

A G E N D A

Council

Date: **Friday, 25th July, 2003**

Time: **10.30 a.m.**

Place: **The Assembly Hall, The Shirehall,
Hereford.**

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

For any further information please contact:

*Christine Dyer, Members' Services
Manager and Executive Officer*

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Council

To: All Members of the Council

Pages

- | | |
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| <p>1. PRAYERS</p> <p>2. APOLOGIES FOR ABSENCE
To receive apologies for absence</p> <p>3. DECLARATIONS OF INTEREST
To receive any declarations of interest by Members in respect of items on this Agenda</p> <p>4. MINUTES
To approve and sign the Minutes of the annual meeting held on 23rd May, 2003.</p> <p>5. CHAIRMAN'S ANNOUNCEMENTS
To receive the Chairman's announcements and petitions from members of the public.</p> <p>6. QUESTIONS FROM MEMBERS OF THE PUBLIC
To receive questions from members of the public.</p> <p>7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS
To receive any written questions.</p> <p>8. NOTICES OF MOTION UNDER STANDING ORDERS
Councillors P.J. Dauncey and B. Hunt have submitted the following notice of motion:</p> <p><i>"In view of Council's support for swimming pool provision in North Herefordshire, and recognising the overwhelming support by local people for a Bromyard Pool, we urge this Council to give maximum support to this project and to investigate a Bromyard scheme concurrently with the Leominster project."</i></p> <p>Urgency has not been moved and under Standing Order 4.22.6 the motion will stand referred to the Cabinet Member (Community and Social Development).</p> <p>Councillors J.P. Thomas and Brig. P. Jones, CBE have submitted the following notice of motion:</p> <p><i>"That this Council notes the urgent need for a public swimming facility in Leominster as expressed by the large demonstration on 5th July and the petitions signed by thousands of people from North Herefordshire. Furthermore, it commits itself to identifying the necessary future funding for the design, letting of contracts and building of a replacement swimming pool in Leominster for the people of North Herefordshire within the current financial year."</i></p> <p>The Chairman will rule on whether the matter is urgent.</p> | <p>1 - 18</p> |
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9. CABINET	To receive the report and to consider any recommendations to Council arising from the meetings held on:	
(a)	12th and 19th June and 10th July, 2003.; and	19 - 26
(b)	17th July, 2003.	To follow
10. REGULATORY COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 17th June, 2003.	27 - 28
11. STANDARDS COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 20th June, 2003.	29 - 32
12. STRATEGIC MONITORING COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 7th July, 2003.	33 - 38
13. INDEPENDENT REMUNERATION PANEL	To receive the report and to consider any recommendations to Council arising from the meeting held on 8th July, 2003.	39 - 52
14. PLANNING COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 17th July, 2003.	To follow
15. WEST MERCIA POLICE AUTHORITY	To receive the report of the meeting of the West Mercia Police Authority held on 20th May, 2003 Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority.	53 - 60

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 County Secretary and Solicitor more than seven clear working days before the meeting i.e. by close of business on a Tuesday in the week preceding a Friday meeting.

Please Note:

Agenda and individual reports can be made available in large print, Braille or on tape. Please contact the officer named below in advance of the meeting who will be pleased to deal with your request.

The meeting room is accessible for visitors in wheelchairs via the main entrance by prior arrangement. Please telephone 01432 272395

If you have any questions about this Agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning Mrs Christine Dyer on 01432 260222 or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

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.

MINUTES of the annual meeting of Council held at The Assembly Hall, The Shirehall, Hereford on 23rd May, 2003 at 11.30 a.m.

Present: Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, Mrs. E.M. Bew, W.L.S. Bowen, A.C.R. Chappell, M.R. Cunningham, Mrs. S.P.A. Daniels, N.J.J. Davies, Mrs. C.J. Davis, G.W. Davis, J.W. Edwards, P.J. Edwards, D.J. Fleet, Mrs. J.P. French, J.H.R. Goodwin, K.G. Grumbley, J.G.S. Guthrie, P.E. Harling J.W. Hope, B. Hunt, T.W. Hunt, G.V. Hyde, Mrs. J.A. Hyde, T.M. James, Brig. P. Jones, CBE, Mrs. R.F. Lincoln, Mrs. M.D. Lloyd-Hayes, G. Lucas, R.M. Manning, R.I. Matthews, J.C. Mayson, R. Mills, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, Ms G.A. Powell, R. Preece, Mrs. S.J. Robertson, D.W. Rule, MBE, D.C. Short, MBE, R.V. Stockton, J. Stone, D.C. Taylor, J.P. Thomas, W.J.S. Thomas, Ms A.M. Toon, P.G. Turpin, W.J. Walling, A.L. Williams, J.B. Williams, R.M. Wilson.

The outgoing Vice-Chairman Mrs. J.H. Thomas took the Chair for the first item.

1. CHAIRMAN

RESOLVED: That Councillor P.E. Harling be elected Chairman of the Council until the annual meeting of Council in May 2004.

Councillor Harling took the chair for the remainder of the meeting.

2. PRAYERS

The Very Rev. Michael Tavinor, The Dean of Hereford, led the Council in prayer.

3. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bramer, Burke, Dauncey, Mrs. Gray and Wilcox.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made.

The Chairman announced that, following the election on 1st May, 2003 all Members of the Council had completed and signed Notifications of Financial and Other Interests and Written Undertakings. He reminded Members of their obligation, under Standing Order 2.8A.3 to notify the County Secretary and Solicitor of any changes in the information within one month of any change occurring.

5. VICE-CHAIRMAN

RESOLVED: That Councillor J.W. Edwards be appointed to the office of Vice-Chairman of the Council until the annual meeting of Council in May 2004.

6. MINUTES

The Chairman advised that no motion to amend the minutes of the meeting held on 25th April, 2003 had been received but proposed that the Minutes be amended in relation to the last paragraph of Minute No 97 on Page 4 of the agenda as follows:

The penultimate sentence starting "Following further discussion..." be deleted and replaced with:

"During discussion of the rights of the public and Members to speak at Cabinet the Chief Executive read an extract from the Cabinet Procedure Rules contained in Appendix 1 to the Constitution. Members noted the current right to speak was permissive and felt the issue of whether Members should have a right to speak should be reviewed by the Constitutional Review Working Group."

RESOLVED: That, subject to the above alteration, the Minutes of the meeting held on 25th April, 2003 be approved as a correct record and signed by the Chairman.

7. PERSONS ELECTED AS COUNCILLORS

The Council received a report from the Chief Executive as Returning Officer as to the persons elected on 1st May, 2003 to serve as Councillors. He reported that all Members so elected had made their Declarations of Acceptance of Office.

RESOLVED: That the information be noted.

8. POLITICAL COMPOSITION OF THE COUNCIL AND FORMATION OF POLITICAL GROUPS

The Chief Executive submitted a report setting out the notifications which he had received at the time of the despatch of the Agenda under Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 giving the composition of the political groups. The political composition notified was 21 Conservatives, 17 Independents, 16 Liberal Democrats and 4 Labour. He confirmed that since that time, no further notifications had been received and the political composition of the Council was, therefore, as set out in the Agenda.

RESOLVED: That the information be noted.

9. APPOINTMENT OF THE LEADER OF THE COUNCIL

RESOLVED: That Councillor R.J. Phillips be appointed the Leader of the Council for the ensuing Council year.

10. CHANGES TO THE CONSTITUTION

A supplementary report setting out proposed amendments to the Constitution was circulated at the meeting.

The Chief Executive advised that Standing Orders would need to be suspended so that the proposed changes to the Constitution could take immediate effect and that a further report would be submitted, via the Constitutional Review Working Group, Strategic Monitoring Committee and Cabinet so that the detailed changes necessary could be finalised at Council on 25th July, 2003.

RESOLVED:

- That (a) the Cabinet comprises the Leader of the Council and nine Cabinet Members with the following programme areas: Audit and Performance Management; Community and Social Development; Economic Development, Markets and Property; Education; Highways and Transportation; Human Resources and Corporate Support Services; Rural Regeneration and Smallholdings; Social Care and Strategic Housing; Strategic Planning, Regulatory and Waste Management;
- (b) the Leader of the Council be authorised to appoint a Deputy Leader of the Council from the Cabinet to deputise for the Leader and to assist with the political management role;
- (c) Programme Panels be abolished;
- (d) a Health Scrutiny Committee be established to undertake the Council's statutory scrutiny function in relation to the planning, provision and operation of health services in the County;
- (e) the Strategic Monitoring Committee comprise the Chairmen and Vice-Chairmen of the five scrutiny committees;
- (f) the establishment of the three area planning sub-committees on the revised boundaries as shown at Appendix 1;
- (g) Local Area Forum Chairmen not be appointed until the outcome of the pending review;
- (h) subject to decisions on the aforementioned recommendations, to authorise the County Secretary and Solicitor in consultation with the Chief Executive and Leader of the Council to revise the Council's Constitution to give immediate effect to the wishes of the Council; and
- (i) notwithstanding the delegation to the County Secretary and Solicitor at (h) above with immediate effect the revisions be considered by the Constitution Review Working Group, Cabinet and Strategic Monitoring Committee so that the final form of the revisions to the Constitution can be considered by Council at its meeting on 25th July, 2003.

11. APPOINTMENT TO OFFICES RESERVED TO COUNCIL, ALLOCATION OF SEATS TO POLITICAL GROUPS, APPOINTMENT TO COMMITTEES, ETC.

A list of those offices to which Council had powers to appoint, together with nominations, was circulated at the meeting. Also circulated was a list of outside bodies to which appointments needed to be made immediately.

The Chief Executive advised that only one appointment was required on the Adoption Panel and that Councillor Mrs. Attfield, who had recently been made Mayor of Hereford, had agreed to step down in favour of Mrs. Gray.

With regard to the West Mercia Police Authority, the Chief Executive explained that appointments would be made taking account of political proportionality, across all the

constituent Councils, i.e. Herefordshire, Worcestershire, Shropshire and Telford and the Wrekin. He advised that this Council and Telford and Wrekin would share three seats and, because Herefordshire had claimed two seats for the past five years, there was a tacit agreement that Telford and the Wrekin would have two for the period 2003-07. Because of the political proportionality, Telford and the Wrekin would automatically get a Labour seat. He said this meant that Herefordshire would need to claim both the Independent and the Liberal Democrat seat but express a preference to fill the Independent seat. If Herefordshire and Telford and the Wrekin could not agree on which seats they should fill, the matter would be referred to the Joint Committee to be resolved.

The Leader advised that Councillor Hyde would be Deputy Leader. He also advised that Council was, exceptionally, being asked to appoint the Chairmen and Vice-Chairmen of the Area Planning Sub-Committees at this meeting. In future years the election of Chairmen and appointment of Vice-Chairmen would revert to the sub-committees at their first meeting after the annual meeting of Council.

In response to a query about the numbers represented on each of the political groups the Chief Executive advised that the numbers referred to in the report were as had been notified.

RESOLVED:

- That**
- (a) the arrangements for appointments to committees and other bodies be agreed as shown at Appendix 2;**
 - (b) Councillors be appointed to the offices described in the report for a term of office which will expire at the next Annual Meeting of Council;**
 - (c) the Chief Executive be requested to exercise his delegated powers to make, following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality and to make appointments, as necessary, in accordance with the nominations of the political group leaders**
 - (d) membership of the area planning sub-committees be agreed;**
 - (e) membership of the Local Area Forums be agreed;**
 - (f) the arrangements for appointments to outside bodies be noted and appointments made to the Adoption Panel (1 Member), Herefordshire Housing (5 Members), Herefordshire Community Leisure Trust (2 Members), the Combined Fire Authority (6 Members), the West Mercia Police Authority (1 Member) and the Joint Committee (2 Members) as shown at Appendix 3.**

12. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked the Dean of Hereford, the Very Reverend Michael Tavinor for leading the annual meeting in prayer. He also announced that the Dean had accepted his invitation to be Chaplain to the Council for the forthcoming year.

The Chairman commented on the increased turnout at the all-postal voting 2003 elections, from 38% in 2000 to 61%, an increase in those voting of more than 60%.

He said that this demonstrated that the public were interested in local politics and it is the Council's duty to serve them to the best of its ability.

The Chairman announced that Her Majesty the Queen and His Royal Highness the Duke of Edinburgh would be visiting the County on Friday, 11th July, 2003. Further details of the visit would be available nearer the time.

The Chairman presented a cheque to the outgoing Mayor of Hereford, Councillor A.L. Williams for his charity St Michael's Hospice and a further cheque to the new Mayor, Councillor Mrs. Attfield for her charity MIND.

He told Council he had received a petition from Councillor W.J.S. Thomas on behalf of residents of Belmont/Haywood Lane/Newton Farm and Grafton asking for positive action to stop the use of leisure/conservation land being used as a scrambler track. He asked the County Secretary and Solicitor to pass the petition to the relevant Cabinet Member for action.

13. QUESTIONS FROM MEMBERS OF THE PUBLIC and QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

The Chairman dealt with these two items together.

He advised Members that both items were listed on the agenda in accordance with the Constitution. He reminded Council that both the Chief Executive and the County Secretary and Solicitor had advised on previous occasions that the Council's Constitution should be used to facilitate the business of Council rather than to obstruct. He also said that an additional Council meeting had been held on 25th April, 2003 to avoid a situation where the incoming administration would be asked to be accountable for decisions taken prior to the election. He understood that there was a tacit understanding that questions would not be asked at the annual meeting of Council following an election. He said that if the Council could not self-regulate on this point he would ask the Constitutional Review Working Group to consider exempting Standing Orders 4.24 and 4.25 from inclusion on the agenda of the Annual Meeting first following an election. He ruled that the questions as set out in Appendix 4 would stand referred to the appropriate office holders for written responses under Standing Order 4.25.4. *(Note: For completeness copies of the answers provided after the meeting have been included.)*

He expressed concern that a question had been raised by a member of the public and undertook to write personally to her to explain the difficulty the Council faced in dealing with her question in the usual way. *(Note: For completeness a copy of the question and answer is included at Appendix 5.)*

The Chief Executive read the following question from Councillor Short which had been addressed to the Chairman.

"Is the Chairman of Council aware of the concerns expressed by Hereford City Council regarding instructions given to depart from existing custom and practice and refrain from flying:

The National flag of Scotland November 30th

The National flag of Wales March 1st

The Hereford Flag March 31st

from Hereford Town Hall and will he explain on whose authority were such instructions given and will he give an assurance that in future these flags will be flown in accordance with long established tradition?"

The Chairman said he thought it was extraordinary that a question of this nature was asked at Council before other avenues had been exhausted as it trivialised the business of the Council and could potentially damage the reputation of both the Hereford City Council and this Council. He confirmed that a schedule of dates was the subject of correspondence between the Town Clerk of the then Hereford Town Council and the Chief Executive of Herefordshire Council culminating in a letter of 18th August, 2000 from the Chief Executive to the Town Clerk. The requested confirmation of that schedule was never received. However the Chairman confirmed that all the dates listed were on the schedule and the relevant flag should be flown on that day. No further correspondence had been received from the Town Clerk by either the Chief Executive or the County Secretary and Solicitor. However there was correspondence involving the Mayor of Hereford relating to the flying of the Hereford City flag on 31st March. Agreement was reached that the Herefordshire flag and not the Hereford City flag would be flown on that day. This was explained to the Mayor. The Herefordshire flag was flown, but not from the Town Hall and this omission has been explained and will be rectified. The Chairman confirmed that flags would be flown in accordance with the agreed schedule subject to the relevant flags being available.

Councillor Short said he had been asked to raise the matter at the last meeting of the City Council and asked for the Chairman's assurance that those responsible for flying flags would be given the agreed schedule. The Chairman said he had already given the necessary assurances.

14. NOTICES OF MOTION UNDER STANDING ORDERS

There were no notices of motion.

15. DATES OF FUTURE MEETINGS

It was noted that the dates determined for Council meetings in the year 2003/04 are:

Friday, 25th July, 2003

Friday, 7th November, 2003

Friday, 16th January, 2004.

Friday, 5th March, 2004

Friday, 21st May, 2004 (Annual Council) (Shirehall)

All meetings will commence at 10.30 a.m. and will be held in the Council Chamber, Brockington, 35 Hafod Road, Hereford unless advised otherwise.

The meeting ended at 12.38 p.m.

CHAIRMAN

Herefordshire Ward Boundaries



Scale 1: 450,000

Herefordshire Ward Boundaries

Hereford City Boundary



Scale 1: 175,000

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APPENDIX 2

Chairman of the Council	P.E. Harling	
Vice-Chairman of the Council	J.W. Edwards	
Leader of the Council		
Programme Area Responsibility: Corporate Strategy and Finance	R.J. Phillips	Con
Cabinet Member (Audit and Performance Management)	D.B. Wilcox	Con
Cabinet Member (Community and Social Development)	R.V. Stockton	Con
Cabinet Member (Economic Development, Markets and Property)	G.V. Hyde	Ind
Cabinet Member (Education)	D.W. Rule, MBE	Ind
Cabinet Member (Environment/Highways and Transportation)	R.M. Wilson	Ind
Cabinet Member (Environment/Planning and Waste Management)	P.J. Edwards	Ind
Cabinet Member (Human Resources and Corporate Support Services)	Mrs. J.P. French	Con
Cabinet Member (Rural Regeneration and Smallholdings)	J.C. Mayson	Ind
Cabinet Member (Social Care and Strategic Housing)	Mrs. L.O. Barnett	Con
Chairman of Planning Committee	T.W. Hunt	Con
Vice-Chairman of Planning Committee	J.B. Williams	Ind
Chairman of Regulatory Committee	R.I. Matthews	Ind
Vice-Chairman of Regulatory Committee	J.G.S. Guthrie	Con
Chairman of Strategic Monitoring Committee	T.M. James	LD
Vice-Chairman of Strategic Monitoring Committee	Mrs. P.A. Andrews	LD
Chairman of Education Scrutiny Committee	D.C. Short, MBE	LD
Vice-Chairman of Education Scrutiny Committee	J.P. Thomas	Lab
Chairman of Environment Scrutiny Committee	J.H.R. Goodwin	Con
Vice-Chairman of Environment Scrutiny Committee	W.L.S. Bowen	Ind
Chairman of Health Scrutiny Committee	W.J.S. Thomas	LD
Vice-Chairman of Health Scrutiny Committee	T.M. James	LD
Chairman of Social and Economic Development Scrutiny Committee	A.C.R. Chappell	Lab
Vice-Chairman of Social and Economic Development Scrutiny Committee	J. Stone	Con
Chairman of Social Care and Housing Scrutiny Committee	Mrs. M.D. Lloyd-Hayes	LD
Vice-Chairman of Social Care and Housing Scrutiny Committee	Mrs. P.A. Andrews	LD
Chairman of Central Area Planning Sub-Committee	D.J. Fleet	LD
Vice-Chairman of Central Area Planning Sub-Committee	R. Preece	Lab
Chairman of Northern Area Planning Sub-Committee	J.W. Hope	Con
Vice-Chairman of Northern Area Planning Sub-Committee	J. Stone	Con
Chairman of Southern Area Planning Sub-Committee	Mrs. R.F. Lincoln	Ind
Vice-Chairman of Southern Area Planning Sub-Committee	P.G. Turpin	Ind
Standards Committee	R. Rogers Chairman of the Council Vice-Chairman of the Council	
Local Area Forums	Delay appointment until meeting of Council on 25th July, 2003	

	Group	Nominee
Adoption Panel	Independent	Mrs. A. Gray
Herefordshire Housing Limited *Existing Board members to continue.	Conservative Labour Independent Liberal Democrat Liberal Democrat	H. Bramer Mrs. W.U. Attfield* J.B. Williams* Ms. A.M. Toon J.W. Newman*
HALO	Conservative Liberal Democrat	Mrs. J.P. French Mrs. S.P.A. Daniels
Hereford and Worcester Combined Fire Authority	Conservative Conservative Independent Independent Liberal Democrat Liberal Democrat	Brig. P. Jones, CBE K.G. Grumbley G.W. Davis D.C. Taylor D.C. Short, MBE TBA*
West Mercia Police Authority NB: In order to maintain proportionality across the Police Authority's area, this appointment will be either an Independent or Liberal Democrat appointment. The Council expressed a preference for the Independent nomination which will then be considered by the Joint Committee if an agreement cannot be reached between Herefordshire Council and Telford and Wrekin Council.**	Independent Liberal Democrat	B. Hunt T.M. James
West Mercia Police Authority Joint Committee	Conservative Independent	Brig. P. Jones, CBE R.I. Matthews

* Councillor Mrs. E.M. Bew has since been appointed

** Councillor B. Hunt has since been appointed.

Questions received under Standing Orders following the despatch of the Council Agenda and not answered at Council

Questions asked by Councillor Mrs. M.D. Lloyd Hayes regarding Bartonsham and adjoining areas Residents Parking schemes to which the Cabinet Member (Highways and Transportation) has now replied as indicated below.

Question: Could Council be advised why implementation of the resident's parking scheme took over 3 years, despite continuous progress meetings between Central Ward Members and officers?

Work on the residents parking scheme for Bartonsham was started in October 1999 with a detailed consultation exercise to establish the views of residents. This was followed up in March 2000 when detailed proposals were presented and again consultation took place with local residents. The results of this consultation led to much discussion with both local Members and the public in order to refine the scheme to provide the best possible scheme for all concerned. This inevitably took some time. The proposals were then subject to statutory advertisement which, not surprisingly for a complex scheme of this type over a wide area, drew a large number of objections. The Council is required to consider these objections, which took further time. The scheme was also slightly delayed in order to avoid any conflict with emerging recommendations from the Bartonsham Residents association local travel project. Local Members were kept informed throughout development of the scheme. Faster implementation of the scheme would have required either less consultation/amendment to reflect local concerns or greater resource from the

Council at the expense of other transportation projects. The Council's priorities, as set out in the Local Transport Plan, would not have supported a transfer of resources to this scheme. Subsequent increases in Local Transport Plan funding have allowed additional staff resources to be provided which might assist future delivery of any similar schemes.

Why was advising residents of details delayed until April 2003 just before the election, causing significant anger, confusion and despair at the Council's ability to deliver services effectively?

Residents were notified of the scheme at the earliest opportunity once the proposals were finalised. Within the resources available, the lead in time after final development of the proposals was kept as short as practicable. I am not aware of any delay brought by your Administration, nor any lack of Council effectiveness in delivering services.

Why no steps were taken to consult the large numbers of residents who were not in occupation when the initial consultation took place in 1999?

It is not possible for the Council to track all changes of residency and so inevitably some new residents will be "missed". Since July 2002, the Council has included details of the Residents Parking Scheme, where relevant, in the reply to the question about agreed traffic schemes in Local Searches. This would not, however, cover rented occupation but any enquiries made to Council about traffic proposals in the area would have acknowledged the parking proposals. As explained above, two area-wide consultation exercises were undertaken with residents. Further general consultation could well have been badly received by those who had already responded. In any event, all current residents were given an opportunity to express their views in response to the statutory advertisements of the legal orders published in the local newspaper.

Why was an experimental order for Residential Parking in a neighbouring area (Zone 5) was completed in months when other residents had waited 3 years?

The need to extend the scheme to cover Meadowbank Road was identified during the consultation & development process. This extension was not contentious and was processed as an Experimental Traffic Order, avoiding the consideration of objections prior to making the order. It nonetheless took nearly a year to implement. Whilst it is hoped that this Experimental Order will be converted to a permanent Traffic Order without further amendment, that order-making process has yet to be completed. It is potentially costly, wasteful and confusing to use Experimental Traffic Orders for large schemes where any changes after implementation could lead to removal/amendments of signs, markings and permits.

Why, above all, have petitions and letters of protest submitted to the authority allegedly remained unacknowledged or otherwise to this day?

Council staffs are not aware of any outstanding correspondence on the scheme and believe that all those who made representations have received a reply. Staff would be happy to receive further details of these allegations so that the records can be checked and any outstanding matters, if found, corrected.

Why were a number of promises made by the Transportation department in April 2003, stating they would respond urgently to residents not honoured, in particular an agreed written communication to residents regarding a review of the scheme within 12 months.

Again, it is believed that all those who made representations have received a reply. I would wish to see further details of any commitment to review the scheme in a particular timescale, as the Transportation Unit has not confirmed this. Residents were informed that the scheme could be reviewed after a suitable time in operation but it would be for the Council to decide that such a review is necessary.

Question asked by Councillors D.C. Short and Mrs. E.M. Bew to which the Cabinet Member (Environment/Planning and Waste Management) has now replied as indicated below.

Is the Chairman (of Planning Committee) aware that the application submitted in respect of changes to the Building and change of use of the building at Wooldridge Court is defective in so far as the proper notification notice was not given to the owners of the site – Herefordshire Council and the owners of neighbouring sites - Herefordshire Council (Scudamore School)?

Will the Chairman give an assurance that no further action will be taken in respect of this application until

- 1. Proper notices have been served*
- 2. Consultation with the site owners has taken place*
- 3. Ward Councillors have been kept properly informed of progress in this matter?*

Furthermore, will the Chairman instruct the Chief Executive to investigate the reason for this error and the apparent secrecy surrounding this extremely sensitive application?

Firstly the planning application is not concerned with a change of use to the building but for detailed alterations to the exterior of the building. No consent is needed for a change of use in relation to either the self contained units of intensively managed and supported transitional housing for single homeless people or for self contained units for people recovering from alcohol misuse.

The contention that the application is defective does not stand up to scrutiny.

Site notices were posted on 28 March with comments to be made by 18th April. Herefordshire Council is the freehold owner of the land with the application site being let to Stonham Housing on a 99 year lease. Stonham Housing constructed and own the building in question. Certificate C required to be served on owners under the terms of Article 7 of the Town and Country Planning (General Development Procedure) Order 1995 defines "owners" as follows:

"a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years....." ie Stonham Housing.

The applicants have declared that Stonham Housing as site owners by definition have been properly notified.

Only direct neighbours with a common boundary are required to be notified directly. Lord Scudamore School is too distant from the site to be interpreted as a neighbour.

In addition to the consultations undertaken as part of the application process the Council in its Strategic Housing capacity has been fully consulted through Jane Thomas (Strategic Housing Enabler) and the project is part of the Council's strategic housing programme.

As Ward Councillors you have been kept fully informed regarding the progress of this application and the application file is open for public inspection.

Question asked by Councillor J.P. Thomas to which the Cabinet Member (Environment/Planning and Waste Management) has now replied as indicated below.

When is the recycling of trade waste to be started ?

There are currently no plans to introduce an extensive scheme of recycling for trade waste. Trade waste is open to market competition and businesses can use any licensed contractor they wish, there is no requirement for businesses to use the Council's contractor or services. Commercial waste, overall, has much higher levels of recycling than domestic waste and this is an issue reflected not only locally but at a national level.

The Council has carried out a trial involving the some separate collection of glass from licensed premises but the scheme is currently being reviewed because the savings businesses could make, on landfill tax, do not appear to be a big enough financial incentive to participate. The scheme will be reviewed to take advantage of the much larger forthcoming rises in Landfill Tax which may create a large enough financial incentive for businesses to participate

QUESTION FROM A MEMBER OF THE PUBLIC ASKED AT THE ANNUAL MEETING OF COUNCIL ON 23RD MAY, 2003.

Question from Mrs. Morgan, Hereford.

I want to know if there is an imminent review as to why the Council withdrew a stretch of road that has always been available to residents in the zone 3 area (between 1 Ledbury Road and Templar's Lane).

Having discussed this with Councillor Fleet and being reassured consideration would be given to returning this facility to local residents, the reverse has happened without consultation with anyone affected.

Additionally, all that is available to residents in the area is parking Monday to Friday between 11.00 pm and 4.00 pm, as anybody can park there for two hours at any time. Why has the Council not considered 24 hour parking for residents in conjunction with the visitors' permits?

Extract from letter to Mrs Morgan from the Cabinet Member (Highways and Transportation)

I understand that waiting restrictions were imposed on this stretch of road many years ago because of problems with visibility for vehicles emerging from No 1 Ledbury Road. When this restriction was introduced the Council did consider extending the restrictions further to Central Avenue but this proposal was abandoned, except for protection around junctions, after objections from local residents.

You mention that a local Councillor had told you that consideration would be given to amending these waiting restrictions to return the facility to local residents but that "the reverse has happened without consultation with anyone affected". In fact, there has been no change to these restrictions and, given the past and more recent problems caused by parking on Ledbury Road, I understand that there is no proposal to revise the current restrictions. The officers involved have examined recent accident records in the area, which confirm that there has been one personal injury accident in the last five years close to Templars Lane that was associated with a parked vehicle. In these circumstances, they would not recommend any relaxation of the existing parking restrictions.

You also ask that the Council should consider allowing residents to park at all times in the area. At present, the restrictions permit some parking in designated areas for a maximum of 2 hours between 9am and 6pm. In effect, this allows local residents to park between 4pm and 11am the next day without the need for the purchase of Residents Parking Permits. Alternatively a Residents Parking Permit allows 24 hour parking in these designated areas. These restrictions were imposed after consultation with local residents and a formal process of advertisement and objection. The overall scheme appears to have been effective for many years in achieving a compromise between providing some limited parking for local residents whilst preventing long-term parking by commuters/local workers. I do not believe that a change to this scheme would be justified for the foreseeable future and I am sure that many local residents would object if the Council was to propose the introduction of a permit only system as an alternative.

REPORT OF THE MEETINGS OF CABINET

HELD ON 12TH AND 19TH JUNE AND 10TH JULY, 2003

Cabinet Members: R.J. Phillips (Leader of the Council),
G.V. Hyde (Deputy Leader), Mrs. L.O. Barnett, P.J. Edwards,
Mrs. J.P. French, J.C. Mayson, D.W. Rule, MBE, R.V. Stockton,
D.B. Wilcox, R.M. Wilson.

This is the first report submitted to Council for the current year and covers proceedings of the meetings listed above. A supplementary report on proceedings of the meeting held on 17th July, 2003 will be circulated separately

1. DECISIONS RESERVED TO COUNCIL UNDER PART 4 OF THE CONSTITUTION

1.1 **Best Value Performance Plan** – Under the Local Government Act 1999 the Council is required to produce and publish an annual Best Value Performance Plan which is subject to audit by the Council's External Auditors. The Plan forms part of the Council's Policy Framework and this year has to be published by 30th June, 2003. Cabinet agreed that the draft 2003/2004 Best Value Performance Plan should be approved for publication and recommended to Council for formal approval, subject to the final draft being first agreed by the Leader of the Council and the Cabinet Member (Audit and Performance Management). A copy of the Plan has been sent to all Members who are requested to bring it to the meeting.

1.2 **Review of the Constitution** - Cabinet has considered a number of amendments to the Constitution arising mainly from the revised Cabinet and Scrutiny responsibilities and recommends these to Council. A full report detailing the amendments is enclosed as a separate appendix. Members are requested to bring it to the meeting.

2. NOTICES OF MOTION

2.1 At the Council meeting held on 17th January, 2003 Councillor G.H.M. Woodford gave notice of the following motion:

"That, in the interests of open government and public participation, this Council should introduce the practice, already adopted elsewhere in the country, of a public question time at each meeting of the Cabinet."

Urgency was not moved and motion stood referred to the Strategic Monitoring Committee and Cabinet. This has been dealt with at paragraph 15 of the report appended to Item 1.2 above - Review of the Constitution.

3. KEY DECISIONS BY INDIVIDUAL EXECUTIVE MEMBERS WHICH WERE NOT INCLUDED IN THE FORWARD PLAN

3.1 There were no such decisions during the reporting period.

4. CORPORATE STRATEGY AND FINANCE (Chairman of Cabinet – Councillor R.J. Phillips)

4.1 Report on Decisions Taken

- (i) **Members' Allowances** - New regulations dealing with Members' Allowances have recently been introduced. Cabinet has agreed arrangements for reconvening the Independent Remuneration Panel and authorised the County Secretary and Solicitor to invite the Panel to review the current Members' Allowances Scheme and put forward for consideration any changes deemed necessary. The Panel met on 8th July, 2003 and a copy of its report and recommendations to Council appear elsewhere on the agenda.
- (ii) **Procurement of Technical Consultancy Services** - Cabinet has appointed Owen Williams Ltd as preferred bidder, subject to contract, for the procurement of technical consultancy services. It has also identified two reserves.
- (iii) **Final Revenue Outturn 2002/2003** - Cabinet has received the final outturn figure for 2002/03 which shows a net underspend of approximately £1.4 million once all commitments are accounted for. Cabinet has agreed that the underspending on housing benefits (£99,000) be carried forward to help fund a new housing benefit system and that any overspend on Social Care in excess of the 2% maximum allowed within Financial Standing Orders be met from reserves. The Statement of Accounts, which will be available by the end of July, must be approved by Members before 30th September 2003. In accordance with new requirements a report will be presented to the Statutory Accounts Committee as previously agreed by Cabinet (see Item 5.2(i)).

4.3 Report on Items of Interest

- (i) **Herefordshire Commercial Services Board** - Cabinet has received a confidential report advising of matters considered by the Herefordshire Commercial Services Board at its meeting on 29th April, 2003.
- (ii) **Race Equality Steering Group** – In line with the Race Relations Amendment Act (2000) the Council published a Race Equality Scheme in May 2002 providing a framework for how it intends to promote Race Equality. Cabinet received an annual report setting out progress against the action plan, which accompanies the Race Equality Scheme.
- (iii) **Capital Programme - Final Outturn 2002/2003** - Cabinet has noted that the final capital programme outturn for 2002/03 totalled £32,500,000 compared to an original budget of £27,370,000, which represented an increase of £5,130,000 or 19%. The main reason for this increase was the transfer of the housing stock in November, which involved capitalised costs of £4,130,000 in 2002/03. Other increases amounting to £2,450,000 reflected additional borrowing approvals and grant funding received after the establishment of the original capital programme budget. The final outturn, therefore, represents 95% of the adjusted capital budget. The programme was financed by credit approvals of £14,010,000, grants totalling £9,720,000 and capital receipts and reserves totalling £8,770,000.

- (iv) **Bank Accounts** - Cabinet has received a report on the Council's bank accounts. It has noted that the Council operates a total of 223 bank accounts, 162 of which are imprest accounts that allow establishments to aid efficiency in making small purchases of goods and materials.
- (v) **Local Government Bill** - Cabinet has received an information report on the Local Government Bill which contains key proposals which will impact on capital finance, financial administration, Council Tax and other areas. It is intended that the proposals will take effect from 1st April, 2004, although this cannot be guaranteed as it is dependent on an unimpeded passage through Parliament.
- (vi) **Strategic Monitoring Committee** - Cabinet has received and noted the Strategic Monitoring Committee's report which will be made to Council.

5. **AUDIT AND PERFORMANCE MANAGEMENT** (Cabinet Member - Councillor D.B. Wilcox)

5.1 **Report on Decisions Taken**

- (i) **Compliance with Statement of Auditing Standard 610** – Cabinet noted the principles of Statement of Auditing Standard 610, which required the Audit Commission as the Council's external auditors to report on all audit matters to those charged with governance on behalf of the Council. It was agreed that a Statutory Accounts Committee be established comprising the Leader and the Deputy Leader of the Council, the Cabinet Member for Audit and Performance Management and the Chairman and the Vice-Chairman of the Strategic Monitoring Committee to ensure compliance with the Regulatory Framework for the consideration of the Council's final accounts.
- (ii) **Corporate Performance Outturns 2002/2003** - The Council has developed revised performance monitoring arrangements as outlined in the Comprehensive Performance Self-assessment submitted as part of the CPA process last year. The new arrangements ensure that the Chief Executive's Management Team, the Strategic Monitoring Committee and Cabinet are all involved in the process. This work has been taken forward and developed, as part of the framework previously approved by Cabinet. Performance against the 19 national corporate health indicators measured during 2002/2003 has generally been on target and shown improvement year on year. Areas identified for further improvement relate to Early Retirements, Disability and Land Searches. Measures have been put in place to address these issues. The number of local corporate indicators has been reduced from 48 to 35, in line with advice from District Audit. Again a number of issues have been highlighted for further improvement. Cabinet has noted that the County Secretary and Solicitor's Department has successfully passed its LEXCEL audit. LEXCEL is a national Law Society standard used primarily in the private sector. It was noted that BV8 (% of undisputed invoices being paid within 30 days of receipt) had improved from 78.09% in 2001/02 to 83.5% in 2002/03 but was still below the target of 100%.

**6. COMMUNITY AND SOCIAL DEVELOPMENT
(Cabinet Member - Councillor R.V. Stockton)**

- 6.1 There were no decisions taken relating to this programme area during the reporting period.

**7. ECONOMIC DEVELOPMENT, MARKETS AND PROPERTY
(Cabinet Member and Deputy Leader - Councillor G.V. Hyde)**

7.1 Report on Decisions Taken

- (i) **Asset Management Plan** - Cabinet has approved the Asset Management Plan (AMP). The AMP is a corporate document that provides information on the strategic use of council owned land and property assets (with the exception of housing and schools). It is a mandatory national initiative that seeks to improve the management of properties held by local authorities. The Plan is important to the Council because it is the mechanism by which the Council is allocated central government capital funding under the Single Capital Pot (SCP) initiative. The Council's 2002 Plan was graded 'satisfactory' and the Council is aiming for a 'good' grade this year.

**8. EDUCATION
(Cabinet Member: Councillor D.W. Rule, MBE)**

8.1 Report on Decisions Taken

- (i) **Pupil Admissions Policy** - In accordance with the requirements of the Schools Standards and Framework Act 1998, as amended by the Education Act 2002, the Council has approved the general criteria for admission of pupils to community high schools as recommended by the Local Admissions Forum. However, following representations from Aylestone High School, Cabinet referred back to the Forum their recommendation concerning the unique arrangement in the County under which 10% of the pupils admitted at the age of 11+ into Aylestone High School are selected by tested aptitude in music. After considerable debate Cabinet has determined that the Council's admissions policy should, in the interest of consistency, be confined to the general criteria already approved for all Community High Schools in the County. This means that selection by aptitude for Aylestone High School's Music Plus will be discontinued.

**9. ENVIRONMENT (PLANNING AND WASTE MANAGEMENT)
(Cabinet Member: Councillor P.J. Edwards)**

9.1 Report on Decisions Taken

- (i) **Planning Delivery Grant** - The Council will receive substantial additional funding for the further improvement of the delivery of planning services in 2003/04 from the Planning Delivery Grant programme. Cabinet has endorsed

a programme of improvement work funded by the Planning Delivery Grant to support continuing service improvement and to meet current Best Value Performance Indicators for the Council's planning services. It is hoped that continued service improvement as a result of the grant will secure further funding over the next two years of the programme.

- (ii) **Herefordshire Unitary Development Plan (UDP) - Handling The Response** - Cabinet has established a Member Working Group to consider representations on the deposit draft Unitary Development Plan. The Working Group comprises: Cabinet Member (Strategic Planning, Regulatory and Waste Management) Chairman and Vice-Chairman of the Planning Committee, Chairman and Vice-Chairman of the Environment Scrutiny Committee and the Cabinet Member (Highways and Transportation). Local Members will be consulted by the Working Group when issues specific to particular settlements or sites arise.

- (iii) **Planning For Waste: Best Practicable Environmental Option** - Cabinet has considered the results of a study, carried out in conjunction with Worcestershire County Council, of the Best Practicable Environmental Option (BPEO) for dealing with municipal solid waste, commercial and industrial waste and construction and demolition waste. The BPEO will form the basis for the formulation of land use planning policy in the Unitary Development Plan (UDP) and inform the waste management contract. Cabinet has agreed:
 - (a) to endorse the Best Practicable Environmental Option (BPEO) Technical Report as the basis for preparing policies and proposals in the Unitary Development Plan.
 - (b) that the BPEO for Municipal Solid Waste be based on a minimum 33% recycling/ composting and a maximum of 22% landfilling with any balance required being managed through a form of thermal treatment.
 - (c) that the BPEO for Commercial and Industrial Waste be based on reducing landfill to 23%, increasing recycling to 73% and 4% dealt with by existing thermal treatment.
 - (d) that the BPEO for construction and demolition wastes be based on reducing landfill to 24% and recycling increased to 76%.
 - (e) the Unitary Development Plan will contain policies to guide the identification and siting of additional waste management facilities (including, as appropriate, materials reclamation, composting and thermal facilities).
 - (f) that, it will be important to retain an element of flexibility when considering applications for waste management facilities, but that processes or technologies put forward as an alternative to those which comprise the BPEO for a particular waste stream will have to clearly demonstrate how the impact of that process or technology will be equal to or not significantly greater than those which have been modelled for the agreed BPEO.
 - (g) that, pending the adoption of the Unitary Development Plan, waste planning applications be determined in the context of the Hereford and Worcester County Structure Plan 1986 – 2001 and the Waste BPEO.

This reflects the substantive conclusions of an extensive Technical Study and Report carried out by Consultants on behalf of the two Authorities into the

BPEO for waste management and planning. These conclusions include the results of a joint public consultation exercise undertaken in conjunction with Worcestershire County Council. There are a number of small technical alterations made to reflect the different planning regimes being followed by the two Counties. Cabinet has noted that Worcestershire County Council had approved similar recommendations earlier the same day.

- (iv) **Integrated Waste Management Contract** - Since the refusal of planning permission for a waste to energy plant in Kidderminster the Council, together with Worcestershire County Council, has been in negotiations with the Contractor to find a new way to meet the Government's targets on waste management. The current standstill agreement which temporarily suspends aspects of the main contract ends on 30th September, 2003. Cabinet has received a report setting out progress with the Joint Members' Waste Forum, concerns from DEFRA and new proposals from the Contractor. It has agreed to endorse the work of the Joint Members' Waste Forum to minimise waste arising across Herefordshire and Worcestershire and to inform the Contractor that their latest proposal is not acceptable in its current format. It has also authorised the Director of Environment, in consultation with the County Secretary and Solicitor, County Treasurer and Worcestershire County Council, to investigate alternative proposals to keep the present contract in existence, ensuring PFI credits are retained; allow local government recycling and diversion targets to be achieved; satisfy local government procurement requirement and have the support of both Herefordshire and Worcestershire Councils. It has also authorised him to extend the standstill agreement as necessary to progress these matters.

10. HIGHWAYS AND TRANSPORTATION
(Cabinet Member - Councillor R.M. Wilson)

- 10.1 There were no decisions taken relating to this programme area during the reporting period.

11. HUMAN RESOURCES AND CORPORATE SUPPORT SERVICES
(Cabinet Member - Councillor Mrs. J.P. French)

- 11.1 There were no decisions taken relating to this programme area during the reporting period.

12. RURAL REGENERATION AND SMALLHOLDINGS
(Cabinet Member - Councillor J.C. Mayson)

- 12.1 There were no decisions taken relating to this programme area during the reporting period.

13. SOCIAL CARE AND STRATEGIC HOUSING
(Cabinet Member Councillor Mrs. L.O. Barnett)

13.1 Report on Decisions Taken

- (i) **Business Case for Investment in Services for Older People** – The outcome of the 2002 Budget Panel was that in order to progress the development of Older People's Services a business case outlining the requirements of the service in order to meet need, should be produced as a guide to setting policy and investment. Cabinet considered an outline business case and decided that it should be supported with consideration being given to a full business case in Autumn 2003 as part of the revenue budget considerations. It was also decided that support be re-affirmed in principle for the provision of an extra care housing scheme.
- (ii) **Joint Review Inspection of Social Services for Herefordshire** - A Joint Review Inspection by the Social Services Inspectorate and the Audit Commission took place during the Autumn of 2002. Cabinet has received a presentation on the findings of the Joint Review. It found that Herefordshire is currently serving some people well with promising prospects for improvement. The Council has made some significant improvements since becoming a unitary authority; people receive a prompt service and most service users have a named social worker. An investment in family support services has contributed to more children being supported at home and a reduction in the number of looked after children. The Council has also made good progress in integrating both the Learning Disability and Mental Health Services with Health. Yet, across all client groups, there is still an insufficient range and quantity of provision to support adults and children to maintain their independence and remain at home. Furthermore, the thresholds for receiving services are too high and this presents risks, particularly in children's services. There is also too much variation in the quality of assessment and care planning with an unacceptable proportion of this being unsatisfactory. In addition, discharge arrangements for people leaving hospital need to be improved by ensuring there are sufficient resources in place in a timely manner.

The review found that there is an impressive level of political leadership within the Council, and a clear sense of purpose and direction within the new Directorate Management Team. Investments in senior and middle management have already yielded considerable benefits in improving performance and have given impetus to some key developments. There are excellent relationships with other agencies, such as Health, that are helping the Council to achieve its goals. The Council faces a difficult financial situation, especially in Social Care but at the time of the Joint Review, the Council was making good progress in dealing with this. The Joint Review Team concludes, therefore, that the prospects of services improving in the future are promising.

The Director of Social Care and Strategic Housing presented an action plan for Social Care Improvement in Herefordshire. This included the following priorities:

- Developing home support for older people
- Improving assessment practice and quality - adults and children
- Improving resources for children with disabilities
- Improving records management and data quality
- ensuring the integrated service have the right pooled budget

- 'getting the best from the money'
- managing risk well
- having an organisation and culture which focuses on supporting best practice - and 'doing what we say we are going to do'

Along side these priorities it is recognised that there are clear challenges which include:

- keeping vulnerable people and services safe
- capacity to develop new services for older people
- help reducing hospital discharge delays
- keeping partnerships real and healthy and
- having capital for supported and affordable housing.

Cabinet thanked the Review Team for their very detailed presentation and expressed their thanks to the Director of Social Care and Strategic Housing and her team for all their hard work. They approved the action plan.

**COUNCILLOR R.J. PHILLIPS
LEADER OF THE COUNCIL**

DRAFT REPORT OF THE REGULATORY COMMITTEE

Meeting Held on 17th June, 2003

Membership:

Councillors: R.I. Matthews (Chairman), Mrs. S.P.A. Daniels, G.W. Davis, D.J. Fleet, J.W. Hope, T.W. Hunt, Brig. P. Jones CBE, G. Lucas, J.W. Newman, R. Preece, D.C. Taylor, P.G. Turpin.

VICE CHAIRMAN

1. The Committee were advised that Councillor J.G.S Guthrie had been appointed Vice-Chairman of the Committee at the annual meeting of Council. It noted that since that meeting Councillor Guthrie had decided not to take up his seat on the Committee, thus causing a vacancy for Vice-Chairman.

RECOMMENDATION TO COUNCIL:

That Councillor Brig P. Jones CBE be appointed Vice-Chairman of the Regulatory Committee for the ensuing Council Year.

PUBLIC ENTERTAINMENT LICENSING – APPLICATIONS WHICH REQUEST A DEVIATION FROM POLICY.

2. The Committee considered three applications for Occasional Public Entertainment Licences requesting a finishing time of later than that of 0100 hours, which is set out in the Council's Licensing Policies.
3. Each applicant was given the opportunity to present their case, as were Officers of the Environmental Health and Trading Standards Department.
4. Comments were also considered from the West Mercia Constabulary and the Fire Authority. The Committee was mindful of the implications of the Crime and Disorder Act 1998 and the fact that the finishing time was in place to protect the local community and individuals from disturbance by night time events within the County.
5. Having considered all the facts in relation to each application, the Committee took note of the Council's policies but was of the view that the applicants had given satisfactory evidence to suggest that the events would be well supervised in a responsible manner. It was clear that the applicants had gone to considerable lengths to ensure that there would only be a minimum amount of noise and nuisance caused for local residents. The applicants had held similar events in previous years and there had been no complaints from the public, West Mercia Constabulary or from the Head of Environmental Health and Trading Standards.
6. It was therefore decided that the following extension of hours should be granted, subject to conditions to be imposed by the Head of Environmental Health and Trading Standards, but only because of the exceptional circumstances involved in each application.
 - (i) Eardisley and District Young Farmers Club Summer Ball – 8.00 pm to 2.00 am on 21st June 2003 at Willersley Court Farm, Willersley, Eardisley;

- (ii) Luctonians Rugby Football Club Summer Ball – 8.30 pm to 3.30 am on 18th July, 2003 at Mortimer Park, Kingsland;
- (iii) The Big Chill Festival – finishing time of 2.00 am on 1st and 2nd August 2003 and 1.00 am on 3rd August 2003 at Eastnor Castle, Deer Park, Ledbury (The applicants were also granted an Occasional Cinema licence to 6.00 am on 3rd August 2003 at the same venue)

CARAVAN SITE LICENCE CONDITIONS

- 7. At its previous meeting the Committee had agreed to new standard Caravan Site licence conditions as part as a programme of rationalising the licensing arrangements inherited from the predecessor authorities. The conditions relate to permanent residential homes, holiday caravans, touring caravans and single residential/holiday caravans and their sites.
- 8. Subsequent inspections of licensed sites by the Head of Environmental Health and Trading Standards had revealed that there were certain practical difficulties in licence fees immediately complying with all the conditions. The Committee has therefore agreed to recommendations from the Head of Environmental Health and Trading Standards that some flexibility should be afforded within the Licensing Conditions with the effect that the licensees of caravan sites have three years to comply with the Council's licensing conditions in relation to existing combustible sheds and enclosed porches and the space between existing mobile homes. All new or replacement caravans and sheds will need to comply with the new licence conditions with immediate effect.

RENEWAL OF LICENCE FEES FOR GAME DEALERS LICENCES – THE GAMING ACT 1860

- 9. The Committee agreed to the introduction of a £25 fee for Game Dealers Licenses, which would reflect the cost of administration and enforcement work.

STATUTORY FEES FOR LICENSES ISSUED BY ENVIRONMENTAL HEALTH AND TRADING STANDARDS DEPARTMENT

- 10. The Committee has agreed that the Head of Environmental Health and Trading Standards should be authorised to set the statutory fees in respect of licenses which are issued by the Environmental Health and Trading Standards Department.

**R.I. MATTHEWS
CHAIRMAN
REGULATORY COMMITTEE**

BACKGROUND PAPERS

- Agenda papers from the meeting of the Regulatory Committee held on 17th June, 2003.

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 20 June 2003

Membership:

Robert Rogers (Independent Member) (Chairman); Richard Gething (Parish Council Representative); Councillor Peter Harling; Councillor John Edwards.

CONSTITUTIONAL REVIEW

1. The Standards Committee was set up following the passing of the Local Government Act 2000. Advice and support on standards matters was previously given by an independent Standards Commission consisting of the Lord-Lieutenant, the Bishop of Hereford and the Hon. Recorder of Hereford (Lord Carlile of Berriew QC).
2. The recent making of regulations under the 2000 Act has completed the statutory framework in which complaints must be dealt with either by the Standards Board for England or by the Standards Committees of the authority concerned. Under the law as it now stands, there is no role for the Standards Commission, and the Council's Constitution will need to be amended.
3. We are sure that the Council will be grateful to the members of the Standards Commission for their service. If Council approves our recommendation, the Chairman of the Committee will write to thank them.

RECOMMENDATION TO COUNCIL:

That the Council's Constitution be amended by the deletion of paragraph 8.2 (The Standards Commission)

ELECTIONS 2003

4. We were glad to note that, following the elections on 1 May 2003, all 58 Herefordshire Councillors have made the necessary declaration of office undertaking to abide by the Model Code of Conduct. There is also good progress being made by Town and Parish Councillors in undertaking to comply with the Model Code of Conduct. All councillors are also required to complete the register of financial and other interests within 2 months of taking up office, and Town and Parish Clerks have been working hard to ensure that councillors comply with the requirements and provide the necessary information to the County Secretary and Solicitor.
5. It is important that Town and Parish councillors fully understand the requirements of the Model Code of Conduct, and we have sought to assist them through seminars and other events. We therefore particularly welcome the training programme which will be delivered by a partnership consisting of the University of Gloucester, the Herefordshire Association of Local Councils and the Council. As part of this initiative we look forward to sponsoring an event this Autumn which will cover the new arrangements for determining complaints locally as well as explaining the Code of Conduct and looking at aspects which can cause difficulty, for example declaration of interests and the difference between a personal and a prejudicial interest.

6. We will be providing Herefordshire Councillors with a set of the various standards codes and protocols in a convenient form for their handbook.

LOCAL DETERMINATION OF COMPLAINTS

7. The Local Authority (Code of Conduct) Local Determination (Regulations 2003) are now in force; and we much regret the long delay in their appearance. The main effect of the regulations is that, following a complaint of alleged misconduct being investigated by an Ethical Standards Officer appointed by the Standards Board for England, the complaint may then be referred by the Board to us for final determination, rather than being dealt with by the Board.
8. The law now provides that any complaint referred in this way involves an adjudication process – which may be fairly cumbersome. It may include the examination of witnesses, and the member complained against may be represented by counsel or a solicitor. We will be required to have legal advice independent of that offered by the County Secretary and Solicitor as Monitoring Officer. Our decision may, by leave of the president of the national Adjudication Panel, be appealed to a tribunal, so it is essential that any inquiry that falls to us is thorough, procedurally correct and recorded in detail. We must also – rightly – have regard to the principles of natural justice and the rights conferred by the Human Rights Act 1998.
9. We have already discussed the detailed procedures that will need to be followed, and be refining them further. At this stage there are three issues of which the Council needs to be aware.
10. First, **workload and staffing**. It is impossible to say how many complaints will be referred, but the implications for our workload – and, more important the workload of the County Secretary and Solicitor and her Department, in the preparation and conduct of hearings and in the detailed recording of proceedings – could be considerable. If even three or four cases were to be referred to us, this could have staffing implications.
11. The second issue is **the size of the Standards Committee**. Any hearing has to be conducted within three months of the Ethical Standards Officer's report being received by the Monitoring Officer. The committee conducting the hearing must include an independent member, and for town and parish council cases, the town/parish council representative. Illness or conflicting engagements may make a lengthy hearing with the appropriate quorum difficult to organise. More important, however, is the possibility that one or more of our members would be “conflicted out” through acquaintance in private life with those involved in a complaint.
12. We have therefore concluded that the committee (which at four members is very small by comparison with most authorities) should be larger, with the addition of a second independent member and a second town/parish council representative. We so recommend to Council.
13. The third issue of concern is that, as we have no legal protection in carrying out an inquiry if a complaint is referred to us, **we may individually incur legal costs and expenses** if any action is taken against us on account of the conduct of an inquiry. We therefore recommend to Council that we be indemnified in relation to any such costs and expenses, with the safeguards that they must be judged reasonable by the County Secretary and Solicitor, and that they arise as a result of our duties under the new regulations.

RECOMMENDATION TO COUNCIL:

- That (a) members of the Standards Committee be indemnified in relation to any costs and expenses, which are reasonable in the opinion of the County Secretary and Solicitor, that might be incurred in relation to the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003; and
- and
- (b) one independent member and one parish/town Councillor be added to the Committee.

INVESTIGATIONS BY THE STANDARDS BOARD FOR ENGLAND

14. We have considered a progress report on the current investigations by the Standards Board for England of complaints against town and parish councillors.

MEMBERSHIP

15. We take this opportunity of recording our thanks to Councillor Mrs Joyce Thomas, MBE, and to Mr Marcus Allen, town and parish council representative, for their work on the Committee since its inception. We wish them well, and welcome in their places Councillor John Edwards and Mr Richard Gething.

**ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Standards Committee held on 20 June 2003.

REPORT OF THE STRATEGIC MONITORING COMMITTEE

Meeting Held on 7th July, 2003

Membership:

Councillors: T.M. James (Chairman), Councillor Mrs. P.A. Andrews (Vice-Chairman) W.L.S. Bowen, A.C.R. Chappell, J.H.R. Goodwin, Mrs M.D. Lloyd-Hayes, D.C. Short MBE, J.Stone, J.P. Thomas, W.J.S. Thomas.

REVIEW OF THE CONSTITUTION

1. The Committee has considered a number of amendments to the Constitution proposed by the Constitutional Review Working Group arising from the review of Cabinet and Scrutiny responsibilities by Council in May.
2. The Committee agreed to recommend the proposed changes, set out in the County Secretary and Solicitor's report, to Cabinet and Council for approval, but highlighting the three points set out below as issues warranting further reflection.

(Cabinet Procedure Rule 6) the rights of Ward members to attend and speak at Cabinet when decisions are taken affecting individual wards

3. This issue related to whether Members should have a right to attend and speak at Cabinet when decisions were taken affecting individual wards. Some Members expressed the view that there should be an automatic right to speak. Others agreed that there were practical considerations which supported the proposal to leave the discretion, as at present, to the Leader of Council as Chairman of Cabinet to call Ward Members to contribute.
4. It was acknowledged that where an individual ward was affected, although this could potentially involve up to 3 Councillors there was unlikely to be an obstacle to them all speaking. In some circumstances, however, a significant number of wards may be affected. Whilst allowing one Councillor to speak on behalf of a number of others would work in some circumstances, in others it might not. There was therefore an argument for leaving the discretion to the Leader of the Council, noting that the arrangement could be monitored and reviewed.
5. The right of Group Leaders to speak at Cabinet was identified as an additional potential safeguard of the interests of Ward Members. It was also suggested that rather than waiting until the Cabinet meeting Ward Members should raise any concerns they had with the relevant Cabinet Member, to allow account to be taken of any concerns at the earliest opportunity.

(Scrutiny Rule 6) the mechanism for dealing with the response by Cabinet to Cabinet decisions which have been called in.

6. The Constitutional Review Working Group had proposed to amend the Scrutiny Committee Rules. The amendment would mean that following the call-in of a Cabinet decision if the matter was referred back to the Cabinet the Leader would have the discretion to decide whether to reconsider the matter on behalf of the Cabinet, or to refer the matter back to a meeting of the Cabinet.
7. Some Members suggested that transparency of decision making would be enhanced by requiring issues to be considered at a meeting of the Cabinet. Others noted that there might be occasions where for practical reasons time constraints would support the adoption of the proposed discretionary mechanism.

Part 9 – operation of the Smallholdings Selection Panel

8. The Constitutional Review Working Group had proposed that the Panel should comprise the Cabinet Member (Rural Regeneration and Smallholdings) and two non-executive Councillors (one Independent and one Liberal Democrat) to carry out an advisory role on smallholding tenant appointments. A view was expressed that a larger Panel was needed with a remit to oversee the smallholdings estate.

FINAL REVENUE OUTTURN/CAPITAL PROGRAMME – FINAL OUTTURN – 2002/2003

9. The Committee has noted the final revenue and capital budget outturns. It was advised that the continuing pressure on the Social Care revenue budget will require particular attention.

LOCAL PUBLIC SERVICE AGREEMENT

10. The Committee has noted the performance outturn for the first full year of the Council's Local Public Service Agreement. It has been advised that on the current level of performance the Council would fail to achieve a number of the targets. The importance of individual Scrutiny Committees monitoring performance has been emphasised.

RACE EQUALITY SCHEME PROGRESS REPORT

11. The first report on progress against the Race Equality Scheme Action Plan has been received by the Committee.
12. It has welcomed work underway including research into the numbers and needs of seasonal migrant workers. However, it has also expressed concern that the Commission for Racial Equality (CRE) did not appear to be recognising that the issues facing Herefordshire in this area were markedly different from those facing many other areas. The CRE had indicated that it would not be continuing funding for some projects within the County. The Committee noted that this issue will have to be given further consideration by the Cabinet.

PAYMENT OF INVOICES

13. In July 2002 the Committee was advised that performance in respect of Best Value Performance Indicator (BVPI) 8: "the percentage of undisputed invoices for goods and services which were paid by the authority within 30 days of such invoices being sent to the authority." was unacceptable across the Council. It was also one of a centrally selected list of 15 BVPIs which would apply to authorities subject to Comprehensive Performance Assessment for 2002/2003 and upon which the external auditors were being asked to focus. It noted that the need for improvement had been recognised and action taken to attempt to bring about improvement. However, the performance remained unacceptable. The Committee had therefore requested that reports go to individual scrutiny committees on the issue.
14. Regular reports have been submitted to the Scrutiny Committees over the past year. The Committee was advised that the figures for 2002/2003 had shown an improvement particularly in the second half of the year, although the performance was still well short of the 100% target. The percentage performance for the last six months was just under 87%.
15. The Committee has agreed that payment of invoices performance data will be reported to the Committee on an exception basis as part of the corporate health performance report, with reports to individual Scrutiny Committees if necessary.

PERFORMANCE MONITORING – CORPORATE HEALTH

16. The Committee has noted corporate performance for the period 1 April 2002 – 31 March 2003. Information was also included on action designed to improve performance during 2003/2004.
17. It has been suggested that the setting of a target relating to “percentage of electorate from wards affected by content attending Council/Committee meetings” needed to be revisited.

COMPLAINTS AND COMPLIMENTS MONITORING

18. The Committee has noted the complaints and compliments recorded for the year ended 31 March 2003 and the first quarter of 2003/2004.
19. It was reported that since February 2002 the Council had achieved the implementation of a computerised complaints recording system; provided Complaints Administrators who provided support with the recording and administration of the complaints process; introduced a revised Complaints Leaflet, a revised Comments and Complaints Procedure, and created a Compliments Procedure; and a Customer Service Strategy. It was considered that these improvements to the system had led to the significant increase in the number of complaints recorded in the first quarter of 2003/2004.
20. Compliments recorded over the first quarter had more than doubled as a result of encouraging staff to record them.
21. Work was ongoing to review and improve the electronic recording system, improve the process for reviewing and sharing best practice across the Council, and consider changes in working practices following the investigation of complaints. A target had been set for the number of complaints resulting in a change of working practice.

LOCAL GOVERNMENT OMBUDSMAN AND COMPLAINTS PANEL

22. Complaints determined by the Local Government Ombudsman and the Council's complaints panel for the year ended 31 March, 2003 have been noted.
23. In 2002/03 as in every year since the Council's formation in 1998 there had been no findings of maladministration against the Council. In five cases the Council had agreed to take some further action to resolve complaints.

WORK PROGRAMMES

24. The Committee has endorsed its own work programme and those of the individual Scrutiny Committees as a basis for its work whilst signalling the intention to develop the approach towards Scrutiny.

ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

25. The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review), the first four of which are identified as key roles in report on “The Development of Overview and Scrutiny in Local Government published by the Office of the Deputy Prime Minister”. Issues considered by the Strategic Monitoring Committee, as referred to above, are listed for completeness.

26. The Education Scrutiny Committee met on 14th July, 2003.

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Best Value Review Programme 2003/2006 Home to School Transport – Discretionary Areas of Policy
Policy Development and Review	Excellence Cluster and leadership Incentive Grant School Organisation Plan Pupil Admissions policy for Community High Schools Standard School Year
External Scrutiny	
Improvement (Performance Management and Review)	Outcome of individual OFSTED inspections. LPSA Compliments Complaints and Appeals Capital Programme
Other	Anne Frank Exhibition Work Programme

27. The Environment Scrutiny Committee met on 13 June, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Commercial Enforcement – Progress Report Implementation of Improvement Plans
Policy Development and Review	Parking Enforcement in Herefordshire
External Scrutiny	-
Improvement (Performance Management and Review)	Human Resources Capital Programme Monitoring Revenue Budget Monitoring Payment of Invoices within 30 days Performance Indicators GEM Performance
Other	Work programme

28. The Social Care and Housing Scrutiny Committee met on 17 June 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	Progress Report/Membership of Review Teams
Policy Development and Review	Extra Care Housing
External Scrutiny	Patient and Public Involvement in Health/Health Scrutiny
Improvement (Performance Management and Review)	Budget Monitoring Serious Case Review Payment of Invoices
Other	

29. The Social and Economic Development Scrutiny Committee met on 19 June 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Membership of Voluntary Sector Review Team
Policy Development and Review	
External Scrutiny	
Improvement (Performance Management and Review)	Performance Indicators Payment of invoices
Other	Work Programme Review of Community and Partner Involvement in Scrutiny

31. The Health Scrutiny Committee has not met formally and is familiarising itself with its remit through a series of informal visits.

32. The business conducted by the Strategic Monitoring Committee at its meeting on 7th July, 2003 is summarised below.

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	
Policy Development and Review	Review of the Constitution
External Scrutiny	
Improvement (Performance Management and Review)	Final Revenue Outturn 2002/2003 Capital Programme – Final Outturn – 2002/2003 Local Public Service Agreement Race Equality Scheme Progress Report Payment of Invoices Performance Monitoring – Corporate Health Complaints and Compliments Monitoring Local Government Ombudsman and Complaints Panel – 2002/2003
Other	Work Programmes

**T.M. JAMES
CHAIRMAN
STRATEGIC MONITORING COMMITTEE**

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 7th July, 2003.

REPORT OF THE INDEPENDENT REMUNERATION PANEL

Report By: County Secretary and Solicitor

Wards Affected

County wide

Purpose

1. To consider the recommendations of the Council's Independent Remuneration Panel arising from a review of the Scheme of Allowances for elected Members.

Financial Implications

2. Any increase in expenditure for Members' Allowances in 2003/4 will be met by compensating savings elsewhere in the budget or funded from reserves. It is estimated that the full year costs of the new scheme will be an additional £20,000.

Considerations

3. The Council is required to establish and maintain an Independent Remuneration Panel to advise on a Scheme of Allowances for Members and any proposed amendments. The Council is required to publish details of the Panel's recommendations and the main features of any Scheme that it adopts.
4. The Regulations provide that the Council must "have regard to the recommendations" of the Panel when making or revising its Scheme.
5. In March 2002 Council approved a revised Members' Allowance Scheme as recommended to it by the Independent Remuneration Panel.
6. New Regulations dealing with Members' Allowances have recently been introduced. They initially required all local authorities to review their existing schemes before 30 September 2003. This has only recently been amended to 31 December 2003.
7. The New Regulations also enable the Council to consider paying co-opted and appointed non-elected members of the Council a co-optees allowance. They also allow the Council to determine its own travel (including cycling) and subsistence allowances, having regard to the recommendations of the IRP.
8. Separate regulations provide a discretion to pay a pension to any Councillor.
9. The Independent Remuneration Panel has reviewed the existing Scheme and considered the new powers provided to the Council. Its recommendations are set out in its Report, as appended.
10. Adjustments may need to be made once the Local Area Forum Chairmen are appointed.

Further information on the subject of this report is available from Marie Rosenthal, County Secretary and Solicitor on (01432) 260200

RECOMMENDATION

- THAT (a) the Panel be thanked for their work;
- (b) the Council consider and have regard to the recommendations of the Panel and approve a revised Allowances Scheme to take effect from 1 May 2003 in relation to the Basic Allowance, and Special Responsibility Allowances to take effect from 23 May 2003 and otherwise from 1 September 2003; and
- (c) the County Secretary and Solicitor give further publicity to the Scheme as required by regulation.

BACKGROUND PAPERS

- Report from Herefordshire Independent Remuneration Panel dated July 2003.

**REPORT OF THE
HEREFORDSHIRE
INDEPENDENT REMUNERATION
PANEL**

MEMBERS' ALLOWANCES

JULY 2003

1. Membership of the Panel

- 1.1 The Herefordshire Independent Remuneration Panel (IRP) was established by the Council in November 2001 to advise on a Members' Allowance Scheme to complement the constitutional changes being introduced for a Cabinet and Scrutiny Committees.
- 1.2 The IRP consists of six members who collectively have a wide range of experience encompassing local business, the voluntary sector, the press and trade union.
- 1.3 The IRP currently comprises:

Eddie Clarke – Hereford Unison
Peter de Braal – Sun Valley Foods Ltd
Liz Griffin – Hereford Times
Robert Hunt – Special Metal Wiggins Ltd
Philippa Money – Herefordshire Voluntary Action
Colin Osborne – Hereford Ross and Leominster Journal
- 1.4 New Regulations dealing with Members' Allowances have recently been introduced by the Government. They require local authorities to review their existing schemes before 30 September 2003. [This deadline has recently been changed to 31 December 2003.]
- 1.5 The new Regulations also enable Councils to consider paying co-opted and appointed non-elected members of the Council a co-optees allowance. They also allow the Council to determine its own travel and subsistence allowances.
- 1.6 Separate Regulations provide a discretion to pay a pension to any Councillor.
- 1.7 In reviewing the Scheme and considering whether to pay these other allowances and pensions the Council is required to have regard to the recommendations made by its Independent Remuneration Panel.
- 1.8 The IRP met on 8 July 2003 to consider these matters.

2. Basic Allowance

- 2.1 The IRP had available to them a report summarising the basic allowance and special responsibility allowances previously recommended to and adopted by the Council in February 2002. These are set out at Appendix 1.
- 2.2 The IRP noted the changes to the Council's political structure following the elections in May which had resulted in the appointment of an additional 3 Cabinet Members. It was noted that a Deputy Leader would be appointed by the Leader from amongst the Cabinet Members and the special responsibility allowance for that post would therefore be deleted from the Scheme. It was noted that an additional Scrutiny Committee, to handle Health Scrutiny, had also been established.
- 2.2 In February 2002, the IRP recommended a basic allowance on the basis of average monthly hours of 90 less a public service discount of 33.3% multiplied by the Herefordshire average hourly earning (£7.82) making a final

total figure of £5630. They agreed that this sum be inflated on an annual basis and the sum now stands at £5827. The IRP consider this approach should continue.

- 2.3 The IRP was advised that the Scheme was generally considered to have worked well. However, some dissatisfaction had been expressed about the recommendation not to make a payment to Vice-Chairmen of Committees.
- 2.4 The IRP took the view that if the Scheme was operating satisfactorily it seemed unnecessary to make any amendments and premature to undertake a review after only 18 months of its operation.
- 2.5 It considered that the rationale for not recommending a payment to Vice-Chairmen of Committees remained. Whilst Vice-Chairmen might have some more responsibility than other Committee members it remained rare for them to take the Chair. The approach not to recommend payment to vice-chairmen of Committees continued to be consistent with that of other IRPs.

3. Special Responsibility Allowance (SRA)

- 3.1 In 2002, the IRP recommended that an SRA should be paid for those members of the Council undertaking additional responsibilities. The IRP took the advice of the Government's Guidance Note to set an appropriate rate for the most time consuming and responsible elected post within the Council, that of the Leader, and to pro rata downwards for other roles. The IRP drew on a very considerable body of evidence and recommended to the Council a scheme of special responsibility allowances of five bands with the allowance for the Leader in Band 1 set at £25,000 and with offices allocated to bands at differentials as shown at Appendix 1. The table below shows the revised scheme, uplifted in line with the annual NJC for Local Government now recommended.

Band 1	Leader	1x	£25,875
Band 2	Cabinet Members	9x	£10,350
	Chairman of Strategic Monitoring Committee	1x	
Band 3	Chairman of Council	1x	£7,762
	Chairman of Planning Committees	1x	
	Chairmen of Scrutiny Committees	5x	
Band 4	Vice-Chairman of Council	1x	£1,294
	Chairman of Standards Committee	1x	
	Chairman of Regulatory Committee	1x	
	Chairmen of Planning Sub-Committees	3x	
	Group Leaders	4x	
Band 5	Chairmen of Local Area Forums	9x	£517

4. Allowances for Co-opted and Other Non-Elected Members

- 4.1 The IRP was advised of the new power to consider paying co-opted and appointed members of the Council an allowance. Attention was drawn to the role of the independent Chairman of the Standards Committee and the responsibilities exercised by that office holder. It was also noted that there were both statutory and other co-optees appointed by the Council.

- 4.2 The IRP noted the increasing responsibilities borne by the independent Chairman of the Standards Committee and the profile of the role given press and public interest in the Committee's work and its potentially controversial nature.
- 4.3 They were advised that the Standards Committee currently met five times a year. The role and responsibilities of the Standards Committee was set to significantly increase. With effect from 1 May 2003, the Standards Committee was now responsible for determining complaints against district and parish councillors which the Standards Board for England have investigated. The Standards Committee had power to impose a range of sanctions ranging from censure to disqualification from office for a period of up to 3 months. In the autumn, the Standards Committee would be given new powers to investigate complaints locally. Additionally, the Standards Committee had a role in promoting and developing high standards of conduct, not only within the Herefordshire Council but also across the 136 town and parish councils. This has created responsibilities for the independent member in attending and chairing seminars for town and parish councillors.
- 4.4 The IRP agreed that a special responsibility allowance should be paid to the independent Chairman. The role was thought to be at least within Band 4 of the Scheme but it was considered did not fall within Band 3. The IRP was reluctant at this stage to disturb the current bandings of the scheme, which were clear and straightforward. They therefore propose that the office be placed in Band 3 bearing in mind the opportunity to review the position as the implications of the ethical framework unfolded. This would mean an allowance of £1,294 pa.
- 4.5 In relation to co-opted and other appointed non-elected members it was noted that in the main they attended committees out of interest or to represent a particular body or interest. There was therefore a contrast with the position of the independent chairman of the Standards Committee.
- 4.6 The IRP did not think it right to make a payment for attendance but did consider that co-optees should not be out-of-pocket. The IRP proposes that they should be able to claim travel and subsistence allowances and dependants' carers' allowance on the same basis as Members of the Council. They have requested that the Dependant Carers' allowances currently payable should be examined to ensure that they remained in line with payments elsewhere.

5. Travel and Subsistence Allowances

- 5.1 The IRP were advised that to date the Secretary of State had set maximum levels for travel and subsistence allowances although these had been unchanged since 2000. The current rates for travel and subsistence allowance for Members and those approved duties which attract an allowance are set out at Appendix 2.
- 5.2 The IRP considered three options for determining car allowances: increasing the former Government set rates in line with inflation; providing the same allowances for Members as for staff, or standardising on the single rate used by the inland revenue for all business mileage.

5.3 The IRP considered that the simplest and best approach was to standardise on the single rate used by the Inland Revenue for all business mileage. This is currently:

- Up to 10,000 miles per annum – 40p per mile
- Over 10,000 miles per annum – 25p per mile

deducting home-work from journey made home-site.

5.4 It supported payments in line with those currently being proposed for employees for travel by motorbike, moped or cycle as follows:

- 16.3p per mile in respect of motorbikes
- 11.11p per mile in respect of mopeds
- 6.3p per mile in respect of cycles

5.5 In relation to subsistence allowance it was noted that it was being proposed that payments for employees would be a reimbursement of actual expenditure, not an allowance, so receipts had to be provided.

5.6 The IRP agreed that this approach should also be adopted for Members, on the basis that reasonable expenses evidenced by receipts should be paid.

5.7 In relation to overnight accommodation it was reported that this was allowable for employees at the discretion of their manager but not in excess of three star accommodation or equivalent. It was suggested that in the case of Members this would often be likely to involve staying in London and, given the accommodation situation there, consideration might need to be given to setting a financial limit.

5.8 The IRP considered that the simplest and best solution was to pay overnight accommodation expenses where this was necessary for three star accommodation or equivalent, evidenced by receipts.

6. Members' Pensions

6.1 The IRP were asked to consider whether or not the Council should allow Councillors to have access to the Local Government Pension Scheme (LGPS).

6.2 They were advised that the new arrangements would apply only to those councillors whose duties required them to spend the bulk of their working time on council business. This was to compensate them for pensionable benefits which they might otherwise lose because of the time they spend on their public duties.

6.3 It was noted that a Government consultation paper had set out the process to be followed in determining which local authority members should receive pension remuneration as follows:

- (a) When making recommendations on a local authority's allowances scheme for the coming year, an IRP should include recommendations on which member positions would involve a sufficient time

commitment and level of remuneration to warrant pensionable remuneration from the LGPS.

- (b) The council considers the IRP's recommendations and decides which of the recommended member positions are appropriate for pensionable remuneration through the LGPS. The council may not regard all recommended positions as eligible for pensionable remuneration but they cannot deem any position as eligible without a prior IRP recommendation to that effect; and
 - (c) Any member or elected mayor determined to be eligible for pensionable remuneration through the LGPS will then decide whether they wish to make a contribution to the LGPS.
 - (d) IRP's should now have amongst their memberships at least one member with knowledge of the operation of pension schemes.
- 6.3 Given the criteria set out above, the IRP was advised that it was not considered appropriate to recommend that councillors only in receipt of the Basic Allowance should qualify for a Local Government Pension. The IRP therefore considered which, if any, of the councillors who qualify for a Special Responsibility Allowance should be considered as eligible to join the Local Government Pension Scheme.
- 6.4 The IRP was concerned by the potential administrative complexity and cost of the exercise. It considered that in Herefordshire only the office of Leader of the Council would possibly qualify. It observed that a pension was part of setting a remuneration package and that this had been taken into account in setting the special responsibility allowance for the Leader. There was no evidence of a desire on the part of Members to have access to the LGPS. Neither did the current age profile of Members suggest a need to recommend access to the Scheme. It suggested that if Members expressed a wish to join the Scheme and if the age profile were to change in future the matter could be reviewed.

7. Recommendations

- a. that the IRP's previous approach to an Allowances Scheme for Members as revised in this Report be agreed;**
- b. that a special responsibility allowance be paid to the Independent Chairman of the Standards Committee, placing the office in Band 4 of the Scheme;**
- c. that co-optees and other appointed non-elected members should be entitled to claim travel, subsistence and dependants' carers' allowances on the same basis as members of the Council;**
- d. that car allowance for Councillors should be at the single rate used by the Inland Revenue for all business mileage;**
- e. that the allowance for travel by motorbike, moped or cycle should be at the following rates:**
 - 16.3p per mile in respect of motorbikes**
 - 11.11p per mile in respect of mopeds**

- **6.3p per mile in respect of cycles**
- f. **that subsistence allowances for Councillors be paid on the basis of actual reasonable expenditure evidenced by receipts;**
- g. **that overnight accommodation expenses where this was necessary be paid for three star accommodation or equivalent, evidenced by receipts; and**
- h. **that no Councillor be considered eligible to join the Local Government Pension Scheme at this stage and the matter kept under review.**

MEMBERS' ALLOWANCES SCHEME - 2003/04

The Members' Allowances Scheme was approved by Council on 8th March, 2002. Allowances have been updated in line with the annual N.J.C. for Local Government Services pay award.

- Basic Allowance per Member £5,827.
- A scheme of Special Responsibility Allowances with five bands be established with the post of Leader of the Council in Band 1 with a Special Responsibility Allowance of £25,875 per annum, and other offices assigned to Bands and remunerated at set proportions of the Leaders rate as shown below:

Band 2	Cabinet Members, Chairman of Strategic Monitoring Committee	£10,350
Band 3	Chairman of Council, Deputy Leader, Chairmen of: Planning Committee & Scrutiny Committees	£7,762
Band 4	V-Chairman of Council, Chairman of Regulatory Committee, Chairmen of Planning Sub-Committees, Group Leaders	£1,294
Band 5	Chairmen of Local Area Forums	£517

- That in addition to the flat rate Group Leader's Allowance of £1,294, there should be a payment of £114 per member of the Group to reflect the different level of responsibility dependent on the size of the group.
- That Special Responsibility Allowance should be in addition to Basic Allowance.
- That, with the exception of Group Leaders Allowance, only one Special Responsibility Allowance should be payable per Member.
- That a Childcare and Dependant Carers Scheme be established payable for eligible duties where costs are incurred in the care of children aged 16 or under and in respect of other dependants where there is medical or social work evidence that care is required, and where the work claimed for has been undertaken by persons other than family members resident in the household; with all claims evidenced by receipts and maximum hourly rates of £5.18 for childcare and £10.35 for the care of other dependants.

Travel and subsistence allowance

The Council uses the DETR rates for Members' travel and subsistence allowances. These rates are reviewed and, if necessary, increased annually. The rates at present are

Travel Allowance

Not exceeding 999cc	999cc – 1199cc	Exceeding 1199cc
34.6p/mile	39.5p/mile	48.5p/mile

Subsistence Allowance

Day Subsistence

If a Member is away from their normal place of residence for more than 4 hours on a Council-approved duty and a meal is not being provided, they are entitled to claim:

- Breakfast Allowance - £4.92
- Lunch Allowance - £6.77
- Tea Allowance – £2.67
- Evening Meal Allowance - £8.38

Overnight Subsistence

In the case of absence overnight from the usual place of residence, where accommodation/subsistence is not included in the conference rate, the current rate is **£79.82**. For such an absence in London or for attending one of the approved conferences (e.g., Local Government Association), the rate is **£91.04**.

In the event that VAT receipts are obtainable, then the Council will be able to reclaim the VAT element of the bill. The receipt should, therefore, be attached to the relevant monthly claim form.

Travelling by train

If Members wish to travel by train whilst on Council duty, they may do so. If you require a rail warrant then this can be obtained from Members' Support. Alternatively money can be reclaimed on production of a proper receipt for the journey.

The Council's policy on rail travel is that **all** Members will travel Standard Class unless:

- When it is necessary to sit with others who are travelling First Class.
- There is a requirement to study papers and work on, a lap top computer.
- Travelling on peak time trains where a seat in Standard Class is not guaranteed.

If you wish to travel by First Class, approval by the County Secretary and Solicitor is required.

To book you rail tickets, contact Members' Support on 01432 260201.

Travelling by taxi/public transport

Members can claim for use of public transport on at cost basis. Where travel by bus is practicable bus rates will be paid. Taxi fares may be claimed where bus/train travel is not practical. Receipts will be required.

**REPORT OF THE ANNUAL MEETING OF
WEST MERCIA POLICE AUTHORITY
HELD ON 20 MAY 2003**

Chairman and Vice Chairman

1. At the Annual Meeting of the Authority held on 20 May 2003 Mr R M Forster (Independent member, Telford) and Mr P Deneen (Magistrate member, Ross on Wye) were appointed Chairman and Vice Chairman respectively for the ensuing year.

Retirement of Members

2. The Authority placed on record its appreciation of the service to the Authority of the following members who had recently retired.

3. Mrs J H Thomas (Ross on Wye) was appointed to the Authority in 1993 as a representative of firstly Hereford and Worcester and then Herefordshire County Councils and was Chair during 2002/2003 and for six months during 2001/2002 when the Chairman was unwell. Mr Brian Watkins (Weobley) was appointed as an independent member in 1994 and served as Chairman of the Authority from 1998 to 2002.

4. Mr Peter Kelly (Shrewsbury) was also appointed in 1994 as an independent member and was Chairman of the Best Value and Stewardship Panel from 2000 to 2003 and the Shropshire Community Policing Board 2002/2003. Mr David Stevens (Hereford) was appointed an independent member in 1999 and was Chairman of the Herefordshire Community Policing Board from 2001 to 2003.

Appointment of Members

5. The following people have been appointed as independent members of the Authority for the four-year period commencing 1 April 2003:

<i>Mr P Dunford</i>	<i>Goodrich, Herefordshire</i>
<i>Mr R M Forster</i>	<i>Telford</i>
<i>Ms K Pready-James</i>	<i>Shrewsbury</i>
<i>Dr G Nathan</i>	<i>Redditch</i>

6. The Herefordshire and Telford and Wrekin Councils held elections on the 1 May 2003 and the three existing councillor members on the Authority ceased to be members at that date. At the time of the Authority's meeting on 20 May 2003 the names of the three councillor members to serve on the Authority to the next elections were not known. The appointments will be made by a Joint Committee of the four relevant authorities (Herefordshire, Shropshire, Telford and Wrekin and Worcestershire).

Appointment of Chief Constable

7. Mr Paul West has been appointed Chief Constable with effect from 1 August 2003. Mr West was previously Deputy Chief Constable with the Thames Valley

Police and succeeds Mr Peter Hampson who was appointed Director General of the National Intelligence Service in February 2003.

Questions on Police Matters at Council Meetings

8. The Authority is required to nominate a member to answer questions on the discharge of the functions of the Police Authority at meetings of the relevant councils and the following members were appointed for 2003/2004:

Herefordshire Council	<i>To be appointed</i>
Shropshire County Council	Mrs M E C Winckler
Telford and Wrekin Council	<i>To be appointed</i>
Worcestershire County Council	Mr P D Wicksteed

Police/Community Consultative Groups (PCCGs)

9. The Authority has appointed the following members to attend meetings of PCCGs during 2003/2004.

Bridgnorth	Margaret Winckler
Bromsgrove	Dilip Thakrar
Bromyard and District	Alan Thompson
Droitwich Spa	John Cairns
Evesham and Pershore	John Cairns
Hereford	Peter Dunford
Herefordshire Rural	Paul Deneen
Kington	<i>To be appointed</i>
Kidderminster	Dan Wicksteed
Leominster	<i>To be appointed</i>
Malvern	Jennette Davy
North Shropshire	Bob Forster
Redditch and District	Girija Nathan
Shrewsbury	Bill Morris
South Shropshire	Kate Pready-James
Telford and Wrekin	Arul Selvaratnam
Worcester	Alwyn Davies

Performance 2002/2003

10. The Authority received a report on the projected Performance Indicators out-turn figures for 2002/2003. The final results will be included in the Authority's Annual Report which will be published in September 2003. A summary of the main comments is shown below.

Service Delivery

- There have been 6239 domestic burglaries this year (2002-03) compared to 6037 over the same period of last year, 2001-02. This reflects changes in the counting rules and recording methods. Domestic burglary detection rates have improved from 17.8% to 20.1% for the same period of last year.

- There have been 728 robberies in 2002-03 compared to 667 over the same period of last year. However, the trend over the current year has been for reducing levels of robbery. Robbery detection rates have fallen slightly in 2002-03 with 25.4% compared to 27.4% in 2001-02.
- The force is continuing to meet its target for the number of vehicle crimes. The vehicle crime detection rate for 2002-03 is 12.88%. Although this narrowly misses the target of 13% it is a vast improvement on the last year's detection rate of 9.04%.
- The force has exceeded its target in relation to the number of violent crimes by 2500 crimes. The detection rates have improved from 60.49% to 67.23% for the same period last year, and the target is being achieved.
- The number of road traffic collisions involving death or serious injury has improved from 758 to 661 for the same period last year.

Quality of Service

- Of 20872 notifiable offences, 16397 were detected and a person then charged, reported for summons, cautioned or had the offence taken into consideration by the courts.

Fair Access

- The force is performing particularly well in relation to the % of racially aggravated crime detected. This year the force detected 51.06% of racially aggravated crimes compared to 40.52% for the same period last year.
- The force has failed its target in relation to the number of repeat victims of domestic violence. This year 39.54% were repeats compared to 38.23% last year.

Local Indicators

- The force has met its targets in relation to the % 999 calls answered in target time, % of recorded crime detected, number of public order incidents and % rural incidents responded to in target time.
- The force has not achieved its targets in relation to % non-999 calls answered within target time, number of recorded crimes and % urban incidents responded to in target time. However, all of these indicators were within 2% of their targets (based on actual numbers).
- The target of detecting 32% of crimes has been achieved and the total number of crimes detected was 33,707. This compared with a detection rate of 29% in 2001/2002 and the Authority has congratulated the Chief Constable on the force's performance.

11. The full performance figures will be assessed by the Authority and will be used to help inform the budget debates later in the year.

Capital Programme

12. The feasibility studies for the development of the new Divisional Headquarters in *Hereford* and *Shrewsbury* have been completed and a presentation on the various options has been received.

13. The financial implications are substantial and a separate report will be required to identify the best way of financing the preferred options. This will be considered during the summer and it is intended that the Police Authority will consider any Capital Programme proposals at its meeting on 23 September 2003.

14. Approval has been given to the construction of a new police station at *Bromyard* during 2003/2004 ahead of the replacement *Peterchurch* station. This decision was taken because it was considered that the existing condition of the Bromyard station warranted earlier replacement.

Budget 2003/2004

15. In agreeing the budget for 2003/2004 the Authority felt unable to set a precept sufficient to deliver all of the Chief Constable's proposals. These included a package referred to as 'Option 3 – Improving the Service Plus' that would have cost an additional £2,019,000. The Authority decided to include £365,000 within the budget to fund part of the Option 3 proposals and has agreed that the following should be implemented.

- *Support to Operational Policing by increasing the capacity of Criminal Justice resources, including updating and validating data held on the Crime Recording System and Police National Computer.*
- *Resources for proactive key operations aimed at target criminals, including the restructuring of the Fingerprint Bureau, appointment of a Forensic Investigator and an Intelligence Analyst.*
- *Interacting with the public in a better way and increased police officer availability by releasing one police officer per division for operational duties.*
- *Implementation of Best Value Reviews which require additional resources to drive up performance in Firearms Operation, a Misconduct Officer relating to crime and enhancement of communication and Public Safety Campaigns*

Recruitment of Officers

16. The Authority received a report on the appointment of the additional 300 police officer posts, which were approved in the 2002/2003 budget. At the time that decision was taken in February 2002 the police officer strength was 2020 and as at 1 April 2003 it had increased to 2342. A further 65 officers are signed up to commencement dates over the next few weeks and by June 2003 the 'Be Somebody Campaign' will have resulted in the recruitment of 477 new officers.

17. The Authority has congratulated the Chief Constable and his staff on this excellent achievement and are pleased to also report the appointment of a further 37 Community Support Officers.

Best Value Reviews

18. The Authority has approved the completion of the Best Value Review of Crime and Safety, which covered Major Crime, Force Crime Squad, Economic Crime Unit, Intelligence & Covert and Crime & Disorder Reduction.

19. The review resulted in a large number of options, the majority of which had little or no cost implications. The more significant items were highlighted to the Authority and work will now commence into categorising the cost implications with the intention of highlighting those that cannot be accommodated within the existing base budget. Those growth items will feed the annual financial planning process, which culminates in the preparation of the draft budget in late December and early January when details of the level of government grant are announced.

Stop and Search

20. The Government has issued a new Code of Practice that governs the police use of stop and search. The Code has been revised to reflect recommendations in the Lawrence Report and subsequent Home Office research. It makes important changes to people's rights and should have significant implications for police use of stop and search, in particular:

- the Code abolishes so-called "voluntary" searches;
- it gives tighter guidance on what constitutes "reasonable suspicion" and makes clear that a person's age, race, appearance etc. cannot alone constitute such reasonable suspicion. Officers must also give the person searched an explanation of the grounds for their reasonable suspicion;
- it encourages stop and search to be used in a focused, intelligence-led way;
- officers are expected to make a record of the search at the time and give this to the person immediately, unless there are exceptional reasons which make this wholly impractical;
- records will include the self-defined ethnicity of the person searched in accordance with the 16+1 monitoring system (classification scheme which provides 16 categories – e.g. White/Mixed/ Asian/ Black/ Other – plus where not stated); and
- police authorities, with their forces, are required to make arrangements for members of their communities to scrutinise stop and search data and explain the use of the powers to local people.

21. The new Code does not include the recording of all stops as recommended in the Lawrence Report but instead this recommendation is being implemented on a phased basis starting in seven years, including North Wales and the West Midlands.

22. A national training package has been arranged for all police officers and the Authority has a role in monitoring and analysing the records of stops and searches and ensuring that communities are aware of their rights when stopped and search. The Association of Police Authorities has produced publicity material, which has been distributed to each police division in West Mercia for local distribution. Copies are also available from the Clerk to the Police Authority and from the following website www.apa.police.uk.

Race Equality Scheme

23. The Constabulary's Race Equality Scheme (RES) was launched in November 2002 and the Authority has considered the strategy and action plan, copies of which are available on the Internet (www.westmercia.police.uk) or from the Clerk to the Authority.

24. The Constabulary has a duty to actively promote equality of opportunity for all employees and equality of service delivery to all its communities. The Authority will receive regular reports on the Constabulary's progress in implementing the action plan.

Freedom of Information Act

25. The Freedom of Information Act introduces a legal right of access to information held by public bodies. The Act encourages openness and accountability, which promotes good performance and propriety. The Authority and Constabulary have each adopted a publication scheme that sets out how information will be published and whether there will be a charge for information requested. The publication scheme will be in place by the end of June 2003. The schemes are monitored and enforced by the Information Commissioner.

Complaints against the Police 2003/2004

26. 357 complaints were recorded for the period 1 April to 31 March 2003 and these included oppressive behaviour, failures in duty and incivility. Out of this total 185 were finalised with 120 being informally resolved; 21 withdrawn, 40 waived, three unsubstantiated and one substantiated.

27. In total 376 complaints were completed during the period of which 23 were substantiated and 81 were unsubstantiated.

28. The Authority noted that there had been five racial complaints recorded, one of which had subsequently been withdrawn, one informally resolved, two were Sub Judice and one was currently under investigation.

29. During this period the force received 1,930,447 calls for assistance, 142,665 of which were '999' calls. In addition the following took place:

<i>Burglaries</i>	48,873
<i>Violent Crime</i>	128,774
<i>Thefts of Motor Vehicles</i>	64,944
<i>Thefts from Motor Vehicles</i>	63,787
<i>Arrests*</i>	15,607
<i>Serious Road Accidents**</i>	536
<i>Fatal Road Accidents **</i>	89
<i>Screening Breath Tests**</i>	2745
<i>Positive or Refused Breath Tests**</i>	439

* figures for period 1 April to 31 December 2002

** figures for period 1 April 2002 to 28 February 2003

Assaults on Police Personnel

30. During 2002/2003 there were ten assaults on police personnel, which led to serious injuries and 235 minor injuries.

Sponsorship 2002/2003

31. West Mercia received sponsorship to the value of £71,000 in 2002/2003, which represents a decrease of £4,600 over the 2001/2002 figure of £75,600.

Police Property Act 1897

32. Under the Police Property Act 1897 seized property can be retained and used for police purposes. During 2002/2003 a number of items were retained relating to IT equipment, videotapes, stationary and bolt croppers.

Police Use of Lethal and Less Lethal Weapons

33. The Government has published a draft Code of Practice on police use of firearms and less lethal weapons. The Code sets out the basic principles in relation to the selection, testing, acquisition and use of firearms and less lethal weapons by the police. It also includes standards of competence, accreditation and operational practice; encourages good practice; continues the development and improvement of police responses to potentially violent situations; and police management of conflict.

34. The timescale for comments was tight and the Association of Police Authorities (APA) prepared a corporate response on behalf of all police authorities. The APA empathised that it is important that the code covers police authority responsibilities for oversight and representing the interests of local communities as well as future responsibilities for health and safety. The APA also commented that the term 'less lethal' weapons was not ideal and other alternatives, which may be more understandable to the public, should be considered.

Signed on behalf of the
West Mercia Police Authority

R M Forster
Chairman

Further Information

Any person wishing to seek further information on the subject matter of this report should contact David Brierley or Ian Payne on Shrewsbury (01743) 344314

List of Background Papers

In the opinion of the proper officer (in this case the Clerk of the Police Authority) the following are the background papers relating to the subject matter of this report:

Agenda papers for the Annual Meeting of the West Mercia Police Authority held on 20 May 2003.

