. Any proposals will be subject to further consultation if they are to be included within the Core Strategy.

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012**Question from Councillor EMK Chave of Councillor DB Wilcox, Cabinet Member Environment, Housing and Planning**

- 1 *Who is undertaking the analysis of LDF consultation responses on behalf of Herefordshire Council and what is the timescale of when these responses will be reported to Council?*

Answer from Councillor DB Wilcox Cabinet Member, Environment, Housing and Planning

Answer to question 1

I refer to my answer to Mr Brown (Public Question 5). The analysis is undertaken by the planning policy team.

Question from Councillor DC Taylor of Councillor PD Price, Cabinet Member Corporate Services and Education

- 2 *Could the Cabinet Member advise me which Parish Councils have increased their precept for the 2012/13 financial year over the precept they set for the 2011/12 year and by what percentage have they increased?*

Answer from Councillor PD Price, Cabinet Member Corporate Services and Education

Answer to question 2

The table below identifies those 80 Parish Councils that have increased their precepts, together with the level of increase for each.

It should be recognised that local councils are able to actively respond to meeting the identified needs of their communities, supporting much valued local facilities and services, through their use of local precepts.

Parish Council Meeting	Precept Required	Last Year's Precept	Increase/ (Decrease)
Allensmore Parish Council	£1,500	£600	150.00%
Almeley Parish Council	£7,250	£6,250	16.00%
Aston Ingham Parish Council	£2,200	£1,750	25.71%
Avenbury Parish Council	£3,500	£1,750	100.00%
Aymestrey Parish Council	£2,739	£2,634	3.99%
Bartestree & Lugwardine Group Parish Council	£23,000	£21,000	9.52%
Birley with Upper Hill Parish Council	£2,000	£1,827	9.47%
Bishop's Frome Parish Council	£20,000	£18,000	11.11%
Bishopstone Group Parish Council	£4,174	£3,885	7.44%
Bodenham Parish Council	£9,780	£8,150	20.00%
Border Group Parish Council	£7,500	£7,000	7.14%

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Parish Council Meeting	Precept Required	Last Year's Precept	Increase/ (Decrease)
Bosbury and Coddington Parish Council	£10,000	£4,750	110.53%
Brampton Abbots & Foy Group Parish Council	£2,000	£1,500	33.33%
Bredenbury & District Group Parish Council	£4,250	£1,700	150.00%
Breinton Parish Council	£7,020	£6,500	8.00%
Bridstow Parish Council	£5,225	£4,750	10.00%
Brilley Parish Council	£4,000	£2,750	45.45%
Brimfield and Little Hereford Group Parish Council	£9,500	£9,000	5.56%
Brockhampton Parish Council	£3,600	£2,800	28.57%
Bromyard & Winslow Town Council	£168,000	£141,700	18.56%
Callow & Haywood Group Parish Council	£5,500	£4,400	25.00%
Clehonger Parish Council	£11,000	£8,000	37.50%
Colwall Parish Council	£56,873	£55,758	2.00%
Dormington & Mordiford Group Parish Council	£10,945	£9,155	19.55%
Dorstone Parish Council	£2,300	£1,700	35.29%
Eardisland Parish Council	£15,750	£15,000	5.00%
Eardisley Group Parish Council	£7,700	£7,000	10.00%
Garway Parish Council	£4,724	£3,938	19.96%
Hampton Bishop Parish Council	£10,000	£7,000	42.86%
Hatfield and District Group Parish Council	£2,500	£1,800	38.89%
Hereford City Council	£734,960	£712,340	3.18%
Holmer & Shelwick Parish Council	£6,575	£6,250	5.20%
Hope under Dinmore Group Parish Council	£3,300	£3,000	10.00%
How Caple, Sollershope & Yatton Group Parish Council	£5,000	£4,250	17.65%
Huntington Parish Council	£650	£600	8.33%
Kimbolton Parish Council	£5,000	£4,450	12.36%
Kings Caple Parish Council	£6,688	£4,400	52.00%
Kingsland Parish Council	£10,000	£7,000	42.86%
Kington Town Council	£60,900	£58,000	5.00%
Kinnersley and District Group Parish Council	£3,000	£2,800	7.14%
Lea Parish Council	£9,600	£5,600	71.43%
Ledbury Town Council	£266,596	£265,773	0.31%
Leintwardine Group Parish Council	£15,000	£14,500	3.45%
Leominster Town Council	£229,011	£218,279	4.92%
Linton Parish Council	£6,000	£5,800	3.45%
Little Birch Parish Council	£2,700	£2,300	17.39%
Little Dewchurch Parish Council	£7,500	£6,500	15.38%
Llangarron Parish Council	£5,000	£4,500	11.11%
Luston Group Parish Council	£9,000	£7,900	13.92%
Lyonshall Parish Council	£5,000	£4,500	11.11%

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Parish Council Meeting	Precept Required	Last Year's Precept	Increase/ (Decrease)
Malvern Hills Conservators (Colwall Parish Council)	£33,040	£31,350	5.39%
Malvern Hills Conservators (Mathon)	£4,400	£4,180	5.26%
Marstow Parish Council	£5,000	£4,500	11.11%
Mathon Parish Council	£6,392	£6,279	1.80%
Middleton-on-the-Hill and Leysters Group Parish Council	£3,500	£3,000	16.67%
Monkland and Stretford Parish Council	£2,900	£2,300	26.09%
Much Cowarne Group Parish Council	£3,600	£3,500	2.86%
Much Dewchurch Parish Council	£3,500	£3,000	16.67%
Pencombe Group Parish Council	£6,500	£5,750	13.04%
Peterchurch Parish Council	£13,560	£11,708	15.82%
Peterstow Parish Council	£3,500	£3,000	16.67%
Pipe and Lyde Parish Council	£2,330	£1,400	66.43%
Pixley & District Parish Council	£5,000	£4,000	25.00%
Putley Parish Council	£4,500	£4,300	4.65%
Sellack Parish Council	£1,750	£1,300	34.62%
Stretton Grandison Group Parish Council	£2,000	£1,750	14.29%
Stretton Sugwas Parish Council	£3,500	£3,000	16.67%
Thornbury Group Parish Council	£3,300	£3,000	10.00%
Titley and District Group Parish Council	£3,921	£3,825	2.51%
Vowchurch & District Group Parish Council	£6,200	£5,400	14.81%
Walford Parish Council	£16,000	£12,500	28.00%
Wellington Heath Parish Council	£7,400	£7,300	1.37%
Wellington Parish Council	£21,500	£13,500	59.26%
Weobley Parish Council	£10,555	£8,139	29.68%
Weston Beggard Parish Council	£1,000	£600	66.67%
Weston-under-Penyard Parish Council	£6,300	£6,000	5.00%
Whitchurch & Ganarew Group Parish Council	£9,000	£7,000	28.57%
Wigmore Group Parish Council	£17,000	£12,000	41.67%
Yarkhill Parish Council	£4,000	£3,000	33.33%
Yarpole Group Parish Council	£10,385	£8,300	25.12%

Question from Councillor MAF Hubbard of Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability

Question 3 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number 26 18 November 2011.

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Question from Councillor RI Matthews of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

- 4 *It has recently been announced that a kilometre of hoarding is due to be erected around the old cattle market site in the near future. Can Members be told how much this work will cost, and who is paying for it?*

Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Answer to question 4

The hoarding is to be erected by the developer's nominated principle contractor; the costs of which are not being carried by the council.

Question from Councillor RI Matthews of Councillor PD Price, Cabinet Member Corporate Services and Education.

- 5 *Can Members be informed how much Herefordshire Council have spent on consultants between 01/01/2011 – 01/01/2012 and how do these figures compare to the expenditure during the previous twelve months, on this same issue.*

Answer from Councillor PD Price, Cabinet Member Corporate Services and Education.

Answer to question 5

This information will take time to collate and I will provide a written response in due course

Supplementary Question

I have been informed that the Council is paying consultants up to £600k per day, is the Council getting value for money?

Response at the meeting

The Cabinet Member advised that a written response would be provided.

Written response

Like all other parts of the public sector the Council engages individuals with specific skills on short term contracts to support project delivery where it would not be cost effective to employ a permanent member of staff. By doing so the Council can specify the length of time an individual provides expert advice and support without incurring the costs associated with permanent employment.

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Question from Councillor RI Matthews of Councillor PD Price, Cabinet Member Corporate Services and Education.

Question 6 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Public question number three 2 March 2012.

Question from Councillor TM James of Councillor JG Jarvis, Leader of the Council

Question 7 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number three 18 November 2012.

Question from Councillor MAF Hubbard of Councillor BD Wilcox, Cabinet Member Environment, Housing and Planning

8 *Under what circumstances is it appropriate or necessary for the Chief Executive to involve himself in the issuing, or otherwise, of emergency Tree Preservation Orders.*

Answer from Councillor BD Wilcox, Cabinet Member Environment, Housing and Planning

Answer to question 8

The council's constitution makes provision for the exercise of functions by the Chief Executive on behalf of the council; it also identifies how those functions may be delegated and in what circumstances officers taking delegated decisions should consult with the Chief Executive.

Supplementary Question

As the result of a details document from a member of the public following a Freedom of Information request in 2009, why was the Chief Executive consulted on an emergency tree preservation order, why was a Councillor treated differently and on what grounds did the Chief Executive intervene?

Response at the meeting

The Leader of the Council advised that a written response would be provided.

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Written response

It is not unusual for officers to seek the views of senior managers on the appropriateness of provisional protection activity; this is the case whether dealing with a member of the public or an elected member. The Chief Executive has not 'intervened' in any case although he has been consulted, appropriately, on a number of occasions.

Question from Councillor MAF Hubbard of Councillor BD Wilcox, Cabinet Member Environment, Housing and Planning

Question 9 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number 26 18 November 2011.

Question from Councillor SJ Robertson of Councillor DB Wilcox, Cabinet Member Environment, Housing and Planning

Question 10 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number 26 18 November 2011

Question from Councillor MAF Hubbard of Councillor AJM Blackshaw, Cabinet Member Highways, Transportation and Sustainability

Question 11 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number three 18 November 2011

Question from Councillor MAF Hubbard of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Question 12 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number three 18 November 2011

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012**Question from Councillor MAF Hubbard of Councillor RJ Phillips, Cabinet Member Enterprise and Culture**

Question 13 disallowed on the grounds that it is the same or similar to a question put to a meeting of Council in the last six months, see Herefordshire Council Constitution Part 4, 4.1.15.4 c. Member question number four 2 March 2012

Question from Councillor MAF Hubbard of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

14 *Who is paying for the archaeological investigations on the Old Cattle Market Site?*

Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Answer to question 14

The developer.

Question from Councillor MAF Hubbard of Councillor PD Price Cabinet Member Corporate Services and Education

15 *Please can you detail any properties owned by Herefordshire Council where the income earned on the property is being paid directly to Hereford Futures? Please include details of the income levels.*

Answer from Councillor PD Price Cabinet Member Corporate Services and Education

Answer to question 15

None is paid directly to Herefordshire Futures.

A number of properties were acquired to progress the Hereford Futures programme utilising funds provided entirely by AWM, as part of the Agency's funding of the Hereford Futures programme. As the accountable body for Hereford Futures, the council agreed to acquire these properties.

Under the terms of the funding agreement between the council and the Agency, Hereford Futures receives a variable residual amount of funding, to support implementation of the programme, from income from these properties which would otherwise be repaid to the Agency or its successor body. This amount is net of council deductions for repairs, alterations, management and maintenance

The properties in respect of which AWM funded the acquisition are

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

Franklin House
 Blueschool House
 4, Blackfriars St
 32 Coningsby St
 Station Approach Trading Estate

During the current financial year, £146,000 was the net figure made available to Hereford Futures under these arrangements.

Supplementary Question

Where are the accounting procedures in relation to Hereford Futures? A number of properties pay rent direct to the Council, which is then paid to Hereford Futures, where are the accounting procedures for this?

Response at the meeting

The Cabinet Member advised that a written response would be provided.

Written Response

As a limited company Hereford Futures files its annual accounts in accordance with legal requirements and its overall procedures are overseen by its Audit Committee. The arrangements for the use of property rent form part of the overall agreement reached with Advantage West Midlands who provided funding for the purchase of these properties.

Question from Councillor PJ Watts of Councillor PD Price, Cabinet Member Corporate Services and Education

16A Given that Herefordshire Council employed Drivers Jonas Deloitte to do an appraisal report on the Tesco site (Ledbury 2011) in conjunction with the Tesco application – how much did this report cost?

B Given that Herefordshire Council employed Drivers Jonas Deloitte to do an appraisal report on the Sainsbury site (Ledbury 2012) in conjunction with the recent Sainsbury application – how much did this report cost?

Answer from Councillor PD Price, Cabinet Member Corporate Services and Education

Answer to question 16

A £2,900

B £2,000

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012**Supplementary Question**

Why was the officer report diametrically opposed to the consultant's report given that the consultant's report cost the Council £2,000?

Response at the meeting

The Cabinet Member advised that as this related to a planning application he would need to provide a written response to the question in consultation with the Chairman of Planning.

Written response

The Drivers Jonas Deloitte report prepared for the Council on the Sainsbury's application in Ledbury was included as an appendix to the committee report submitted to the Planning Committee on 22 February 2012. There is no distinction between the consult's report and the officer recommendation.

- 1 The application site is in an out of centre location in retail planning policy terms (para 140).
- 2 The application site is well beyond walking distance to the town centre for shopping purposes.
- 3 The Turley assessment (on behalf of Sainsbury's) was both unrealistic and incomplete (paras 147 and 148).
- 4 The location of the proposed food store is too far from Ledbury town centre to facilitate linked trips from the store on foot. This is considered to be a major defect of the application site in planning policy terms (para 151).
- 5 The application proposal is inconsistent with the retail spatial strategy for the area as set out in policy S5 of the adopted UDP.
- 6 The application site is not a sustainable location for a new shopping development (para 153).

Question from Councillor MD Lloyd-Hayes of Councillor PD Price, Cabinet Member Corporate Services and Education

- 17 "The recent "Herefordshire Matters" survey was distributed to 80,000 households in the county in September asking people's views. The response was published in the November 2011 edition. There were 200 responses (0.25%), so the views of 99.75% of the readership were not recorded. Of respondents, one third thought the magazine not worthwhile, and a quarter did not trust the information published.

MEMBERS' QUESTIONS TO COUNCIL – 2 MARCH 2012

On the basis of these figures, do you not agree it is misleading to publish conclusions from the survey that suggest that "Herefordshire Matters" is supported by its readers?

Answer from Councillor PD Price, Cabinet Member Corporate Services and Education

Answer to question 17

No. The article published in the November edition of Herefordshire Matters was not misleading - the specific results which were included clearly related to, and were contextualised by, the numbers of responses received.

Whilst improvements continue to be made in response to feedback from customers to ensure information is accessible, relevant and available in a range of formats, Herefordshire Matters will continue to be a key element of public services communication and engagement within the county

Supplementary Question

Who has the last word on the content of Herefordshire Matters politicians or staff?

Answer

The Cabinet Member advised that the magazine was sent to a number of people for the collection of items. Members were also invited to put forward a submission. The magazine is seen by a selection of people to ensure it is editorially correct and is then produced in the format of the current magazine.

MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	QUESTIONS FROM MEMBERS OF THE PUBLIC
REPORT BY:	ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To receive any questions from members of the public deposited more than eight clear working days before the meeting of Council.

Introduction and Background

- 1 Members of the public may ask a question of a Cabinet Member or Committee or other Chairmen. Written answers will be circulated to Members, the press and public prior to the start of the Council meeting. Questions subject to a Freedom of Information request will be dealt with under that separate process.
- 2 Standing Order 4.1.14.4 of the Constitution states that: a question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday eight clear working days before the day of the meeting (ie the Monday of the week preceding the Council meeting where that meeting is on a Friday). Each question must give the name and address of the questioner and must name the person to whom it is to be put.
- 3 A questioner who has submitted a written question may also put **one** brief supplementary question without notice to the person (if s/he is present at the meeting) who has replied to his or her original question. A supplementary question must arise directly out of the original request or reply. The Chairman may reject a supplementary question on any of the grounds for rejecting written questions set out in these Council rules or if the question is too lengthy, is in multiple parts or takes the form of a speech. In any event, any person asking a supplementary question will be permitted only **1 minute** to do so.
- 4 The Monitoring Officer may reject a question or a supplemental question if it:
 - Is not about a matter for which the Council has a responsibility or which affects the County or a part of it;
 - Is illegal, scurrilous, defamatory, frivolous or offensive or otherwise out of order;

Further information on the subject of this report is available from
Chris Chapman, Assistant Director Law, Governance and Resilience on (01432) 260200

- Is substantially the same as or similar to a question which has been put at a meeting of the Council in the past six months or relates to the same subject matter or the answer to the question will be substantially the same as the previous answer;
 - Requires the disclosure of confidential or exempt information;
 - Relates to a planning or licensing application;
 - Relates to an employment matter that should more properly be dealt with through the Council's Human Resources processes.
- 5 There will be a time limit of a maximum of 30 minutes for public questions and of 30 minutes for Members' questions. If either public or Member questions are concluded in less than 30 minutes, then the Chairman may allow more time for either public or Member questions within an overall time limit of one hour for all questions and supplementary questions. There will normally be no extension of time beyond one hour, unless the Chairman decides that there are reasonable grounds to allow such an extension, and questions not dealt with in this time will be dealt with by written response. The Chairman will decide the time allocated to each question. The register of questions put to the Council meeting, both questions allowed or rejected, is available at a Council meeting for members of the public to view.

Questions

- 6 Fifteen questions have been received by the deadline and are attached at Appendix 1.

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mr P McKay, Herefordshire

Question 1

At the Council meeting on 4 March 2011 it was agreed that Council's objective is to have complete and correct Highway Records with the Highway Records being made available for inspection online enabling Parish Councils and others to check what is recorded or not recorded, enabling positive and constructive representations to meet that objective to be made. Since that date the Local Access Forum has been advised several times that other matters are being given priority over getting the Highway Records online, with the date that this is expected being delayed. May I please ask if these other matters have been completed and if this agreed objective of getting the Highway Records online could now be given priority, and the date this could be expected?

Question from Mr P Newman, Kington, Herefordshire

Question 2

When Amey, acting on your behalf, carry out road widening etc., they remove the footpath signs in order to carry out the works but never replace the signs afterwards. This happened with the Roman Road improvements at Hereford and it took 12 months of phone calls before matters were rectified.

The same has now happened with the Stretton Sugwas road improvements near Wyevale Nurseries. I rang Amey when the works were taking place asking that the sign at the entrance to Footpath BT11 be replaced and when this did not happen I followed up, to no avail. Can this sign for footpath BT11 be sorted out and what can be done to prevent similar occurrences in future?

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mr P Mitchell, Herefordshire

Question 3

The question arises from concern over the Council decision which appears to allocate significant public funds and assets to the ESG developer at the Council Tax Payers expense. Enabling infrastructure and facilitation / paying for site provision normally funded by the developer are in this instance being provided / paid for by the Council Tax Payer. The value of benefits and returns provided to the public in return for this are not readily evident.

“In the interests of demonstrating the Council Leaders press claim that the sanctioned ESGD offers best value for money to the Council Tax Payer I request the Council now substantiate this by providing disclosure to this meeting the anticipated full financial value of all public spend and asset provisions to support this commercial development together with the associated benefits and the value of financial returns which are provided from this scheme to the public in return?”

In the interests of openness, transparency and accountability this valuation and any associated supporting reports should be placed in the public domain and detail all public expenditure, assets provided, returns arising and benefits attributable and should include but not be restricted to the following:

- Cost of all works provided from the public purse in enabling the ESGD (including link road and other infrastructure and re-provision of public and private facilities displaced by it - such as the livestock market, police HQ and where applicable any other public or private undertakings).
- Value of assets, acquired or already owned, provided to the scheme by the Council or other public body – either in making the ESGD site available to the developer or any other assets assigned or provided in enabling re-provision of any displaced facilities. (Include estimates of those not yet finalized).
- Cost (estimated or otherwise) of all associated compensations arising to the public pursue to facilitate making the ESGD site available to the developer or arising from re-provision of displaced facilities.
- Cost of all financing debt and of Council funding reserves used to support this scheme from the public purse.
- Cost to completion of publicly funded resources provided to enable Council support for this scheme (including internal resources and external consultancy).
- Register of risks (beneficial and adverse) with cost / benefit arising from the scheme and strategy and allocation to protect the public pursue. Sensitivity analysis of their potential impact to scheme and management of outcome to the public pursue.
- Any income arising to the benefit of the public purse associated with this scheme including rates, rents or other ongoing returns arising from all of the above facilities or assets provided from the public pursue to support this scheme.

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

- Other anticipated finance received in the form of capital or income, from the developer or others such as share of returns arising from the redevelopment to the benefit of the public pursue.
- Rate of return established from any discounted cash flow assessment or similar decision making tool or criteria the Council has used in committing to this scheme.
- Net cost or benefit in terms of effect upon the Council tax payer levy of the whole scheme described above.

A justification of this decision should also be provided in priority of this scheme over others by way of comparative assessment of benefit of alternative new development, maintenance and other operational spend options competing for use of this public money.

This investment appraisal information should be routinely updated and published for public view to show performance of this investment against Council expectation.”

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mr M Everitt, Malvern

Question 4

This question concerns the service provided for Public Rights of Way and particularly for applications to change the Public Rights of Way network using the Definitive Map Modification Order (DMMO) procedure or the Public Path Order (PPO) procedure.

For many years Herefordshire has had a backlog of more than 100 DMMOs with a significant number of them being more than 12 years old. A report to the Environment Scrutiny Committee on 13 July 2010 said that 'Whilst the Council had a statutory duty to accept and process applications for DMMOs there is no such duty as regards PPOs'. The report then advised that the discretionary PPO work would be contracted out at applicants' expense in order to free up resources for the statutory DMMO work. However an update to the Environment Scrutiny Committee on 28 February 2011 advised that such good progress had been made in dealing with the PPOs that the plan to contract out PPO work was no longer necessary. The report implied it was still possible to manage the PPO work and also to allocate additional (?) resources to DMMO work although two new areas of work had been placed on the team!

According to figures given to the Local Access Forum, there has effectively been no improvement in the DMMO backlog since February 2011 in that the backlog has only fallen from 105 to 104. Moreover, although the PPO backlog has reduced from 76 to 61, this backlog still represents a significant workload and demand for resources.

Could the Cabinet Member, who in a recent letter to the Local Access Forum advised that the measures being put in place would have only a marginal effect on the DMMO backlog, please explain why Herefordshire continues to allocate some of its suitable resources to the discretionary PPO work rather than using those resources to deal with its statutory duty to process DMMO applications?

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mr R Branczik, Malvern

Question 5

Herefordshire Council is to be commended for its scheme offering One to One Adult Cycle Training through its Sustainable Travel team.

How many councillors have taken up the opportunity to get first-hand experience of the training and so be in an ideal position to recommend it to their constituents and, in particular, has Cllr Blackshaw himself yet benefited from this excellent scheme in his cabinet portfolio?

Question from Mr J Faulkner, Hereford

Question 6

Composition of traffic on Hereford's road network

The Council's bid to the Department for Transport's Local Sustainable Transport Fund attributes peak hour congestion to the fact that 'the city's highway network must accommodate both long distance and local traffic.' (p4)

What percentage of traffic on the road network within the city of Hereford during peak hour (a.m. and p.m.) is 'local' (and please define 'local' as used in the Destination Hereford Local Sustainable Transport Fund application)?

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mr P Linnell, Hereford

Question 7

Council smallholding and forestry assets

What is the area of agricultural, horticultural and forestry land owned by Herefordshire Council and what is the Council's current policy on disposing of such land?

Question from Mrs E Morawiecka, Hereford

Question 8

Is it appropriate that a private company, which is now fully funded by Herefordshire Council, has Articles of Association allowing directors to have conflicts of interest, something completely contrary to the Herefordshire Council Constitution for both employees and elected members?

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Ms P Mitchell, Hereford

Question 9

LTP capital spending on cycling infrastructure in Hereford 2009-2015

What has been or will be the LTP capital spend on cycle infrastructure within Hereford City for each financial year between 2009/10 and 2014/15? (Please list city cycle schemes progressed or to be progressed in each year)?

Question from Mr A Fisher, Hereford

Question 10

The Council is providing Personalised Travel Planning to households in Hereford over the next 3 years in order to establish the residents travel requirements and offer information and advice on travel options available for their journeys, as well as offering incentives to change their travel behaviour.

In the course of these face-to-face sessions, what questions are the Council's Personal Travel Planners asking in order to ascertain residents' cycling requirements and their views of the safety and comfort of cycling in Hereford? (Please give the text of the questions about cycling asked in the standardised interview.)

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Mrs J Morris, Hereford

Question 11

I refer to the minutes of the Overview & Scrutiny committee meeting on 9 December 2011 which considered the autumn 2011 Local Development Framework consultation. These clearly state that, when asked about changes to the Council agreed timetable for 2011 for the preparation of the LDF and LTP, officers stated that, the timetables "were necessarily kept under review and changes had been made by officers in discussion with the relevant Cabinet member".

If the full council spend time in agreeing a new timetable for the LDF, as reported, who would this be binding on?

Question from Mr T Straker, Hereford

Question 12

I understand that the Council intends to build 16,500 new homes in Herefordshire over the next 20 years, as previously outlined in the Regional Spatial Strategy. Would you please let me know what proportion of these new homes and associated businesses, services and infrastructure the Council proposes to allocate through the neighbourhood planning process, introduced under the Localism Act?

PUBLIC QUESTIONS TO COUNCIL – 25 MAY 2012

Question from Ms A Sancha, Breinton, Hereford

Question 13

A compulsory purchase order (CPO) for the "Hereford Link Road" is scheduled to go to Cabinet on the 14 June 2012, when there is no properly funded and up to date Local Transport Plan. Many elements of the current LTP that were to support the Link Road and the Old Livestock Market retail development, such as the park and ride schemes and city cycle routes, have been removed to save costs, but this negates any benefit this road will bring to congestion in Hereford. The LTP3 has been timetabled to be considered by full council just a few weeks later than the CPO. At a cost of £27million to the local taxpayer, which the Council need to borrow, why isn't this CPO being deferred until a coherent, up to date and fully funded transport strategy has been agreed by the Full Council?

Question from Mrs V Wegg-Prosser Breinton, Hereford

Question 14

On 7 November 2011, at a public meeting held in Whitecross School, Councillor Jarvis agreed to meet a group of local residents to discuss the issue of bed shortages in the County Hospital. This group formulated a list of questions, the answers to which would form the basis of the agreed Agenda for the meeting - questions such as 'On how many days in the last year has bed occupancy been over 95%?'

Given the continuing concern over bed shortages, most recently expressed at Overview and Scrutiny on 5 March 2012, when will Councillor Jarvis arrange to hold this meeting?

Question from Mr B Wallace, Breinton, Hereford

Question 15

*Since **Widemarsh Street** was completely redesigned with trip hazards, how many personal injury accidents have been reported and recorded on this particular street in Hereford?*

MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	LEADER'S REPORT

CLASSIFICATION: Open

Wards Affected

County wide

Purpose

To note the intention to revise the timetable for production of a policy framework item; and to provide an overview of the Executive's activity since the last meeting of Council.

Recommendations

THAT:

- a) **the intention to revise the timetable for the production of the Local Development Framework, as set out at paragraph 12 below, be noted; and**
- b) **the overview of the Executive's activity be noted.**

Report

Herefordshire's People

1. This administration has always made crystal clear its commitment to supporting the most vulnerable in our communities and ensuring that our young people get the best possible start in life – and as the financial challenge facing local authorities across the country grows we must never lose sight of that priority. It is undoubtedly true that some difficult choices will have to be made, and we must ensure that our resources are directed to those in most need of support.
2. We have already agreed some changes to delivery of services supporting Herefordshire's 'Yes We Can' plan; primarily around the delivery of targeted and specialist family support services. These changes will ensure that contracts are more focussed on delivery of improved outcomes, as well as providing improved value for money. Members will also be aware of the recent consultations on the future of the youth service, and provision of children's centre services; Cabinet will be considering the outcome of those consultations shortly.
3. Herefordshire has some schools with truly exceptional performance that we can be rightly very proud of. However this positive picture is not as consistent as it could be

and we need to work closely with all those providing education for young people in the county to ensure that all our children, including those in our care, can achieve their full potential. Performance in early years and primary settings, which was well below average, is now improving and we need to continue on that journey of improvement. To provide a framework within which we can work together to secure quality education for everyone cabinet has agreed Guiding Principles for Herefordshire's Learning Community. These principles will be underpinned by individual delivery plans to ensure we have action as well as words.

4. It will come as no surprise that one of our greatest challenges lies in ensuring that we can meet the needs of the increasing numbers of older people in our community in a way that enables them to access the support they need as close to home as possible, and as cost effectively as possible. Like other authorities in the country we look forward to the expected government Social Care White Paper in response to the Dilnot Commission findings; however no-one expects this to offer easy solutions and we can't sit on our hands in the meantime. Our vision for transforming adult services is developing, and will be considered by Cabinet in the coming year.
5. There are some very good foundations on which to build, for example:
 - Children's Services in the county have been graded as performing well and our adoption service has been graded as 'good with outstanding features'
 - in partnership with Wye Valley NHS Trust improvements are being made to ante-natal support services across the county
 - the youth service is running 'Skillz Clubs' for children aged between 8 and 12 with more complex learning needs
 - within adult services a new carers strategy has been developed and launched
 - new supported living arrangements are in place and being expanded for people with disabilities
 - the establishment of Wye Valley NHS Trust as an integrated care organisation, and the development of locality working arrangements is helping to ensure that care is given in a more joined up and responsive way
 - a new joint approach between the police and our licensing and trading standards teams has led to a reduction in under-age alcohol sales and a reduction in the numbers of young people going to A&E with alcohol related issues.
6. The Health and Social Care Act 2012 will see important changes to how we manage health and social care in the county. We have been planning for the transfer of commissioning responsibilities to the Herefordshire Clinical Commissioning Group for many months and the transfer of legal responsibility from will take effect in April 2013 when the primary care trust disappears. This will mean a new chapter in the successful partnership between the council and the NHS in Herefordshire. Our partnership is underpinned by the Health and Wellbeing Board which has been operating since April 2011. The Board has produced the first draft Health and Wellbeing Strategy, which will guide the allocation of resources to agreed priorities.
7. During the course of the year we will also be preparing for the transfer of public health responsibilities, which will give the council statutory responsibility for promoting the health of the public. Finally, we are planning for the transition from LINK to HealthWatch, which will be the new consumer champion for both health and adult social care in the county. Seminars are being arranged to ensure that all Members are

briefed on all these important changes.

8. We will continue to work together with our partners across the public sector and in schools, colleges, the voluntary sector and the private sector, to ensure that people have access to the services they need.

Herefordshire's Economy and Communities

9. While people remain our first priority, we mustn't lose sight of the building blocks that are essential to securing the future wellbeing of our residents: a robust and sustainable economy, more jobs available locally with better wages, housing to meet the needs of local people and those wishing to move into the county, active and engaged communities, and an environment we can all enjoy and be proud of.
10. The national and global economic position, now and into the future, will of course have consequences locally. I won't pretend that realising our ambitions for the county will be easy in this context, but it does mean that, where we can make capital investments that both deliver much needed infrastructure and reap future revenue rewards, we should take the opportunity to do so.
11. As a result of Cabinet's recent approval of a number of variations to the development agreement we have with Stanhope, I am delighted to say that the retail quarter redevelopment is now able to be progressed. Already hoardings have been erected around the old livestock market site (and made much more attractive by some fantastic artwork based on the Hereford Bull provided by students from our local schools). I acknowledge that some people have reservations about this new development but have no doubts whatsoever that it will prove to be a much valued addition to both the city and the county as a whole, attracting more people to the city centre and preventing the risk of out of town development that none of us would wish to see.
12. A revised timetable for the Local Development Framework (LDF) was approved by Council at its last meeting, in order to allow for responses to the consultation on a Revised Preferred Option to be properly analysed. That timetable indicated Cabinet would consider the LDF in June followed by Council consideration in July 2012. To enable Cabinet to consider the implications of recent case law and any further consultation required to ensure our LDF process is as robust as possible, Cabinet will not now be considering the LDF in June, and will receive a report in July to inform future actions. Council is therefore asked to note that the timetable for the LDF will need to be amended in light of that advice, and that further details will be reported to Council in due course.
13. National policy changes, such as the Localism Act and the national planning framework, will also impact on both the future role of local authorities and the way in which particular services are delivered. Again we have in place some excellent foundations on which we can build to take these changes forward and achieve our ambition for the county. These include:
 - the opening of the new livestock market which has provided a high quality facility to support our agricultural sector, and is now operating at capacity
 - the successful delivery of the Yazor Brook flood alleviation scheme (which has been put to the test in recent weeks and already proved its worth)

- securing £5m funding for 'Destination Hereford' to support transport improvements in the city
- the continued development of plans to link the A49 Ross Road to the A465 Abergavenny Road to deliver transport improvements south of the city
- 90 affordable homes brought into the market with a further 88 long term empty properties being brought back to use
- with the support of the Marches LEP Herefordshire has secured 'Enterprise Zone Status' for Rotherwas and funding from the regional Growth Fund to support the established redundant buildings grants programme
- in partnership with the Herefordshire Business Board and Visit Herefordshire a county brand has been developed and can already be seen appearing across the county
- phase 1 of the Masters House in Ledbury has been successfully delivered, resulting in a magnificent start to the re-development of this unique property
- we have achieved our waste recycling target of 41%
- locality working has been rolled out across each of the 9 local areas and there are already examples of successful local working involving local Members, including the transfer of community assets in Ross and Wye.
- funding has been secured for our 'Get Warm Stay Warm' scheme
- following our difficult decision to remodel delivered library services and our call to Parish Councils to consider establishing community library services, within 6 months we had six community libraries operational, a further three scheduled to open and more in the pipeline. This is an excellent example of how we can work creatively together and has been recognised by the Cabinet Office as an example of good practice in decentralisation.

14. Members will see a theme in many of my observations – working together. We can't do this alone – and neither should we try to. There are so many skills within our communities, so much energy, knowledge and creativity that we can work with. Individuals and groups can and do make a real difference. Whether its running a community shop, checking on an elderly neighbour, or being a member of a board or committee, people from all walks of life are giving their time, voluntarily, to help improve the lives of people in Herefordshire and I place on record my thanks to all of them.

Herefordshire Council - Rising to the Challenge

15. The current financial year includes a budget that delivers a second year of nil increase in council tax. The council accepted the government's one year grant; equivalent to a 2.5% increase (£2.2m), but did so in a way that limited the impact on future years' budgets. This prudent approach meant that the £2.2m was used as a one off source of funding for transformation and also as a budget contingency.
16. There is no funding certainty after this financial year and we await the future local government statement due to be announced in the autumn. However, we can expect further reductions in our funding and our financial strategies already make this assumption. This will require further reviews of services and methods of delivering in the future.
17. The principle of business rate localisation will be a powerful move towards localism as a driver of economic growth. However we await the details of the full government scheme expected to be announced in 2013.

18. Changes to the local government finance framework set out legislative functions to devolve greater financial powers and freedoms to local councils. In particular the reformer funding means that local councils will once again receive the revenue from local business rates which have been a national tax since 1990. In addition, the current council tax benefit regime of national support for council tax will be replaced with locally decided schemes for helping people pay their council tax.
19. As I have mentioned before – we can't wait for all these uncertainties to be resolved before we take action.
20. It is for those reasons that we are pursuing a review of all of our services under the root and branch programme. Over the next 18 months we will look at everything that we do and ask fundamental questions about why we do things. The reviews will:
 - Redefine the role of the Council and public services
 - Set out the priorities for the next decade
 - Rebuild budgets, with clear links between spend and results
21. Central to the programme will be a genuine process of engagement with residents, employees, Councillors and our partners across business, the third sector and the public sector. All Members will have a key role to play through the “Your community, your say” initiative, building on the Hearts of Herefordshire approach.
22. In addition we have made progress in become a more efficient less bureaucratic organisation. For example:
 - Cabinet has recently agreed the framework within which we decide the degree of subsidy, fees or charges that will be applied to services.
 - the integrated care organisation, Wye Valley Trust, is a further example of innovation for Herefordshire. Although we still have some way to go, we have already seen successful work through the neighbourhood teams and a significant reduction in delayed discharges at the Hospital.
 - improvements continue to be made to our ICT systems with a new financial system now in place, better management of on line procurement and an increasing level of self service on financial and human resources transactions
 - the introduction of a new customer relationship management system means that more customer enquiries are being resolved at the first point of contact; we have also seen a sharp decline in the number of customer calls that we receive which are avoidable, due to improved self service through the website. The Council's website also received a top rating four stars in the annual “Better Connected” survey, putting Herefordshire in the top 20 in the country
 - Cabinet has also received a report on the progress made in developing shared services. It is important to note that the Council received £1.3m of savings in the year through our shared services initiative with the PCT and Wye Valley Trust. Hoople Ltd is now one year old and is already establishing a national reputation for innovation, being recently commended in the Municipal Journal Awards.

Cabinet Portfolios

23. I have been discussing with my Cabinet colleagues possible changes to the portfolios to ensure that, like the rest of the organisation, we are in the best position to help the

organisation move forward. I will provide an update to Council at the meeting.

Overview & Scrutiny

24. In line with the commitment given to Council in May 2011 to review the operational effectiveness of the new model after 12 months of operation, this review is now underway; a report will be brought to Council in July on the outcome of that review.

Other Issues

25. In addition, the Executive has considered the following issues:

- a) *Budget and Performance* – In April Cabinet considered reports on 2011/12 performance, and revenue and capital outturn; actions being taken to address areas of underperformance were noted. Cabinet also approved the corporate delivery plan for 2012/13 and agreed revisions to the corporate planning cycle.
- b) *Police & Crime Panel* – Cabinet has considered actions needed arising from the requirement to establish a Police & Crime Panel for the West Mercia policing area, and a report appears elsewhere on Council's agenda today.
- c) *Enforcement*– Cabinet has agreed the adoption of a single enforcement and prosecution policy as part of its drive to reduce bureaucracy and increase transparency.
- d) *Housing* – Cabinet has approved a joint Herefordshire and Shropshire Housing Strategy; it has also commenced Compulsory Purchase Order proceedings to bring back into use a property at Overross Farm, Ross on Wye.
- e) *Community Safety* – Cabinet has considered a draft strategy for the county; a report appears elsewhere on Council's agenda today.
- f) *Armed Forces Community Covenant* – Cabinet has approved the adoption of a covenant, providing a statement of mutual support between the local civilian and armed forces communities, and an action plan to support its delivery.
- g) *Schools* – the Cabinet Member Corporate Services & Education has approved the dedicated schools budget proposals for 2012/13 as recommended by the Herefordshire Schools Forum and agreed amendments to the schools admissions arrangements for 2013/14 to reflect changes in the national code.

MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ESTABLISHMENT OF A POLICE AND CRIME PANEL
REPORT BY:	ASSISTANT DIRECTOR, LAW GOVERNANCE AND RESILIENCE

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To approve the establishment of a Police and Crime Panel (PCP).

Recommendation(s)

THAT:

- (a) Council approves the establishment of a West Mercia Police and Crime Panel (PCP) as a joint committee of the 10 principal local authorities in the West Mercia police force area, to be administered by Worcestershire County Council as lead authority;**
- (b) Council approves the proposed membership of the PCP, the Panel arrangements and any consequential actions required under the Act; and**
- (c) Council authorises the Deputy Chief Executive to finalise the details of the proposals in consultation with the Leader.**

Key Points Summary

- A Police and Crime Panel (PCP) has by law to be established for the West Mercia police force area. The PCP will be set up to support, challenge and monitor the effectiveness of the Police and Crime Commissioner.
- The PCP will be a joint committee composed of at least 1 Councillor from each local authority area in West Mercia and two co-opted lay independent members. Composition of the PCP will need to take account of political and geographical proportionality (the 'balanced appointment objective').
- The minimum number of members for a PCP is 10 councillors (1 from each authority) and 2 co-opted lay independent members, and up to a maximum of 20 members through co-option to achieve the balanced appointment objective. In order to ensure that objective, it has been proposed that in addition to the 1 member from each of the 10 authorities in the West Mercia

Further information on the subject of this report is available from
Tim Brown, Governance Services on (01432) 260239

force area, 5 further councillors be co-opted to the PCP from the three non-Worcestershire authorities in the area (3 Shropshire, 1 Telford and Wrekin and 1 Herefordshire). Each local authority will need to agree this proposed composition and, as additional co-options are being sought, further approval will be required from the Home Secretary.

- The intention is that the PCP will operate in shadow form from Summer 2012 in advance of the election of the PCC in November 2012, at which point the Panel will receive its statutory functions.
- Agreement from all the 10 local authorities to the Panel arrangements (including composition) is required to establish the PCP in shadow form in time for the Home Office deadline of 1 July 2012. Should there be a failure to reach an agreement, the Secretary of State could invoke backstop powers to allow the Home Office to step in and appoint the PCP.
- Cabinet considered the proposals on 10 May and recommends the establishment of the Panel on the basis of the appended Panel Agreement, Panel Arrangements and Terms of Reference.

Alternative Options

- 1 Council could put forward alternative proposals. However, this would require further negotiations to take place with the other authorities in the West Mercia police force area. Should there be a failure to reach an agreement, the Secretary of State could invoke backstop powers to allow the Home Office to step in and appoint the PCP.

Reasons for Recommendations

- 2 A Police and Crime Panel has by law to be established for the West Mercia police force area.

Introduction and Background

- 3 The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability. These changes include the election of a Police and Crime Commissioner (PCCs) from November 2012 and the placing of a statutory duty on local authorities (including District Councils) in each police force area to establish and maintain a PCP as a formally constituted joint committee of the local authorities in that area.
- 4 The PCP will be set up to support, challenge and monitor the effectiveness of the PCC. It will have powers to scrutinise decisions of the PCC and make recommendations in respect of the PCC's functions. The Panel will also have powers to veto the police precept and review certain senior appointments. The draft Panel Agreement, Panel Arrangements and proposed terms of reference are attached as an Appendix.
- 5 The PCP will be a joint committee composed of at least 1 Councillor from each local authority area in West Mercia and two co-opted lay independent members. Composition of the PCP will need to take account of political and geographical proportionality (the 'balanced appointment objective') as well as have the necessary skills and experience required to fulfil the role.

Key Considerations

- 6 The minimum number of members for a PCP is 10 councillors (1 from each authority) and 2 co-opted lay independent members, and up to a maximum of 20 members through co-option to achieve the balanced appointment objective. In order to ensure that objective, it has been

proposed that in addition to the 1 member from each of the 10 authorities in the West Mercia force area, 5 further councillors be co-opted to the PCP from the three non-Worcestershire authorities in the area (3 Shropshire, 1 Telford and Wrekin and 1 Herefordshire). Each local authority will need to agree this proposed composition and, as additional co-options are being sought, further approval will be required from the Home Secretary. These proposals are being formally considered by the authorities involved.

- 7 Worcestershire County Council has agreed that it will take responsibility for the establishment, setting up and operation of the PCP on behalf of the West Mercia Local Authorities.
- 8 Although further regulations and guidance are still awaited from the Home Office, Worcestershire County Council's Director of Adult and Community Services and the Head of Legal and Democratic Services and their staff are actively developing procedures and operating protocols for the future PCP. This includes consideration of training and induction requirements for Panel members and establishing a timeline and framework for the nomination of Panel members. The intention is that the PCP will operate in shadow form from Summer 2012 in advance of the election of the PCC in November 2012, at which point the Panel will receive its statutory functions.
- 9 Agreement from all the 10 local authorities to the Panel arrangements (including composition) is required to establish the PCP in shadow form in time for the Home Office deadline of 1 July 2012. Should there be a failure to reach an agreement, the Secretary of State could invoke backstop powers to allow the Home Office to step in and appoint the PCP. The clear intention is for the local authorities themselves to agree the arrangements for the PCP, and further discussion will be needed to get to a consensus position. Arrangements are in place with the 10 local authorities in the West Mercia force to ensure that the establishment of the PCP is considered by the full Council of each local authority in advance of the 1 July 2012 deadline.
- 10 Cabinet considered the proposals on 10 May and recommends the establishment of the Panel on the basis of the appended Panel Agreement, Panel Arrangements and Terms of Reference. This Council's appointments to the Panel would be made in consultation with Group Leaders following confirmation from Worcestershire County Council of the final arrangements.

Community Impact

- 11 The establishment of the Panel in itself has no community impact. Future decisions by the Panel may have a community impact.

Equality and Human Rights

- 12 Under Section 149, the "General Duty" on public authorities is set out thus:

"A public authority must, in the exercise of its functions, have due regard to the need to -

- eliminate discrimination, harassment, victimisation and any other conduct ... prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

13 In establishing the Panel where possible (and practical) efforts should therefore be made to ensure that the Panel represents the community that it serves. Consideration will need to be given to this in finalising the Panel's composition.

Financial Implications

14 The Home Office has allocated £53,000 per annum for support and running costs of the Police and Crime Panel. Additional funding is also being made available to cover the necessary expenses of all Panel members (£920 for up to 20 Panel members). The grant allocated for 2012/13 will be pro rata for October 2012 – March 2013. It is anticipated that funding from the Home Office will continue at least during the remainder of this financial review period.

15 As set out in section 4 of the draft terms of reference, the annual costs of the Panel, reduced by the figure of any grant from the Home Office or any other source, shall be borne between the upper-tier Authorities on the basis of population, and further also on the basis of the Worcestershire County Council and the respective District Council for a Worcestershire District Area sharing equally the cost pro-rata to the population of that Area. Other than in the first year of operation, a draft budget for the operation of the Panel shall be drawn up by the Lead Authority in February each year, and shall be approved by the Authorities in advance of 1 April. The Panel must then operate within the approved budget.

Legal Implications

16 The Police Reform and Social Responsibility Act 2011 places a statutory duty on local authorities (including District Councils) in each police force area to establish and maintain a PCP as a formally constituted joint committee of the local authorities in that area. The proposals in the report comply with that duty.

Risk Management

17 The Council is required by law to establish a Panel and by doing so mitigates any risk.

Consultees

18 Worcestershire County Council has consulted Councils within the West Mercia police force area: Herefordshire Council, Shropshire Council, Telford and Wrekin Council and District Councils within Worcestershire.

Appendices

19 Draft Panel Agreement, Panel Arrangements and Terms of Reference

Background Papers

Police Reform and Social Responsibility Act 2011

Police and Crime Panels – Guidance on Role and Composition (Local Government Association 2011)

WEST MERCIA POLICE AND CRIME PANEL AGREEMENT

This Agreement is dated the day of 2012.

The Agreement is made between the following:

Worcestershire County Council
Shropshire Council
Telford and Wrekin Council
Herefordshire Council
Bromsgrove District Council
Malvern Hills District Council
Redditch Borough Council
Worcester City Council
Wychavon District Council
Wyre Forest District Council

In the Agreement the above Authorities are referred to together as ‘the Authorities’.

1.0 Background

- 1.1 The Police Reform and Social Responsibility Act 2011 (‘the Act’) introduces new structural arrangements for national policing, strategic police decision-making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner (‘PCC’) for a police force area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the local authorities in each police force area to establish and maintain a Police and Crime Panel (‘the Panel’) for its police force area. It is the responsibility of the Authorities for the police force area to make arrangements for the Panel (‘Panel Arrangements’).
- 1.4 West Mercia is a multi-authority police force area (‘the police force area’). The Authorities, as the relevant local authorities within the area, must agree to the making and modification of the Panel Arrangements.
- 1.5 Each Authority and each member of the Panel must comply with the Panel Arrangements.
- 1.6 The functions of the Panel must be exercised with a view to supporting the effective exercise of the functions of the PCC for that police force area.

- 1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working relationships (including co-operative working), and limit or prevent the overlapping or conflicting exercise of functions.
- 1.8 The Panel has responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police force area.
- 1.9 The Panel is a statutory joint committee of the Authorities.
- 1.10 The Authorities agree the Panel Arrangements as set out in the Appendix.
- 1.11 These arrangements may be varied from time to time by the Authorities acting together.

INSERT SIGNATURE/EXECUTION CLAUSE

PANEL ARRANGEMENTS

2.0 Functions of the Police and Crime Panel

- 2.1 The functions of the Panel are set out in the Terms of Reference attached as an Annexe.
- 2.2 The Panel may not exercise any functions other than those conferred by the Act.
- 2.3 The Panel may appoint Committees or Sub Committees as it considers appropriate but the functions of the Panel set out at paragraphs 2.4-2.9 below may not be discharged by a Committee or Sub-Committee of the Panel.
- 2.4 The Panel is a statutory consultee on the development of the Police and Crime Commissioner's (PCC's) Police and Crime Plan and must:
- a) review the draft Police and Crime Plan (or a variation to it), and
 - b) report or make recommendations on the draft Plan which the PCC must take into account.
- 2.5 The Panel must comment upon the Annual Report of the PCC, and for that purpose must:
- a) arrange for a public meeting of the Panel to be held as soon as practicable after the Panel is sent an Annual Report under Section 12 of the Act
 - b) ask the PCC at that meeting such questions about the Annual Report as the members of the Panel think appropriate
 - c) review the Annual Report, and
 - d) make a report or recommendations on the Annual Report to the PCC.
- 2.6 The Panel:
- a) must undertake a review of a precept proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act
 - b) must report to the PCC on the proposed precept (which may include reasons), and
 - c) may exercise its right of veto in respect of the precept in accordance with the Act and Regulations made under it .
- 2.7 Within three weeks of receipt of notification of the proposed appointment by the PCC of a Chief Constable, the Panel:
- a) must undertake a review of the proposed appointment in accordance with the requirements set out in Schedule 8 of the Act
 - b) must hold a public confirmation meeting
 - c) must make a report to and make recommendations to the PCC in relation to the appointment of a Chief Constable by the PCC.
 - d) may exercise its right of veto in respect of the appointment in accordance with the Act and Regulations made under it.

- 2.8 The right of veto in paragraphs 2.6 and 2.7 requires that at least two-thirds of the persons who are members of the Panel at the time when the decision is made vote in favour of that veto.
- 2.9 Within three weeks of receipt of the notification of the proposed appointment by the PCC of a Chief Executive, Chief Finance Officer and/or the Deputy PCC, the Panel:
- a) must undertake a review of the appointment by the PCC in accordance with the requirements set out in Schedule 1 of the Act
 - b) must hold a public confirmation meeting
 - c) must make a report to and make recommendations to the PCC in relation to the appointment of the PCC's Chief Executive, Chief Finance Officer and the Deputy PCC.
- 2.10 The following functions may be delegated to a Committee or Sub-Committee of the Panel:
- 2.11 The Panel shall receive notification from the PCC of any suspension of the Chief Constable, or any proposal to call upon a Chief Constable to retire or resign. In the case of the latter the Panel must hold a private scrutiny hearing and must make a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation in accordance with the procedures set out in Schedule 8 of the Act. The Panel's recommendation must be given within six weeks of receipt of such notification and published.
- 2.12 The Panel must review or scrutinise the decisions or actions of the PCC in the discharge of his/her functions and make reports or recommendations to the PCC with respect to the discharge of the PCC's functions. The Panel may carry out investigations into the decisions of the PCC, and into matters of particular interest or public concern.
- 2.13 The Panel must publish any reports or recommendations made by it to the PCC in a manner which the Panel determines and must also send copies to the Authorities.
- 2.14 The Panel may require the PCC or a member of his/her staff to attend the Panel to answer questions the Panel considers necessary for it to undertake its functions, provided that such questions shall not:
- a) relate to advice provided to the PCC by his/her staff
 - b) in the view of the PCC
 - i) be against the interests of national safety
 - ii) jeopardise the safety of any person
 - iii) prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice, or
 - c) be prohibited by any other enactment.
- 2.15 If the Panel requires the PCC to attend the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion

to answer any question which appears to the Panel to be necessary in order for it to carry out its functions.

- 2.16 The Panel may require the PCC to respond in writing with a reasonable period set by the Panel to a report or recommendation from the Panel to the PCC.
- 2.17 The Panel may suspend the PCC if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.
- 2.18 The Panel will have any other powers and duties set out in the Act or other legislation or Regulations made under the Act.

3.0 Membership

General

- 3.1 The Panel is a joint committee of the Authorities. Subject to paragraph 3.8 the Panel will consist of a total of 15 elected members nominated by the Authorities as set out below (10 substantive and 5 co-opted) plus 2 lay independent co-opted members.
- 3.2 Membership of the Panel will consist of elected members appointed as follows:
 - Worcestershire County Council (1 substantive member)
 - Shropshire Council (4 members) {1 substantive and 3 co-opted members}
 - Telford and Wrekin Council (2 members) {1 substantive and 1 co-opted member}
 - Herefordshire Council (2 members) {1 substantive and 1 co-opted member}
 - Bromsgrove District Council (1 substantive member)
 - Malvern Hills District Council (1 substantive member)
 - Redditch Borough Council (1 substantive member)
 - Worcester City Council (1 substantive member)
 - Wychavon District Council (1 substantive member)
 - Wyre Forest District Council (1 substantive member).
- 3.3 Appointments of elected substantive members and nominations to the Panel of co-opted members shall be made by each of the Authorities in accordance with their own procedures but which must ensure that the 'balanced appointment objective' is met so far as is reasonably practicable. Substantive members will be directly appointed by each of the Authorities and co-opted members will be nominated by Authorities (as outlined in paragraph 3.2) for co-option by the Panel.
- 3.4 The Lead Authority shall take steps to co-ordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved. The balanced appointment objective requires that the local authority members of the Panel (which includes members appointed by the Authorities and co-opted members who are elected members of any of the Authorities) when taken together should:
 - a) represent all parts of the police force area
 - b) represent the political make-up of the Authorities (when taken together),and

- c) have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 3.5 The Panel must, in co-opting elected members, secure that as far as reasonably practicable, the balanced appointment objective is met.
- 3.6 The Panel shall also include 2 lay independent members co-opted by the Panel.
- 3.7 In appointing lay independent co-opted members (who are not elected members of any of the Authorities) the Panel must secure, so far as is reasonably practicable, that the appointed and co-opted members of the Panel, when taken together, have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 3.8 The Panel will keep under review the number of co-opted members and whether a variation in their numbers would assist in meeting the balanced appointment objective. The Panel may also resolve to co-opt further or fewer members with the agreement of the Secretary of State provided that the number of co-opted members included in the membership of the Panel shall not exceed 20.

Appointed Substantive Members

- 3.9 The Authorities shall each nominate the appropriate number of elected members to be a member of the Panel (see 3.2 above). If a nominated member agrees to the appointment the Authority may appoint the member as a member of the Panel.
- 3.10 In the event that an Authority does not appoint a member or members in accordance with these requirements, the Secretary of State must appoint a member to the Panel from the defaulting authority in accordance with the provisions in the Act.
- 3.11 Each authority may remove or change their appointed member from time to time but with a view to ensuring continuity of membership as far as possible it is anticipated that an appointed member would be a member of the Panel for a term of four years unless s/he ceases to be an elected member, or is removed by their Authority, at which point Panel memberships ceases.
- 3.12 An Authority may decide in accordance with their procedures to remove their appointed member from the Panel at any point and on doing so shall give written notice to the Head of Legal and Democratic Services, Worcestershire County Council.
- 3.13 An appointed member may resign from the Panel by giving written notice to the Head of Legal and Democratic Services, Worcestershire County Council on behalf of the Panel.
- 3.14 In the event that any appointed member resigns from the Panel, or is removed from the Panel by an Authority, the relevant Authority shall immediately take steps to nominate and appoint an alternative member to the Panel and provide written

notification to the Head of Legal and Democratic Services, Worcestershire County Council.

- 3.15 Members appointed to the Panel may be re-appointed to the Panel for a further term of four years provided that the balanced appointment objective is met by that re-appointment.

Co-opted Members

- 3.16 The Panel will co-opt 5 elected members and 2 lay independent members.
- 3.17 The following may not be co-opted members of the Panel:
- a) the PCC for the Police Area
 - b) a member of staff of the Police and Crime Commissioner for the area
 - c) a member of the civilian staff of the Police Force for the area
 - d) a Member of Parliament
 - e) a Member of the National Assembly for Wales
 - f) a Member of the Scottish Parliament
 - g) a Member of the European Parliament.
- 3.18 An Authority may decide in accordance with their procedures to rescind their nomination of a co-opted member at which point the co-option by the Panel will be deemed to have been terminated.
- 3.19 At least 2 lay independent co-opted members must be appointed and these may not be members of any principal authorities.
- 3.20 A lay independent co-opted member shall be an appointed member of the Panel for four years but may resign or be removed by the Panel as set out in 3.25 below.
- 3.21 The Panel shall put in place arrangements to ensure that appointments of lay independent co-opted members are undertaken following public advertisement in accordance with the following principles:
- a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel
 - b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre determined criteria, and
 - c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates.
- 3.22 A lay independent co-opted member must not be an elected member or officer of a principal local authority (or has been so in the preceding five years).

- 3.23 A co-opted member of the Panel may resign from the Panel by giving written notice to the Head of Legal and Democratic Services, Worcestershire County Council.
- 3.24 The Panel must from time to time decide whether the Panel should exercise its power to change the number of co-opted members of the Panel to enable the balanced appointment objective to be met, so far as is reasonably practicable.
- 3.25 The Panel may decide to terminate the appointment of a co-opted member of the Panel if the majority of the Panel at the time when the decision is made vote in favour of making that decision at any time for the reasons set out below and on doing so shall give written notice to the co-opted member. The Panel will consider termination in any appropriate circumstances but in particular:
- a) if the co-opted member has been absent from the panel for more than six months without the consent of the Panel
 - b) if the co-opted member has been convicted of a criminal offence but not automatically disqualified
 - c) if the co-opted member is deemed to be incapacitated by physical or mental illness or is otherwise unable or unfit to discharge his or her functions as a co-opted member of the Panel; or
 - d) (for elected member co-optees only) if the co-opted member's membership of the Panel no longer achieves the meeting of the balanced appointment objective.
- 3.26 In the event that a lay independent co-opted member resigns from the Panel or is removed from the Panel following a decision of the Panel, the Panel shall ensure that at least two lay independent co-opted members remain appointed to the Panel.
- 3.27 Lay independent co-opted members appointed to the Panel may be re-appointed for a further term of four years subject to the requirements under paragraph 3.21.

4.0 Budget and Costs of the Panel

- 4.1 The annual costs of the Panel, reduced by the figure of any grant from the Home Office or any other source, shall be borne between the upper-tier Authorities on the basis of population, and further also on the basis of the Worcestershire County Council and the respective District Council for a Worcestershire District Area sharing equally the cost pro-rata to the population of that Area.
- 4.2 The population shall be determined by reference to the population data (mid-year estimates) issued by the Office of National Statistics for the year in which this agreement is made, and reviewed in accordance with that data every four years.
- 4.3 Other than in the first year of operation, a draft budget for the operation of the Panel shall be drawn up by the Lead Authority in February each year, and shall be approved by the Authorities in advance of 1 April. The Panel must then operate within the approved budget.

5.0 Lead Authority

5.1 Worcestershire County Council shall be the lead authority for the Panel and shall provide such administrative support through its Head of Legal and Democratic Services and other professional support through the Adult and Community Services Directorate as will be necessary to enable the Panel to undertake its functions which will be funded by Home Office grant.

6.0 Rules of Procedure

6.1 The Panel shall determine its Rules of Procedure which shall include arrangements in relation to the:

- a) the appointment, resignation and removal of the Panel Chairman
- b) the formation of sub-committees
- c) the making of decisions
- d) the arrangements for convening meetings
- e) the circulation of information.

7.0 Allowances

7.1 All members of the Panel may reclaim travel and other appropriate out of pocket expenses incurred in the undertaking of approved duties relating to their role on the Panel in accordance with the rates adopted from time to time by Worcestershire County Council, up to a maximum cumulative value of £920 per annum. No allowances are payable for being a member of the Panel or chairing it.

7.2 Claims will be administered by Worcestershire County Council and will be paid subject to receipt within three months of the date of the duty.

8.0 Promotion of the Panel

8.1 The Panel arrangements shall be promoted by:

- a) The establishment and maintenance of a dedicated webpage including information about the role and work of the Panel, Panel membership, all non-confidential Panel and sub-committee meeting papers, press releases and other publications, and
- b) The issuing of regular press releases about the Panel and its work, and
- c) The Authorities will each include information about the Panel on their websites, which will also include a link to the Panel webpages.

8.2 Support and guidance shall be provided to members and officers of the Authorities in relation to the functions of the Panel by the provision of briefings as appropriate.

9.0 Validity of Proceedings

- 9.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the membership of the Panel or a defect in appointment.
- 9.2 The conduct of the Panel and the content of these arrangements shall be subject to the legislative provisions in the Police Reform and Social Responsibility Act 2011, and any Regulations made in accordance with that Act. In the event of any conflict between the Act or Regulations and these arrangements, the requirements of the legislation will prevail.

V.0.5 CSC/SPM Final

**WEST MERCIA POLICE AND CRIME PANEL
TERMS OF REFERENCE**

- 1) To support the effective exercise of the functions of the Police and Crime Commissioner (PCC) and exercise its functions with a view to such support.
- 2) To review and make a report or recommendations to the PCC on the draft police and crime plan, or draft variation, given to the Panel by the PCC.
- 3) To review and make a report or recommendation to the PCC on the annual report.
- 4) To review and hold a public confirmation hearing in respect of, a 'proposed senior appointment' as defined in the Police Reform and Social Responsibility Act 2011 and report to the PCC with a recommendation as to whether or not the candidate should be appointed.
- 5) To review and hold a public confirmation hearing in respect of, the proposed appointment of the Chief Constable and report to the PCC with a recommendation as to whether or not the candidate should be appointed or exercise the Panel's right to veto the appointment.
- 6) To hold a scrutiny meeting in private in respect of a proposal by the PCC to call upon the Chief Constable to retire or resign and make a recommendation to the PCC in respect of the proposal.
- 7) To review and make a report (which may include recommendations) on the PCC's proposed precept or exercise the Panel's right to veto the proposed precept.
- 8) To review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of the PCC's functions.
- 9) To make reports or recommendations to the PCC with respect to the discharge of the PCC's functions.
- 10) To fulfil any further function in relation to complaints about conduct matters, in accordance with any responsibilities accorded to the Panel by or under the Police Reform and Social Responsibility Act 2011.
- 11) To appoint an Acting PCC if necessary.
- 12) To consider suspending the PCC if it appears to the Panel that the PCC has been charged in the United Kingdom, Channel Islands or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.
- 13) To fulfil any other function of the Police and Crime Panel as provided by the Police Reform and Social Responsibility Act 2011 or associated primary or secondary legislation.

MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	TRANSITIONAL STANDARDS MATTERS
REPORT BY:	MONITORING OFFICER

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To authorise the recruitment of an Independent Person as required by Section 28 (7) of the Localism Act 2011.

Recommendation

- THAT (a) the Monitoring Officer be authorised to recruit up to three Independent Persons pursuant to Section 28 (7) of the Localism Act 2011;**
- (b) Independent Persons shall be entitled to reimbursement of expenses;**
- (c) the Monitoring Officer be authorised to appoint such additional parish members as may be required to complete the outstanding business of the Standards Committee**

Key Points Summary

- The Localism Act abolishes the current standards regime including Standards for England and the obligation on principal councils to have a standards committee.
- Councils must, under new arrangements to investigate and make decisions on allegations, appoint at least one independent person, whose view will be sought on various related matters.
- The new standards regime comes into force on 1 July 2012 and, although transitional provisions are expected to extend certain aspects of the Standards Committee including the tenure of current independent members for a limited period, it is considered advisable to make appointments to the role of Independent Person at an early stage to ensure a smooth handover.
- Standards Committee is endeavouring to complete all its outstanding cases and to this end it may be necessary to appoint additional parish members to transact parish council business.

Alternative Options

- 1 On the premise that the tenure of Independent Members may be extended by transitional

Further information on the subject of this report is available from
Chris Chapman, Assistant Director Law Governance and Resilience on (01432) 260200

provisions, so that they may fill the role of Independent Persons on a temporary basis, the recruitment of new/Independent Persons could be delayed. Standards Committee do not recommend this course and wish to ensure a period of familiarisation alongside the outgoing committee and independent members.

- 2 Independent Persons could be paid an allowance instead of or in addition to reimbursement of expenses. That would be a departure from the current practice with our independent members of Standards Committee and has not been referred to the Remuneration Panel.
- 3 Failure to appoint additional parish members may mean that outstanding parish cases are delayed or not concluded at all.

Reasons for Recommendations

- 4 The recommendations ensure compliance with a legal obligation.

Introduction and Background

- 5.1 The Localism Act 2011 contains provisions for a new standards regime. Principal councils have a duty to promote and maintain high standards of conduct and must adopt a code of conduct. They must make arrangements under which allegations can be investigated and decisions on allegations can be made. These arrangements must include the appointment of at least one Independent Person.
- 5.2 By section 28 (7) the Independent Person is someone:
 - “(a) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate, and
 - (b) whose views may be sought:-
 - (i) by the authority in relation to an allegation in circumstances not within paragraph (a)
 - (ii) by a member, or co-opted member, of the authority if that person’s behaviour is the subject of an allegation and
 - (iii) by a member, or co-opted member, of a parish council if that person’s behaviour is the subject of an allegation and the authority is the parish council’s principal authority”
- 5.3 Existing independent members of our Standards Committee may not serve the Council as an Independent Person, save to the extent that they may be permitted to do so under transitional provisions for a limited period. The Standards Committee considered the matter at its April meeting and decided it would be better if the Council pressed ahead with these appointments to ensure a smooth transition.
- 5.4 There are also a number of outstanding parish cases before Standards Committee which require resolution before it concludes its business and this will require the appointment of at least one extra parish member.

Key Considerations

- 6.1 A recruitment pack has been prepared and applications will be invited from those living within the County. They would be reimbursed any necessary expenses in carrying out their role. It

is recommended that up to three such persons be recruited to fulfil the role envisaged for them under arrangements currently being finalised by Standards Committee for recommendation to Council. A further report on these arrangements, a new code and the new rules on registration of interests will be submitted once the necessary secondary legislation is issued.

- 6.2 Because time for concluding outstanding cases before Standards Committee is short, it is suggested that the Monitoring Officer be authorised to appoint at least one additional parish member to it on the relevant sub-committees and complete any parish business

Community Impact

7. The duty to promote and maintain high standards of conduct is a key element in the Council's commitment to sound governance

Equality and Human Rights

8. The proposal does not raise issues which engage section 149 of the Equality Act 2010 save that the recruitment process will have regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it.

Financial Implications

9. Independent Persons and Parish Members can expect their expenses to be reimbursed. Otherwise the costs are those normally associated with a recruitment process for members of the public from the local area.

Legal Implications

10. The recruitment of Independent Persons discharges a legal obligation imposed by the Localism Act 2011. The discharge of outstanding parish cases completed the Council's obligations under the Local Government Act 2001.

Risk Management

11. Failure to comply with the requirements of the Localism Act could place the Council in breach of its statutory duty. Implementation is regularly reviewed by Standards Committee and a working group of its members. Also the appointment of additional parish members will address potential reputational damage were outstanding parish cases delayed or not completed at all.

Consultees

12. There has been no consultation over this matter, since it discharges a clear legal obligation

Appendices

13. None

Background Papers

14. Draft recruitment pack



MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ANNUAL REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE 2011- 2012
MEMBERSHIP	J STONE (CHAIRMAN), J W MILLAR (VICE-CHAIRMAN), CNH ATTWOOD, EMK CHAVE, PGH CUTTER, KS GUTHRIE, AJ HEMPTON SMITH, TM JAMES, BRIG P JONES CBE, AND PJ MCCAULL

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To inform the council of the activities of the Audit and Governance Committee during the previous year.

ANNUAL AUDIT FEE LETTER AND AUDIT WORK 2010/11

1. The Committee received a report about the work to be undertaken for the 2011/12 financial year by the Audit Commission and the Commission's total indicative fee for 2011/12. The committee noted the major areas of specific risks and the Commission's response on how each risk area would be addressed. The committee noted the content of the Annual Audit Fee Letter and the proposed outputs of the work which would cover the audit of financial statements, value for money conclusion and Government accounts aspects. A separate audit plan was issued in late 2011.

AUDIT UPDATE

2. The Committee was provided with information about changes to the Council's Audit Section following a restructure. It was noted that a procurement process had been undertaken and that KPMG LLP had been appointed as internal auditors. The company had also been assigned to provide audit and counter fraud services to Herefordshire Primary Care Trust (PCT) and Herefordshire Hospitals NHS Trust (NHS Trust).

STATEMENT OF ACCOUNTS

3. The Committee received an information report about the 2010/11 Statement of Accounts. The purpose of the Statement of Accounts was to provide information to the public, Members, employees and other interested parties, such as the Audit Commission. The Statement was a technical document which set out the Council's financial accounting information. Management accounting information was reported to Cabinet and the Scrutiny Committees throughout the year and the out-turn position was reported to Cabinet in June.2011.

Other main points noted were:

- Members had attended a seminar on the statement of accounts on 23 September, 2011;
- international Financial Reporting Standards were included in the accounts for the first time;
- the Council delivered a balanced budget for 2010/11 through the use of reserves and savings made in corporate functions;
- £70m was spent on the capital programme, with the two significant items being the Hereford Academy and the Local Transport Plan.
- the pension fund for Herefordshire has reduced significantly due to changes in the inflation rate uplift.
- increased payments to Amey Wye Valley Ltd, had arisen from extra funding from government for the road repairs arising from the hard winter weather, the transfer of staff and a number of large projects underway.

TERMS OF REFERENCE

4. The Committee noted that its main function was to review the Annual Governance Statement, review various policies and procedures such as the whistleblowing policy, and to contribute to the Council's review of the Constitution as requested.

WORK PROGRAMME 2011/12

5. A work programme was approved by the Committee for 2011/2012. The Committee noted the discussed the various elements which were contained in the programme and how they would be dealt with. The Committee also met for a briefing to receive information about the reports subsequently submitted to it for consideration about the Council's accounts. The programme had been prepared to ensure that all the areas of responsibility of the Committee were covered during the year. A further training session would be arranged for the Committee in November and the

ANNUAL INTERNAL AUDIT PLAN - 2011/12

6. The Committee approved the Annual Internal Audit Plan for 2011/12. Preparation and adoption of the Plan followed guidance contained within the CIPFA Code of Practice of Internal Audit in Local Government (2006). One of the roles of the Head of Audit was to give an opinion about the systems and controls in place and the Plan was an integral part of the process. The Plan reflected the role and objectives of internal audit, which included:-

- contributing to the improvement of the internal control environment;
- identifying opportunities for performance improvement;

- evaluating those systems which were over controlled or inefficient; and
- identifying cost saving opportunities.

ANNUAL GOVERNANCE STATEMENT

7. The Annual Governance Statement for 2010/11 was approved. The Statement is one of the two key documents for the Committee and prepared in accordance with the requirements of the Accounts and Audit Regulations 2003. Its main elements comprised of on-going improvements to the Council's governance and control processes such as risk management; key systems; and the controls which were introduced to cover the arrangements with Hoople Ltd. The Council was required to conduct a review of the effectiveness of the governance framework and the system of internal control at least annually. This is dealt with through the Statement and included within the Council's Statement of Accounts. The Statement also provided information about how the Council's governance framework and system of internal controls could be reviewed and continuously improved.

MONITORING OFFICER REPORT 2010-11

8. The Committee received a report about the matters within the responsibility of the Monitoring Officer and the Council's performance for 2010-11 regarding complaints to the Ombudsman and the standards framework.

It was noted that the Monitoring Officer's activities in the period from June 2010 onwards had focused on:

- a Constitutional review programme ;
- holding all-Council and all-parish elections in May 2011 and delivering a new member training programme;
- ensuring that Law Governance and Resilience support good governance and high standards of conduct and probity as well as fulfilling the day to day functions;
- supporting the Shared Services project with emphasis on governance and developing the organisational model and heads of terms;
- dealing with all Monitoring Officer activities with emphasis on the Standards framework;
- dealing with Ombudsman complaints until October 2010 and ensuring the orderly transition of cases to the Customer Insight Team;
- the good record of the Council in respect of the number of complaints dealt with by the Local Government Ombudsman;
- the complaints which have been referred to the Standards Committee and the burden this has placed upon the resources of the Council.
- the new arrangements for dealing with ethical standards matters which will take effect from The 2011 Localism Act with effect from 1st July 2012

ANNUAL GOVERNANCE REPORT 2010/11

9. The Committee received the Annual Governance Report and noted the following key points:

- the Annual Governance Report was a key document giving a formal opinion on the Council's financial statement and the provision of value for money;
- there were no important weaknesses in internal control.
- this was the first year the accounts have been prepared under the International Financial Reporting Standards (IFRS), which created substantial additional work along with new ledger requirements.
- Contracts containing leases were substantively tested and found to be compliant with IAS17.
- the ACADEMY cash receipting system was tested with controls operating satisfactorily;.
- Advice on the impact of errors in the financial statements which had not been found to be of great significance;

The Committee agreed that:

- regular reconciliations between the ISIS system and the general ledger should be carried out;.
- in future years if any significant early retirement costs arose the actuary is asked to value those liabilities in the year they arise so that they may be reflected in the accounts in that year;
- the Authority should establish a basis for calculating a bad debt provision relating to general fund debtors; and.
- in future years consideration is given to whether any items included in provisions should be more accurately shown as creditors.

INTERNAL AUDIT PROGRESS 2011/12

10. The Committee has received regular reports about progress on the excellent work which is being undertaken by the Council's Internal Audit Team. The Committee noted the following points:

- thirteen reviews had been finalised and three reviews drafted. No significant issues had been revealed by the audits;
- a further seventeen audits were being completed and included General Ledger, IT, Creditors and a review of the balances brought forward on the Council's Agresso financial management system; and
- an internal payment fraud had been reported to Internal Audit which was under investigation. It was an extremely rare event but controls had immediately been put in place to prevent a reoccurrence.
- Audit Services was continuing to provide support, guidance and information in a number of areas to Officers in respect of specific reviews.

ANUAL AUDIT LETTER 2010/2011

11. The District Auditors presented the Audit Commission's Annual Audit Letter for 2010/11. The letter audit was comprised of two elements; the audit of financial statements and the auditor's assessment of arrangements to achieve value for money in the use of resources. In both cases the Council had received an unqualified opinion. The letter also provided confirmation that the Council had managed the implementation of International Financial Reporting Standards (IFRS) extremely well. The main points were;

- there had been a positive outcome of the audit of the Council's accounts;
- the Council's financial resilience procedures arrangements had been found to be good in the medium term and demonstrated robust management arrangements;
- the Council had been able to adequately absorb the overspend in social care had from its reserves;
- it was essential for Cabinet to be provided with regular progress reports on the savings being achieved in individual services and also for benefit cards to be more specific;
- the increasing need for supporting the elderly in Herefordshire had led to overspend - good progress had been made in developing procedures and how processes were managed but further consideration needed to be given to outcomes and adequate budgetary provision;
- the Council's financial resilience management arrangements were sound and the overspend on social care had been adequately absorbed from reserves - . there would however be increasing financial pressures and it needed to be made clear what the reserves are and what they can be used for; and
- although the reporting levels were good, monthly reports should be provided to Cabinet and the potential overspend needed to be carefully monitored and managed.

THE AMEY CONTRACT

12. The Committee received a presentation about the work being undertaken by officers regarding a new contract with Amey and noted the advice that was being given by the Audit section on the procedures to be followed.

THE CONSTITUTION - NEW GOVERNANCE ARRANGEMENTS

13. At the meeting in January the Committee welcomed three new Members – Councillors PGH Cutter, AJ Hempton-Smith and TM James. Council had expanded the role of the Committee to consider and recommend any future changes that were necessary to the Council's Constitution.

The Committee considered the new arrangements and decided to deal with any proposed changes to the Constitution itself for the time being, rather than looking into the creation of a Sub-Committee or Working Group. several updates to the Constitution have been identified and these will be reported to a future meeting of Council.

The Committee will also have a significant role to play under the new arrangements which will be introduced to deal with complaints about Councillors. The following matters are under consideration and a report will be submitted to Council with more details:

- proposals for a new regime of ethical governance recently went to the Standards Committee and have received provisional endorsement from Group Leaders;
- the new arrangements are due to take effect from 1st July, 2012. The Standards Committee has suggested that a panel investigate the complaints referred by the Monitoring Officer. The Panel will then report to the Audit and Governance Committee for a final adjudication. The sanctions at the Committee's disposal will be very limited compared with those under the current regime;
- there will be a new code of conduct for Members;
- guidance is awaited from the Government about the issue of independent persons. Indications are that it will not be permissible for the Council's existing independent members to serve as independent persons under the new regime within a period of five years from their previous service;
- the timescales are now becoming quite constrained for the new system to become operational from 1st July and firm guidance is yet to be received from the Government. There will be a need for Council to approve the process to be adopted in Herefordshire and it may therefore be necessary for additional meetings of Council and the Committee to be arranged for this purpose;
- no transitional arrangements have yet been issued for current cases to continue to be dealt with under the existing legislation when the new arrangements are introduced. It is hoped that the new secondary legislation will make provision for these cases to be concluded under the present arrangements; and
- further guidance is awaited from the Government about the new legislation and how complaints received from 1st July will be dealt with.

COMMUNITY GOVERNANCE REVIEWS

14. Council has previously decided that the Committee will undertake community governance reviews when they are requested. The main aspects of these arrangements are:
- the Audit and Governance Committee has been empowered to undertake community governance reviews and to make recommendations to Council on the matter; t
 - The Local Government and Public Involvement in Health Act 2007 makes provision for local authorities to undertake community governance reviews (CGRs). The Act provisions are intended to enable citizens and community groups to make the best use of empowerment opportunities.
 - CGRs are best handled by a small group of Members, who can then make recommendations to Council. Council has decided to expand the remit of the Committee to undertake CGRs in the future, so that expertise is built up for any future CGRs in other areas. Council has also suggested that the Committee may wish to form a Sub-Committee to deal with CGRs.

- the Council has decided to undertake a community governance review of the areas of Ross Town Council and Ross Rural Parish Council at the request of the Town council and the Rural Parish Council; and
- the review will take place after the Boundary commissions proposals for Herefordshire have been finalised – it is likely to take place in the Autumn of 2013.

UPDATE ON HEREFORDSHIRE PRIMARY CARE TRUST

15. The Committee received an update from Dr Phillip Ashurst about the reorganisation of PCT's and his role as the Locality support Member for Audit and Assurance for Herefordshire PCT.. It was noted that the PCT's of Shropshire; Telford & Wrekin; Worcestershire and Herefordshire had been amalgamated into the West Mercia Cluster. There were also moves towards a single Cluster Audit Committee rather than one for each of the constituent PCT's.

**J STONE
CHAIRMAN**

BACKGROUND PAPERS: Agenda for meetings of the Audit and Corporate Governance Committee held on 28 June 2011, 23 August 2011, 29 September 2011, 27 January 2012, 9 March 2012 and 11 May 2012.

MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE
MEMBERSHIP	A Seldon (Chairman), AM Atkinson, PL Bettington, WLS Bowen, MJK Cooper, PGH Cutter, EPJ Harvey, MAF Hubbard, RC Hunt, TM James, Brig P Jones CBE, JLV Kenyon, JW Millar, R Preece, SJ Robertson, P Rone and P Watts. Statutory Co-optees: Mr P Burbidge, Miss E Lowenstein, Mr T Plumer and Mr P Sell.

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To inform Council of the work undertaken by the Scrutiny function from May 2011 to April 2012.

INTRODUCTION AND BACKGROUND

1. This report summarises the work undertaken by the Overview and Scrutiny Committee from May 2011 to April 2012.
2. In May the Council approved a revised scrutiny structure. This consisted of one politically proportionate Overview and Scrutiny Committee with the power to set up task and finish groups, with six vice-Chairmen each responsible for a particular themed area. This replaced a structure based on an Overview and Scrutiny Committee supported by a number of themed Scrutiny Committees.
3. As the change followed the May 2011 elections two Overview and Scrutiny training sessions were held as part of the general Member induction programme. This meant that the Committee was not able to set a work programme until July. Because of Members' holiday commitments work did not commence in earnest on topics selected for scrutiny until September. A change to the Chairmanship of the Committee was approved by Council on 18 November 2011.
4. A number of discussions have taken place with the Chairman and Vice-Chairmen about revisions to processes in the light of experience in operating the new model. Members have made a number of comments about its operation. These are to be considered as part of the agreed review of the model after one year of its establishment. A report will be made to Council in July.

Further information on the subject of this report is available from
Tim Brown, Governance Services, on (01432) 260239

5 A summary of the work undertaken by the scrutiny function is set out below.

SUMMARY OF WORK UNDERTAKEN BY THE SCRUTINY FUNCTION IN 2011-12

Scrutiny Reviews

6 The following in-depth scrutiny reviews have been completed this year by Task and Finish Groups:

- Council Procurement Policy and Local Business and Local Employment
- Income and Charging
- Planning System Review – Development Control and the operation of the Constitution
- Safeguarding Adults
- Tourist and Temporary Event Signage

7 Four of these Reviews were submitted to the Executive in March and one in April. The Executive is required to respond within two months. Responses are awaited and will be reported to the first available meeting of the Committee for consideration.

8 The whole Committee conducted a half day review of the Local Development Framework Consultation Process. This resulted in a number of recommendations highlighting several basic principles that should be applied to the Council's general consultation processes.

9 A half day review of aspects of the West Midlands Ambulance Service's work has also been completed.

Scrutiny Reviews in Progress

10 A review of Safeguarding Children is underway and is due to be completed soon.

Pre-Decision Scrutiny

11 Members were particularly interested in developing this aspect of the scrutiny role. The new Herefordshire Public Services Rolling Programme has provided the Committee with a much greater ability to plan its work and consider which items it might want to consider before an Executive decision is made.

12 Members have discussed how they might improve their impact in this area. It is proposed to request informal briefings on specific topics in advance of formal consideration by the Committee to equip the Committee with the knowledge to undertake its scrutiny role more effectively.

13 The following matters were subject to pre-decision scrutiny:

- Budget and Policy Framework items: The Youth Justice Plan, Budget 2012/13 and Medium Term Financial Strategy.
- The Accommodation Programme
- Youth Service Review
- Management Options For Cultural Services

Health Scrutiny

- 14 The Committee has received performance reports from the following Health bodies:
- Hereford Clinical Commissioning Consortium
 - West Mercia NHS Cluster
 - West Midlands Ambulance Service NHS Trust
 - Wye Valley NHS Trust
- 15 The Committee has questioned representatives of the Trusts and highlighted a number of issues. The Committee has scheduled quarterly updates and agreed to pursue any specific points identified for examination through one-off Task and Finish Group meetings.
- 16 The Committee has also responded to a number of statutory consultations:
- Safe and Sustainable Heart Surgery in England:
 - Reconfiguration of Trauma Services in the West Midlands.

Scrutiny of Partners

- 17 The Committee has scrutinised the work of the following partners:
- Amey Wye Valley: The Committee has examined the contractual relationship between the Council, Amey and Amey Wye Valley Limited, the funding arrangements, performance and compliance with the Amey contract. Negotiations are currently taking place on the Amey Contract and the Committee has requested that pre-decision takes place of any proposals to Cabinet.
 - Herefordshire Community Safety Partnership: The Committee has a statutory role in scrutinising this partnership. The Committee has considered current issues and priorities for the partnership and the refreshed Community Safety Strategy 2011-2014.

Call-ins

- 18 The Committee called in the following decisions:
- The Herefordshire Music Service
 - Procurement of services to support the delivery of Herefordshire's yes we can plan for children and young people.
 - The supplementary agreement and deed of variation to the retail quarter (old livestock Market) development agreement.
- 19 In the first two cases the Committee broadly accepted the Executive's decision. In the case of the retail quarter development agreement the Committee recommended Cabinet undertook further work on various aspects of the Agreement. Cabinet did not accept the Committee's recommendations in full. It did, however, acknowledge the need for continuing and appropriate review of risks, requiring continued diligence on equalities issues, value for money and risk assessments and mitigation.

Public Participation

- 20 The Committee has received a number of suggestions for scrutiny from the public. Many questions have also been submitted for consideration at meetings. A number of members of the public have also been invited to address the Committee during discussion of particular items.

Background Papers

Agenda papers and Minutes of the Overview and Scrutiny Committee July 2011-April 2012



MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ANNUAL REPORT OF THE PLANNING COMMITTEE 2011 - 2012
MEMBERSHIP:	PGH Cutter (Chairman), BA Durkin (Vice-Chairman), PA Andrews, AN Bridges PJ Edwards, DW Greenow, KS Guthrie, J Hardwick, AJ Hempton-Smith, JW Hope MBE, RC Hunt, Brig P Jones CBE, JG Lester, MD Lloyd-Hayes, G Lucas, RI Matthews, FM Norman, GR Swinford and PJ Watts.

CLASSIFICATION: This is an open report.

Wards Affected

County-wide

Purpose

To inform the Council of the activities of the Committee during the previous year.

INTRODUCTION

1. Following the elections in May 2011, Councillor PGH Cutter was elected as Chairman of the committee with Councillor BA Durkin being appointed as Vice-Chairman.
2. The Committee has continued to operate on a three week cycle throughout the year with sixteen meetings being held between 15 June 2011 and 25 April 2012.
4. The Committee has been consulted in respect of the single enforcement policy. The Committee's support for the policy was noted when the policy was adopted by Cabinet in April 2012.
5. During the year the Committee has dealt with a number of major applications including the former livestock market site in Hereford; the Tanhouse Farm site in Bromyard and the Galebreaker's site in Ledbury. All meetings have taken place in the Council Chamber, Brockington except for the Galebreaker's site application which was successfully relocated to the Main Hall at Shirehall due to the public interest in the application which resulted in over 250 Members of the public attending the meeting.
6. The Committee also undertook a successful webcast trial in February 2012 with

Further information on the subject of this report is available from
Ricky Clarke, Democratic Services (01432) 261885

approximately 500 live views and 1100 archived views being recorded in the week following the meeting.

7. The National Planning Policy Framework (NPPF) was published by the Government on the 27 March 2012. The NPPF is a key part of the Government's reforms to make the planning system less complex and more accessible, to protect the environment and to promote sustainable growth. It replaces national planning policy and guidance, which was previously delivered in the form of Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs). Members were updated on the NPPF at the meeting of 4 April 2012 and were invited to attend a training seminar on 24 April 2012.
8. The Committee was dealt with the applications referred to it as follows:
 - approved as recommended - 33
 - approved contrary to recommendation - 6
 - refused as recommended - 1
 - refused contrary to recommendation - 12
 - Deferred for site inspection - 8
 - Deferred for a further information report - 2

PGH CUTTER
CHAIRMAN
PLANNING COMMITTEE

BACKGROUND PAPERS

Agendas for the meetings of the Planning Committee held between June 2011 & April 2012.



MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ANNUAL REPORT OF THE REGULATORY COMMITTEE 2011 - 2012
MEMBERSHIP:	JW HOPE MBE (CHAIRMAN), RC HUNT (VICE-CHAIRMAN), CM BARTRUM, PL BETTINGTON, BA DURKIN, BRIG. P JONES CBE, PJ MCCAULL, C NICHOLLS, FM NORMAN, GA POWELL.

CLASSIFICATION: This is an open report.

Wards Affected

County-wide

Purpose

To note the main activities of the Committee during the period May 2011 – May 2012.

CHANGES TO THE CONSTITUTION

- 1 2011 – 2012 Has seen the first year where the Committee has taken a more strategic role through considering policy matters and performance issues for the services it embraces. The Committee has considered the following:
 - revised dual hackney carriage/private hire driver conditions;
 - progress of regulatory matters
 - regulatory activity of environmental health & trading standards during the year with quarterly updates;
 - a 2 % uplift on the taxi licence fees and charges;
 - minor amendments to the licensing policy - Licensing Act 2003;
 - regulatory activity of the community protection team;
 - regulatory activity of private sector housing;
 - review of hackney carriage and private hire policy;
 - single enforcement and prosecution policy;

Further information on the subject of this report is available from
Pete Martens, Democratic Services (01432) 260248

- objections to proposed increases to the taxi licence fees and charges for 2012 – 2013; and
 - discharge of guardianship under the Mental Health Act 1983.
- 2 The work of the Committee on footpath diversions and hackney carriage/private hire matters has been delegated to the Regulatory Sub-Committee

HIGHWAYS ACT 1980 SECTIONS 118 & 119 – PUBLIC FOOTPATH DIVERSION ORDERS

3. The Sub-Committee has granted 18 applications for Public Path Diversion Orders for which there has been agreement with interested parties, user groups, the local parish councils and the local Ward Councillors.

APPLICATIONS FOR HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES – LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

4. Applications for the reinstatement, renewal or grant of Hackney Carriage/Private Hire driver's licences have been referred to the Regulatory Sub-Committee in accordance with the Council's terms and conditions and the advice on the interpretation of spent convictions and medical requirements. Incidents involving the conduct of drivers have also been heard. Applications for the renewal or transfer of vehicle licenses have also been submitted to the Sub-Committee in cases where applicants were late with their applications and were in breach of the Council's licensing conditions, or they wished to transfer a licence to a vehicle that does not comply with those conditions.
5. The applicants, licence holders and their representatives gave details of the grounds for their applications and provided the Sub-Committee with their personal circumstances. In the case of the applications for vehicle licences, the applicants explained the circumstances which had prevented them from renewing their licences within the Council's prescribed timescale or why they wanted to transfer their licenses.
6. The applications were dealt with as follows:
- a. One applicant was allowed to renew their vehicle licences outside the prescribed timeframe because of particular problems they had encountered;
 - b. one application to licence a vehicle was refused as the vehicle did not comply with the standard vehicle conditions.
 - c. three applications to licence a vehicle outside of the standard vehicle conditions were permitted because the committee were satisfied with the evidence and reasons given by the applicants during the hearings.
 - d. one application for a license was refused because the Committee was not satisfied that evidence has been given by the applicants that they are fit and proper persons to be licensed;
 - e. two drivers licences remained suspended whilst police investigations were on going; and
 - f. three drivers licences were revoked because of incidents which no longer

rendered them fit and proper persons to be licensed.

LICENSING ACT 2003

7. The Sub-Committee has also determined applications referred to it in respect of the Licensing Act 2003.

The Licensing Act 2003 was amended by the Violent Crime Reduction Act 2006 which gave Licensing Authorities new provisions which allowed a quick process for dealing with premises licensed under the Licensing Act 2003 when the police consider that the premises concerned is associated with serious crime or serious disorder or both. The purpose of the new powers was to complement existing procedures in the Licensing Act 2003 for tackling crime and disorder associated with licensed premises. These powers allow the police to trigger a fast track process to review a premises licence where they consider that the premises are associated with serious crime or serious disorder or both. Within 48 hours of receiving an application from the police the Licensing Authority must determine what, if any, Interim Steps are required. The Sub-Committee have considered four applications for expedited reviews during the year. In three of the cases the premises licence was suspended pending the full review, in the other case the premises licence holder offered a number of conditions to address the concerns raised by the police.

8. The Violent Crime Reduction Act 2006 also allows the premises licence holder to submit a representation against the interim steps which must also be held with 48 hours of receipt. The Sub-Committee have also heard four applications for representation against interim steps. In three of the cases the suspensions were lifted due to conditions being offered by the premises licence holder, and in one case the licence remained suspended.
9. A full Review hearing must then take place within 28 days of the application form being received by the Licensing Authority. The Sub-Committee has undertaken a full review on each of the premises within the required time frame.
10. The Sub-Committee also considers Temporary Event Notice applications which have been subject to an objection. If the police or environmental protection believe that allowing an event will undermine any of the licensing objectives (prevention of crime and disorder, prevention of public nuisance, public safety or protection of children from harm), they must give the premises user and the Council an objection notice. Objections must be made within three working days of receiving the TEN. With the agreement of the premises user, the police or environmental protection can modify the TEN, or if a premises licence is in place then conditions can be attached to the TEN.
11. If no agreement is reached, the Council must hold a hearing to consider the notice at least 24 hours before the event. The councillors may decide to allow the event to go ahead as stated in the notice. Alternatively it can decide that the event would undermine the licensing objectives and should not take place. In this case, the council must issue a counter notice.
12. The Sub Committee has considered three applications for Temporary Event Notices, granting one and issuing a counter notice in respect of the other two.
13. The Sub-Committee has also considered four new applications for premises licences and variations to a further eight licences.

- 14 . Seven premises have been the subject of reviews based on applications submitted by either the police or trading standards.

JW HOPE MBE
CHAIRMAN, REGULATORY COMMITTEE

BACKGROUND PAPERS

Agenda papers from meetings of the Committee held between June 2010 & February 2011.



MEETING:	COUNCIL
DATE:	25 MAY 2012
TITLE OF REPORT:	ANNUAL REPORT OF THE STANDARDS COMMITTEE 2011-2012
MEMBERSHIP:	D STEVENS (CHAIRMAN) (INDEPENDENT MEMBER), J BHARIER (VICE-CHAIRMAN) (INDEPENDENT MEMBER), R GETHING (PARISH AND TOWN COUNCIL REPRESENTATIVE), M MORRIS (PARISH AND TOWN COUNCIL REPRESENTATIVE), O BARNETT (LOCAL AUTHORITY REPRESENTATIVE), C CHAPPELL (LOCAL AUTHORITY REPRESENTATIVE).

CLASSIFICATION: Open.

Wards Affected

County-wide

Purpose

To inform the Council of the main activities of the Standards Committee during the period from March 2011 May 2012.

The structure of the Committee

1. The past year has been another busy one for the Committee. We have been making good use of our revised four-sub-committee administrative structure, and have found that it has given us the desired flexibility, and has helped to balance members' workloads and avoid conflicts of interest at the various complaint stages.
2. Robert Rogers, our former Chairman and an Independent Member, and Isabel Fox, an Independent Member, have resigned during the course of the year. Robert's resignation was due to his appointment as Clerk of the House of Commons and Chief Executive, and Isabel's was due to a move to Oxfordshire. Both have made an enormous contribution to standards and ethics in Herefordshire, and we remain grateful to them for their excellent work and invaluable expertise. David Stevens, the former Vice-Chairman of the Committee was appointed as Chairman, and he has been ably supported by Jake Bharier as Vice-Chairman. The Committee now has a membership of six instead of the original eight, deciding not to appoint further members because of the changes to the standards regime which will be brought about by the Localism Act 2011. The Committee has retained three substitute members who are vital to the smooth running of the sub-committees; they are Nicky Carless, John Hardwick and John Stone.
3. As we note below, this present complaints system is to be abolished through the Localism Act 2011. A new standards regime is set to come into force on 1 July 2012, and the Standards Committee and the current legislation will be abolished. Complete

Further information on the subject of this report is available from
Heather Donaldson, Democratic Services Officer (01432) 261829

guidance on the new Code of Conduct and successor arrangements are at present still awaited from central government, and we will return to this point below.

How complaints are being dealt with – March 2011 to May 2012

Assessment Sub-Committee

4. Complaints cases have continued to be determined locally, and we have dealt with 55 complaints between March 2011 and May 2012. Out of these:
 - 25 required no further action;
 - 1 was referred to the Monitoring Officer for training of a councillor;
 - 2 were referred to the Monitoring Officer for written guidance to councillors;
 - 5 were referred to the Monitoring Officer for investigation;
 - 3 were withdrawn;
 - 1 is awaiting assessment; and
 - 18 were referred to Standards for England for investigation. Out of these 18: Standards for England investigated 8 and decided that no further action should be taken on them. It did not investigate 6 and decided that no further action should be taken on those, and it referred 4 back to the original assessment sub-committee for further consideration in view of Standards for England's impending closure. The assessment sub-committee subsequently decided to take no further action on those 4.
 - Of the 55 complaints, 37 were made about parish/town councillors; and 18 were about Herefordshire Councillors.
5. Just over a third of all allegations related to members bringing their office into disrepute (Paragraph 5 of the Code of Conduct). Bullying, or failing to treat others with respect, accounted for another third. There were also a significant number of allegations about aspects of members failing to declare interests (Paragraphs 8-12 of the Code), and members using their positions to secure an advantage for themselves (Paragraph 6 of the Code). We also received a number of complaints about disclosing confidential information (Paragraph 4 of the Code).
6. Of the 37 complaints against parish or town councillors, 30 related to members of the same council. 18 of those required no further action, 18 were referred to Standards for England and 1 was withdrawn. Of the remaining 7 parish/town council complaints, 5 required no further action, 1 was referred for training and 1 was referred for investigation.
7. In respect of Herefordshire Councillors, no action was required in 10 cases, 2 cases were referred to the Monitoring Officer for other action, such as training or written guidance, 4 were referred for investigation and 2 were withdrawn.

Review Sub-Committee

8. In cases when the Assessment Sub-Committee decides that no further action is required, complainants are entitled to ask for a review of the complaint, which is looked at by an entirely different panel of members. The Review Sub-Committee dealt with 3 cases during the period, re-examined each case from scratch, but in no instance reversed the decision of the Assessment Sub-Committee.

Consideration Sub-Committee

9. The Consideration Sub-Committee looks at investigation reports, and can either decide to hold a hearing, or in cases where the Investigating Officer has not found a breach of the Code, to accept the report and take no further action. The Sub-Committee dealt with 2 cases during the period, and decided that hearings were required in respect of these.

Hearing Sub-Committee

10. We have held 1 hearing so far this year, and a breach of the Code was found in this case, with sanctions being imposed on the parish councillor concerned and training recommended for the parish council.

Governance Issues

11. A continuing theme, particularly in instances when multiple complaints are made about parish or town councils, is that many complaints are related to governance issues. We continue to encourage ethical governance, and feel there is merit in developing training for parish and town councils on this aspect.

Outlook: The Future of the Local Government Standards Framework

12. The Localism Act 2011 has been in force since November 2011, and will result in a new standards regime from 1 July 2012 onwards. Standards for England lost its regulatory powers on 31 January 2012, and was abolished altogether on 31 March 2012. The First and Upper Tier Tribunals system for standards has also been abolished. Although we are still working to the SfE guidance and legislation, all complaints are now being dealt with locally, with no referrals or appeals to another body possible.
13. At this stage, central government has given us very limited information even though the new regime is nearly upon us. Currently, we can confirm the following:
 - Proposals for a new regime of ethical governance to replace the Standards Committee are currently under active consideration. Group Leaders have asked the Standards Committee to devise a complaints procedure and a new Code of Conduct based on the emerging legislation. A Standards Working Group has been set up for this purpose, comprising David Stevens, Jake Bharier, Richard Gething and John Stone. The Group has consulted Group Leaders about its work and they have provisionally endorsed its outline proposals.

- The Committee will present its proposals for approval by full Council as soon as there is sufficient legislation in place for us to move forward. In view of the constrained timescales, it may be necessary for additional meetings of Council and the Committee to be arranged for this purpose.
- The Standards Working Group has suggested that a panel involving the “independent persons” should be created to investigate those complaints referred by the Monitoring Officer, who will have contacted the subject member and the complainant very early in the process. The Panel will then report to the Audit and Governance Committee for a final adjudication. The sanctions at the Audit and Governance Committee’s disposal will be very limited compared with those under the current regime.
- Part of the process will involve the introduction of a new Code of Conduct for Members. The Department for Communities and Local Government (DCLG); The Local Government Association; and The Association of Council Secretaries and Solicitors have all devised different variations of the wording that could be incorporated into a new code. There is likely to be some flexibility for each local authority to finalise its own code but the regulations and timescales regarding this are still awaited from the Government. The Standards Working Group has carried out a considerable amount of work on a code of conduct suitable for the Council and is likely to follow the model prepared by the Association of Council Secretaries and Solicitors.
- Guidance is also awaited from the Government about the issue of independent persons. Indications are that it may not be permissible for the Council’s existing independent members to serve as independent persons under the new regime within a period of five years from their previous service. Steps are therefore being taken to prepare the recruitment process for new independent persons.
- No transitional arrangements have yet been issued for current cases to continue to be dealt with under the existing legislation when the new arrangements are introduced. It is hoped that the new secondary legislation will make provision for these cases to be concluded under the present arrangements.
- The current proposals are a middle course and will be kept under review as the national picture becomes clearer.

**DAVID STEVENS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS:

Agendas for the meetings of the Standards Committee held during 2011-2012.