

COUNTY SECRETARY AND SOLICITOR
Committee Services

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: MR/CD

Please ask for: Mrs. C. Dyer

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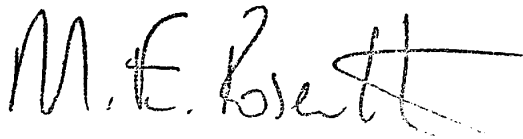
E-mail: cdyer@herefordshire.gov.uk

30th October, 2003

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the meeting of the County of Herefordshire District Council to be held on **FRIDAY, 7TH NOVEMBER, 2003** at Brockington, 35 Hafod Road, Hereford at **10.30 a.m.** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely,



M.E. ROSENTHAL
COUNTY SECRETARY AND SOLICITOR

A G E N D A

Council

Date: **Friday, 7th November, 2003**

Time: **10.30 a.m.**

Place: **Brockington, 35 Hafod Road,
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*

**Tel: 01432 260222, e-mail:
cdyer@herefordshire.gov.uk**

**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Council

To: All Members of the Council

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|--|-------|
| 1. PRAYERS | |
| 2. APOLOGIES FOR ABSENCE
To receive apologies for absence | |
| 3. DECLARATIONS OF INTEREST
To receive any declarations of interest by Members in respect of items on this Agenda | |
| 4. MINUTES
To approve and sign the Minutes of the meeting held on 25th July, 2003. | 1 - 6 |
| 5. CHAIRMAN'S ANNOUNCEMENTS
To receive the Chairman's announcements and petitions from members of the public. | |
| 6. QUESTIONS FROM MEMBERS OF THE PUBLIC
To receive questions from members of the public. | |
| 7. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS
To receive any written questions. | |
| 8. NOTICES OF MOTION UNDER STANDING ORDERS
The following Notice of Motion has been submitted by: Councillors T.M. James, A.C.R. Chappell, Mrs. P.A. Andrews, W.J. Walling, W.L.S. Bowen, B. Ashton, and J.W. Newman: | |

"That this Council, bearing in mind that it represents one of the counties with the lowest household income in England, wishes it to be made clear to the Cabinet hat its proposal to increase car parking charges by a figure many times the rate of inflation and in some cases as much as 100% and do so without any meaningful consultation with the communities affected, is unacceptable.

It therefore instructs that the Cabinet and the relevant Cabinet Member withdraw this proposed scheme until full meaningful consultation has taken place with the relevant parish, town and city councils, trade organisations and general public.

It further wishes to make it clear that any increase above the current annual rate of inflation is totally unacceptable to this Council. It further instructs that a working party be established representing all affected groups to discuss any changes to the current scheme and make recommendations."

The Chairman has ruled that the motion be not accepted and that, under Standing Order 4.26.9, the matter be dealt with during debate on the Cabinet Report at item 10.1(ii).

Note: Under Standing Order 4.21.2 any motion concerning a matter which is wholly a responsibility of the Executive (as is the case here) shall propose no action other than to request the Cabinet or relevant Member to consider the matter.

9. CABINET	To receive the report and to consider any recommendations to council arising from the meetings held on 21st August, 4th and 25th September and 9th and 23rd October, 2003.	7 - 20
10. REGULATORY COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meetings held on 29th July and 14th October, 2003.	21 - 24
11. STATUTORY ACCOUNTS COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 19th September, 2003.	25 - 26
12. PLANNING COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 3rd October, 2003.	27 - 28
13. STANDARDS COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 10th October, 2003.	29 - 30
14. STRATEGIC MONITORING COMMITTEE	To receive the report and to consider any recommendations to Council arising from the meeting held on 13th October, 2003.	31 - 38
15. COUNCILLOR REV. D.C. SHORT, MBE - ST NICHOLAS WARD: LOCAL GOVERNMENT ACT 1972 - SECTION 85	To take the precaution of granting Councillor Short leave of absence until the next meeting of Council in case he is unable to attend a meeting prior to 16th December, 2003.	39 - 40
16. ELECTORAL MATTERS	To note the outcome of the Electoral Pilot Scheme undertaken at the elections held on 1st May, 2003 and receive a report on two consultation papers by the Electoral Commission.	41 - 44
17. WEST MERCIA POLICE AUTHORITY	To receive the report of the meeting of the West Mercia Police Authority held on 23rd September, 2003 Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority.	45 - 50
18. HEREFORD AND WORCESTER COMBINED FIRE AUTHORITY	To receive the report of the meetings of the Hereford and Worcester Combined Fire Authority held on 16th June, and 2nd and 25th September, 2003.	51 - 56

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:

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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.

COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL

BROCKINGTON, 35 HAFOD ROAD, HEREFORD.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

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Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

MINUTES of the meeting of Council held at The Assembly Hall, The Shirehall, Hereford. on Friday, 25th July, 2003 at 10.30 a.m.

Present: Councillor P.E. Harling (Chairman)
Councillor J.W. Edwards (Vice Chairman)

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

16. PRAYERS

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

17. APOLOGIES FOR ABSENCE

Apologies were received from Councillors A.C.R. Chappell, Mrs. C.J. Davis, Mrs. R.F. Lincoln, Mrs. J.E. Pemberton, D.W. Rule and D.C. Short.

18. DECLARATIONS OF INTEREST

Councillors G.V. Hyde and T.M. James both declared a prejudicial interest in Agenda Item 9(b) 1.1(ii) Procurement of Contract Services.

19. MINUTES

RESOLVED: That the minutes of the annual meeting held on 23rd May, 2003 be approved as a correct record and signed by the Chairman.

20. CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the Malvern Hills Conservators had been recognised by English Nature for their outstanding management of the Malvern Hills Site of Special Scientific Interest. He undertook to write to the Chairman and Director congratulating them on their achievement.

He also congratulated those colleagues and friends across the County who had recently been honoured by Her Majesty the Queen on the occasion of her birthday. He paid tribute to the Council's previous Vice-Chairman Mrs. Joyce Thomas and Clare Wichbold who had earlier been awarded Public Servant of the Year for her work following the foot and mouth crisis. They had both received MBEs.

The Chairman presented a petition containing 6000 signatures, calling for a replacement pool for North Herefordshire, to the Cabinet Member (Community and Social Development).

21. QUESTIONS FROM MEMBERS OF THE PUBLIC

Under the Constitution a member of the public can 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 the question is deposited with the County Secretary and Solicitor more than six clear working days before the meeting. No such questions had been received.

22. QUESTIONS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS

No questions had been received.

23. NOTICES OF MOTION UNDER STANDING ORDERS

Councillors P.J. Dauncey and B. Hunt had given notice of the following motion:

"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."

Urgency was not moved and the motion stood referred to Councillor R.V. Stockton, Cabinet Member (Community and Social Development).

Councillors J.P. Thomas and Brig. P. Jones, CBE had given notice of the following motion.

"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."

The motion was withdrawn.

24. CABINET

The Leader of the Council, Councillor R.J. Phillips presented the report of the meetings of Cabinet held on 12th and 19th June and 10th July, 2003 and the supplementary report of the meeting held on 17th July, 2003. He advised that questions on the Members' Allowances Scheme would be dealt with at Agenda Item 13 - report of the Independent Remuneration Panel.

Main Report

In relation to Item 9.1(ii) - Herefordshire Unitary Development Plan (UDP) - Handling The Response - following a request that Councillor Fleet, the Chairman of the Central Area Planning Sub-Committee be included as a member of the Member Working Group set up to consider representations on the deposit draft Unitary Development Plan the Leader indicated that he was prepared to accept a reference back to enable further consideration to be given to the issue of membership. The Cabinet Member (Environment) assured Council that all Members would be consulted by the Working Group when issues specific to their wards were being considered.

In relation to Item 9.1(iv) - Integrated Waste Management Contract - in response to a request for an update the Leader reminded Council that this matter had been dealt with in confidential session because it contained commercially sensitive information. The current joint PFI contract with Worcestershire County Council was based on continued use of landfill situated within Worcestershire, pending establishment of recycling and the provision of an energy from waste plant involving incineration. The failure to establish the intended incineration capacity made the current contract with its dependence on landfill unsustainable in the long term. New methods of disposal were continuing to be investigated and the standby date in the contract was currently extended to September 2003.

In relation to Item 13.1(ii) - Joint Review of Social Services for Herefordshire - Councillor T.M. James congratulated the former Cabinet Member (Social Care) Councillor Mrs. Bew and the former Chairman of the Social Care and Housing Scrutiny Committee, Councillor Mrs. Barnett together with Mrs. Fiennes, the Director of Social Care and Strategic Housing and her staff for the work undertaken over the previous year which led to a very positive report. Councillor Mrs. Bew registered her appreciation of the support she had enjoyed from the Social Care staff and from Councillor Mrs. Barnett in her previous role as Chairman of the Scrutiny Committee. Councillor Mrs. Barnett, in turn, acknowledged the work carried out by Councillor Mrs. Bew and looked forward to continuing co-operation with her in their new roles.

Supplementary Report

In relation to Item 1.1(i) Herefordshire Matters - in response to a question, the Leader took the opportunity of advising Council that Local Area Forums had not been disbanded but were not sitting pending completion of the review. He emphasised that engaging the public was vitally important but it must be done in a cost effective way. Some support was expressed for the continuance of Herefordshire Matters.

In relation to Item 2.1(i) Replacement Swimming Pool for North Herefordshire - Councillor J.P. Thomas welcomed Cabinet decision to provide a replacement swimming pool following the closure of the Sydonia Swimming Pool in March 2002. He said that the project enjoyed massive public support as evidenced by the numbers who had attended the demonstration in Leominster, signed the petition and attended the Council meeting. The Leader advised that the pool could be one of the most cost effective in the country, with the added benefit of bringing vitality back to Leominster. He agreed that it would match many of the ambitions of the Herefordshire Plan. The Cabinet Member (Community and Social Development) also thanked the public for their support, enthusiasm and goodwill and advised that the project should proceed as quickly as possible.

In relation to Item 3.1(i) - Edgar Street Grid Masterplan - In response to several questions, Councillor G.V. Hyde, Cabinet Member (Economic Development, Markets and Property) advised that mixed retail use was only one aspect of a scheme which covered a 100 acre site and that although some funding would be available from Advantage West Midlands for the redevelopment scheme considerable further sums were still needed. Introduction of retail uses would help the overall economic viability of the scheme. He confirmed that any scheme would be subject to the normal planning processes. Disquiet was expressed by some Members who feared that the City's cultural and historic aspects would suffer as a result of another supermarket being introduced. Councillor Hyde reminded Council that the proposed scheme was being used as a basis for further consultation and nothing was being ruled out at this stage. He acknowledged that further work needed to be done on various aspects, including a multiplex cinema which would depend on an operator being found, and

particularly on transportation issues. This would include opportunities to link rail, road and public transport systems. Particular care would need to be taken at the bottom of Aylestone Hill which already experience significant road difficulties. He agreed to let the local Member know how many members of the public had responded during the initial consultation exercise.

In answer to a further query about planning applications for other retail sites in the City he said it would not be possible to prejudge any planning applications at this stage and all would be dealt with on their merits.

The Leader said that it was rare for an historic city to get the opportunity to redevelop such a large and important site and the Council must ensure it made the most of that opportunity.

RESOLVED: That the reports of the meetings of Cabinet held on 12th and 19th June and 10th and 17th July, 2003 be received and the recommendations set out below be adopted:

- That**
- (a) the Best Value Performance Plan be approved;**
 - (b) the revised draft Constitution be approved subject to minor textual amendments; and**
 - (c) the membership of the UDP Member Working Group be reconsidered by Cabinet.**

25. REGULATORY COMMITTEE

Councillor R.I. Matthews presented the report of the meeting of the Regulatory Committee held on 17th June, 2003.

RESOLVED:

- That**
- (a) the report of the meeting of the Regulatory Committee held on 17th June, be received; and**
 - (b) Councillor Brig. P. Jones, be appointed Vice-Chairman of the Regulatory Committee for the ensuing Council year.**

26. STANDARDS COMMITTEE

Mr. Robert Rogers presented the report of the meeting of the Standards Committee held on 20th June, 2003. He thanked the members of the Standards Commission for their work. He also warned the Council that the developing role of the Committee could have a significant impact on its workload.

RESOLVED:

- That**
- (a) the report of the meeting of the Standards Committee held on 20th June, 2003 be received;**
 - (b) the Council be recommended to amend the Constitution by the deletion of paragraph 8.2 (The Standards Commission);**
 - (c) 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**
 - (d) one independent member and one parish/town councillor be added to the Committee.**

27. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meeting of the Strategic Monitoring Committee held on 7th July, 2003. Council noted a correction to paragraph 8 which should read "... two non-executive Councillors (one from the administration and one from the opposition) ..."

RESOLVED: That, subject to the alteration noted above, the report of the meeting of the Strategic Monitoring Committee held on 7th July, 2003 be received.

28. INDEPENDENT REMUNERATION PANEL

Council received a report on the findings of the Independent Remuneration Panel (IRP) which had met following the introduction of new regulations on Members' Allowances. The IRP reviewed the Council's existing scheme and considered the new powers provided to it. It recommended

- a. that the IRP's previous approach to an Allowances Scheme for Members as revised in the 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 dependant 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 - currently 40p per mile up to 10,000 miles per annum and 25p per mile over 10,000 miles per annum;
- 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 be kept under review.

In answer to a query about allowances for Vice-Chairmen, the Chief Executive advised that the Panel was aware of Members' views on this particular issue, but had taken account of guidance that the numbers in receipt of special responsibility allowance should not exceed 50% of the Council.

RESOLVED:

- That (a) the Panel be thanked for its work;**
(b) the revised Members' Allowances Scheme set out at (a) to (h)

- above be approved to take effect from 1st May, 2003 in relation to the Basic Allowances, and Special Responsibility Allowances to take effect from 23rd May, 2003 and otherwise from 1st September, 2003; and
- (c) the County Secretary and Solicitor give further publicity to the Scheme as required by regulation.

29. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meeting of the Planning Committee held on 17th July, 2003.

RESOLVED: That the report of the meeting of the Planning Committee held on 17th July, 2003 be received.

30. WEST MERCIA POLICE AUTHORITY

Councillor B. Hunt presented the report of the annual meeting of the West Mercia Police Authority held on 20th May 2003. He reminded Council that his appointment had been made only recently. He undertook to write to all Members letting them know about recent police recruitment and deployment in the County. Council noted that new police officers were now in place in South Wye and Ledbury. In response to a query about accident black spots, in particular on the A49, he agreed to pass the local Member's concerns to the Authority.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 20th May, 2003 be noted.

The meeting ended at 11.48 a.m.

CHAIRMAN

REPORT OF THE MEETINGS OF CABINET

HELD ON 21ST AUGUST, 4TH AND 25TH SEPTEMBER AND 9TH AND 23RD OCTOBER, 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 second report submitted to Council for the current year and covers proceedings of the meetings listed above.

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

1.1 There are no such decisions for the reporting period.

2. NOTICES OF MOTION

2.1 At the Council meeting held on 25th July, 2003, Councillors B. Hunt and P.J. Dauncey gave notice of the following motion:

"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."

Urgency was not moved and the matter stood referred to the Cabinet Member (Community and Social Development). An update on the latest developments regarding a replacement pool for North Herefordshire is expected to be considered by Cabinet at a meeting in November.

2.2 A further motion relating to the provision of a swimming pool for North Herefordshire, submitted by Councillors J.P. Thomas and Brig. P. Jones, CBE was withdrawn.

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

3.1 **Compulsory Purchase Order (CPO): A4103 Roman Road, Hereford** - Herefordshire Council proposes to reconstruct a section of the A4103 Roman Road, Hereford between the Tillington Road and Stretton Sugwas. The scheme is included in the Council's Local Transport Plan and is in advanced state of preparation. Planning consent was granted in September 2003. Negotiations for the land required to implement the scheme are under way but it now seems unlikely that all the required land will be acquired by agreement. To avoid delay to the current programme the Council needs to start the compulsory purchase process as quickly as possible. The Cabinet Member (Highways and Transportation) has therefore granted approval to invoke compulsory purchase powers to purchase any required land which cannot be acquired by agreement.

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

4.1 Report on Decisions Taken

- (i) **Approach to Revenue Budget 2004/05 - 2007/08** - The Council has tried over several years to refine the budget process to improve the build up not only of the annual revenue budget but the forward budget strategy of the Council. Cabinet has agreed to the following proposals:

That: (a) a Budget Panel should be appointed consisting of the Leader of the Council, the Chairman and Vice-Chairman of the Strategic Monitoring Committee and the four political group leaders, with no substitutes being permitted. Because both the Leader and the Chairman of the Strategic Monitoring Committee are also Group Leaders it has further agreed that the Leader appoint a further two members to the panel, neither of whom should hold a major service portfolio;

(Note: Councillors Mrs. J.P. French and Councillor R.I. Matthews have subsequently been appointed.)

- (b) a higher profile be given to the role of Cabinet Members in receiving representations from other Members of the Council on their own priorities for the revenue budget. That could either be in written form or by pre-arranged appointment;
- (c) a seminar be arranged for all Members of the Council immediately after the Secretary of State's announcement of the 2004/05 settlement;
- (d) Budget Panel report on its findings and make initial recommendations to Cabinet for consideration. It is important to restate that although the final budget will be determined by Council as a whole, responsibility for the recommendations on the budget ultimately lie with the Cabinet.
- (e) further consultation take place on Cabinet's initial proposals before these are finalised.

This would allow the Strategic Monitoring Committee to offer its views on the budget prior to Cabinet making its recommendation to the annual budget meeting of the Council in early March.

Cabinet has also recognised that it is important that the budget process does not concentrate solely on 2004/05. It has agreed that the Budget Panel should take into account the medium term financial planning needs of the Council both in terms of its capacity to finance the longer term programme and also in relation to the impact on services. The Budget Panel will therefore require spending needs to be addressed wherever practicable over a four year period.

- (ii) **Council Tax Consultation** - Cabinet has recognised the difficulty the Council faces when consulting the public on council tax and budget issues. It has agreed that consultation on Council Tax be undertaken through the continued

use of Herefordshire Voice (Citizens' Panel), focus groups drawn from the Citizen's Panel and Local Area Forums or some other form of open public meetings.

- (iii) **Balance of Funding Review** - Cabinet has approved a response to the Office of the Deputy Prime Minister (ODPM) following consultation on the Local Government Balance of Funding Review. In answer to a query the Chief Executive advised that the Council did not have the resources to respond in depth to all government consultations, preferring to concentrate its efforts on responding to those which would have a particular implication or impact on Herefordshire.
- (iv) **Herefordshire Council Improvement Plan - Monitoring Report** - The Council is required to have an Improvement Plan in place following the outcome of the Comprehensive Performance Assessment (CPA) and to implement appropriate monitoring arrangements. Cabinet has now received and agreed the first monitoring report. It has asked that future monitoring reports be modified to include appropriate 'milestones'.
- (v) **Revised Race Equality Scheme Action Plan** - Having expressed concern about the relatively slow progress against some elements of the original action plan considered in June 2003 Cabinet requested that a revised action plan and timetable be drawn up. It has now approved the revised action plan and timetable, subject to consideration being given to Induction Training for staff being implemented immediately rather than in accordance with the timetable proposed in the action plan. A progress report will be presented to Cabinet and Strategic Monitoring Committee in November/December 2003.
- (vi) **Parliamentary Constituencies - Revised Recommendations** - Cabinet has received the revised recommendations of the Boundary Commission for England in respect of the parliamentary constituencies within Herefordshire. The Commission is recommending a Hereford and South Herefordshire County Constituency to comprise 18 wards (Aylestone, Belmont, Central, Golden Valley North, Golden Valley South, Hollington, Kerne Bridge, Llangarron, Penyard, Pontrilas, Ross-on-Wye East, Ross-on-Wye West, St Martins and Hinton, St Nicholas, Stoney Street, Three Elms, Tupsley and Valletts); and a North Herefordshire County Constituency to comprise 22 wards (Backbury, Bircher, Bringsty, Bromyard, Burghill, Holmer and Lyde, Castle, Credenhill, Frome, Golden Cross with Weobley, Hagley, Hampton Court, Hope End, Kington Town, Ledbury, Leominster North, Leominster South, Mortimer, Old Gore, Pembridge and Lyonshall with Titley, Sutton Walls, Upton, and Wormsley Ridge). Cabinet has noted that the two parliamentary constituencies have been re-named; the external parliamentary constituency boundaries are now contiguous with the County boundary, the Golden Valley North and South Wards will now remain in the southern constituency and Backbury and Old Gore wards will now all be wholly in the northern constituency. Cabinet has decided not to recommend that the Council makes representations to the Boundary Commission.
- (vii) **Lifelong Learning Development Unit** - Following an inspection of the Council's Adult and Community Learning (ACL) provision, Cabinet has given its support to the Lifelong Learning Development Unit working with the Local Government Association and the local Learning and Skills Council to address

the constraints on a small rural-based Adult and Community Learning service in ensuring an equitable access to its services.

- (viii) **Recording Cabinet Decisions** - Cabinet has approved a revised method and format of recording its decisions. The Written Statement of Decision will now give details of Cabinet Members present when the decision was taken; the Cabinet Bulletins will be expanded, with provision being made for exempt information to be recorded in a Restricted Appendix and notes of Cabinet meetings will be discontinued. Cabinet has agreed that copies of all Written Statements of Decision will be sent to all Cabinet Members and Chairmen of Scrutiny Committees and the Vice-Chairman of Strategic Monitoring Committee as well as any Group Leaders not included in the above list.
- (ix) **Local Area Forums** - Following a review of Local Area Forums Cabinet has agreed a range of proposals as a framework for further development, subject to further consultation on the details of the proposals being undertaken with various interested parties. Subject to the outcome of the consultation, it has authorised the County Secretary and Solicitor to draft the necessary amendments to the Constitution for recommendation to a future meeting of the Council for approval. It has also proposed that Chairmen of the Local Area Forums should be appointed by the political Group Leaders and that the special responsibility allowance for those chairmen should be discontinued. It has asked that budgetary provision for Local Area Forums be identified in the next round of budget discussions.
- (x) **Hereford Markets Bill** - The Cabinet was informed that the Markets Bill has had its third reading and will be passed for Royal Assent on 30th October, 2003.

4.2 Report on Items of Interest

- (i) **Procurement of Contract Services** - The Council concluded its negotiations with Jarvis on 1st September, 2003. The new Herefordshire Jarvis Services Limited (HJS) is now responsible for undertaking most of the Council's printing and all its maintenance and repair work as well as construction projects up to the value of £200,000. Beyond that financial limit it will tender contracts competitively.
- (ii) **Treasury Management Activities 2002/03** - Cabinet has received a report on the Council's Treasury activities for the period 1st April, 2002 to 31st March, 2003. It has noted that:
 - (a) the maximum borrowing limits were not exceeded during the period;
 - (b) with regard to the transactions for the financial year 2002/2003, the cost of borrowing was within budget and the investment income was above the budget;
 - (c) the average rate for the debt portfolio fell during 2002/2003 by 0.2%;
 - (d) the return on investments managed by the County Treasurer's staff, marginally exceeded the index benchmark for 2002/2003; and
 - (e) the net return on externally managed funds exceeded the index benchmark for 2002/2003.

- (iii) **Audit Services Assurance Report 2002/03** - Cabinet has received a report on Audit Services activity during the year 2002/03. It has noted that a satisfactory level of control has been achieved. Cabinet has paid tribute to the internal Audit Services Team both for the work undertaken and the good working relationships it has fostered both within the Council and with our External Auditors.
- (iv) **Budget Monitoring 2003/04** - Cabinet has noted the position with regard to revenue budget monitoring for programme areas in 2003/04. Financial Regulations allow overspending of up to 2% of the Budget for individual programme areas subject to a 1% limit for the whole Council. The projected net overspending is just on the 1% limit. Appropriate action was being taken in respect of the projected overspend in Social Care. However, whilst some ground had been gained with the overspend on Property this was being adversely affected by the deficit on income from industrial estates. Careful monitoring and appropriate action where necessary will be undertaken to ensure the overall limit is not exceeded at the year end. The Cabinet Member (Social Care and Strategic Housing) has advised that whilst it was anticipated that the reduction in overspend on Social Care would be maintained, it would not be without a cost to service provision.
- (v) **Capital Programme Monitoring 2003/04** - Cabinet has noted the position as at 31st July, 2003 with regard to the Capital Programme for 2003/04. Only one major item of concern had been identified. This concerned the Education Capital Programme which included a scheme, funded by grant, for the Early Excellence Centre. This grant was conditional upon the expenditure being incurred by 31st August, 2003, which was not possible. A legal bond is being investigated with the DfES which will effectively commit the Council to the expenditure. The current capital monitoring forecast is that, subject to the Education bond issue, no conditional resources will be lost.
- (vi) **Revenue Budget 2004/05 - 2007/08 Budget Forecast** - Cabinet has noted a report on the latest resource forecasts for the revenue budget 2004/05 - 2007/08, in particular spending pressures relating to: waste disposal; job evaluation; revenue funding of existing commitments within the Capital Programme, as well as replenishing reserves.
- (vii) **LPSA Monitoring Report** - Cabinet has received a detailed analysis on the half term progress of the Council's Local Public Service Agreement (LPSA) targets. Overall performance is mixed and where there are problems these are generally due to the original stretched targets being particularly difficult to achieve, and to changes in the definitions of individual indicators. It has been agreed that progress reports be submitted to future meetings of Cabinet on a regular basis. It has been noted that failure to meet the agreed PSA targets will directly impact on the amount of Performance Reward Grant receivable in 2005/06 and 2006/07.
- (viii) **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) There were no decision taken during the reporting period.

5.2 Report on Items of Interest

- (i) **2003/2004 Corporate Performance Outturns** - The Council has developed revised performance monitoring arrangements as outlined in the Comprehensive Performance Self-assessment document submitted to the Audit Commission. The revised arrangements ensure that the Chief Executive's Management Team, the Strategic Monitoring Committee, Scrutiny Committees and Cabinet are all involved in the performance monitoring process. Cabinet has noted details of the Council's reporting and scrutiny arrangements in relation to the National Best Value Performance Indicators, and has received an update on corporate performance from 1st April to 31st July, 2003. It has expressed concern about indicators relating to housing benefit claims and their impact on vulnerable people within the County but has been reassured that processes for dealing with new claims are being addressed this year with those for renewals being dealt with next year. Although there was some concern about the low number of complaints being resolved at Complaints Officer level, it was advised that no complaints had been upheld at ombudsman level during the life of the Council.

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

6.1 Report on Decisions Taken

- (i) **Access to Services in Kington and Surrounding Areas: Wesleyan Chapel** - A report on this item is to be found at paragraph 11.1 (i) of this report.
- (ii) **County Sports Partnership** - Cabinet has received a report giving the outline received to date, of a proposal to help deliver a sport and physical activity scheme throughout the County through a County Sports Partnership. Cabinet heard that not to participate would, in effect, mean that the Council would have no mechanism for accessing funding from the Regional Sports Board (within Sport England). Although concerned by the lack of detail in the report, Cabinet has agreed that the Council joins the Worcestershire County Sports Partnership to deliver the sport specific initiatives for an initial trial period of twelve months to deliver Active Sports. It has asked that a review of the partnership be undertaken when the Regional Sports Board is in place.
- (iii) **Public Library Position Statement** - In previous years the Council has had a statutory requirement to submit an Annual Library Plan to the government. As part of the process to reduce the number of plans local authorities are required to prepare for central government, from 2003, the requirement is to submit a Position Statement, a substantially shorter document. The Position Statement will be used by the government to assess the progress being made on implementing the new national framework for public libraries. It has been noted that Herefordshire does not currently meet the key library standards

covering total and convenient opening hours; distance to travel; visitor numbers; books and media added to stock; but that performance against the first two should improve significantly with the opening of the new Bromyard Library in 2004. Cabinet has approved the Public Library Position Statement.

- (iv) **Voluntary Sector Grants** - Cabinet has approved the allocation of grants to the following organisations:

Citizens' Advice Bureau - £4,000

ECHO - £2,500

Herefordshire Voluntary Action - £2,500

Community Voluntary Action Ledbury - £1,000

The Cabinet Member is normally responsible for approving grants to voluntary sector organisations. However, as he had declared a personal interest in one of the organisations, the matter had to be referred to Cabinet.

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

7.1 Report on Decisions Taken

- (i) **Leominster Industrial Estate Access Road** - A new industrial estate access road is required to open up land and service a further 12 hectares (30 acres) of employment land to the south of the Leominster Industrial Estate in accordance with the Leominster District Local Plan. Negotiations commenced in 2000 to acquire the land required for the implementation of the scheme. A Compulsory Purchase Order and a Side Roads Order were made in Autumn 2001. Following a public inquiry in July 2002, the Order was confirmed by the Secretary of State in October 2002 and the remaining plots of land transferred to the Council's ownership in May 2003. Cabinet has authorised the Director of Policy and Community and the Director of Environment to let the construction contract for the scheme. The report was taken in confidential session.
- (ii) **Local Authority Business Growth Incentives (LABGI)** - LABGI is part of the Local Government Act 2003 which will "reward Councils which promote business development in their areas by allowing them to keep a proportion of their local business rates". Cabinet has agreed a response to the consultation and agreed that the Council should volunteer to be part of the administrative dry run once more detailed advice is received on the requirements. Cabinet recognised the need to consult with the Cabinet Member (Economic Development, Markets and Property) and the Cabinet Member (Rural Regeneration and Smallholdings) should the Council's offer to volunteer be realised.
- (iii) **River Wye Litigation** - Cabinet has received a confidential report from the County Secretary and Solicitor and has authorised her, in consultation with the Director of Environment, to settle the multi-party High Court Action concerning fishing rights in the River Wye, and to settle the adjourned High Court litigation concerning fishing and other rights connected with the River Wye with the Hereford and District Angling Association on substantially the terms previously agreed in principle by Cabinet.

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

8.1 Report on Decisions Taken

- (i) **Children's Centres** - One of the outcomes of a review of national childcare policy was the proposal to establish a Children's Centre in every area of disadvantage. A number of explicit targets were set for Herefordshire. A central target is that Children's Centres in the County should be developed in order to provide for at least 1044 children by 2007 in terms of services relating to early education and day care provision; parental outreach; family support services; child and family health services, including ante-natal services; support for parents/children with special needs; centres to act as service hubs for parents and providers of childcare services; and a base for childminder networks and a link to local neighbourhood nurseries, out of school clubs and extended schools; and to create an additional 50 childcare places. Cabinet has approved a strategy for the development of Children's Centres in Herefordshire, which would involve the provision of services specifically through the Leominster Family Centre, the Hunderton Family Centre and the Greencroft Early Excellence Centre, subject to further consultation.

- (ii) **Building Schools for the Future** - Cabinet has approved a bid to the DfES for inclusion in the first phase of the Government's initiative "Building Schools for the Future". Under the initiative all Local Education Authorities are expected to make bids for new building/refurbishment of all their secondary schools. Bids for an early phase of the national programme need to be made by the end of October 2003; decisions will be announced in December so that work could begin in 2005/06. Officers were reminded of the importance of taking account of age profile projections in providing schools in the future.

9. ENVIRONMENT
(Cabinet Member: Councillor P.J. Edwards)

9.1 Report on Decisions Taken

- (i) **Herefordshire Unitary Development Plan (UDP): Part 1 (Strategy)** - Cabinet has agreed that the UDP Group develop its recommendations to Cabinet and Council on the basis of the following considerations:

THAT (a) the UDP Group develop its recommendations on the basis of the following considerations, and report back to Cabinet and Council in due course:

- (i) Vision and guiding principles: affirming the role of the Plan in contributing to the ambitions of the Herefordshire Plan;

- (ii) Sustainable development (policy S1): confirming and clarifying the central role played by sustainable development in the Plan, setting out a clearer statement of the Plan's development strategy based on a sequential approach which incorporates the use of previously developed land and buildings;

- (iii) Development requirements (policy S2): taking a

precautionary approach to development in areas of flood risk by directing development to locations at lower risk of flooding, consistent with other sustainable development objectives;

- (iv) Housing (policy S3): confirming the overall total and distribution of housing development and the level of affordable housing sought, with a clearer statement of locational strategy in tandem with the changes recommended to policy S1;
- (v) Employment (policy S4): confirming the overall approach to the scale and location of new employment development;
- (vi) Town centres and retail (policy S5): clarifying the sequential approach and including reference to the requirement to demonstrate need;
- (vii) Transport (policy S6): including reference to the hierarchy of transport modes defined in the Local Transport Plan;
- (viii) Natural and historic heritage (policy S7): confirming the Plan's overall approach to environmental protection, including the landscape character assessment approach and the use of supplementary planning guidance;
- (ix) Recreation, sport and tourism (policy S8): continuing with Plan policies to balance development with environmental considerations;
- (x) Minerals (policy S9) and waste (policy S10): revising the Plan to take account of the revised national guidelines for aggregate provision and the scenarios for sand and gravel and crushed rock supported by Planning Committee 17 July, and the agreed Best Practicable Environmental Option for the management of waste (Cabinet 10 July);
- (xi) Community facilities and services (policy S11): including specific reference to education.

and

- (b) the membership of the UDP Group as considered by Cabinet on 12th June, 2003 be re-affirmed.
- (ii) **A Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire - pre-Consultation Draft** - Cabinet has endorsed the pre-consultation draft of the Joint Municipal Waste Management Strategy for Herefordshire and Worcestershire. A copy of the document is on deposit in the Members' Room.
 - (iii) **River Wye Litigation** - A report on this item is to be found at paragraph 7.1 (iii) of this report.

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

10.1 Report on Decisions Taken

- (i) **Leominster Industrial Estate Access Road** - A report on this item is to be found at paragraph 7.1 (i) of this report.
- (ii) **Car Parking Strategy and Charges** - On 9th October, 2003, the Cabinet Member agreed revised car parking charges across the County in accordance with the county-wide parking strategy. A copy of the schedule of individual charges for each car park is in the Members' Room. He also agreed that all car parks accepting commercial vehicles or coaches be subject to a 7.5 tonne gvw limit and revised the car park order for Ledbury car parks to require display of a "clock" by disabled users with free parking for disabled users limited to 3 hours in those car parks for which charges apply. This decision was called in and considered by the Environment Scrutiny Committee on 21st October, 2003. The Committee resolved:

that the Cabinet Member (Highways and Transportation)'s decision on car parking charges be referred back to him for further consideration with the following recommendations: that

- "(a) as Councillors the Committee are well aware of their financial responsibilities but are still unhappy with the proposed charging structure and the Cabinet Member is therefore asked to revisit the individual charges being mindful of the overall goal, and accordingly charges be retained at the levels existing as at 8th October, 2003 pending further consultation and collaboration with members of the Council and other appropriate representative bodies; and*
- (b) a full review of the car parking strategy be undertaken and arrangements for this be put in hand as soon as practicable."*

The Cabinet Member referred the matter to Cabinet who considered it at its meeting on 23rd October, 2003.

Cabinet noted a correction to the proposed one hour charge for Greyfriars car park in Hereford City reducing it from £1.00 to 80p.

Cabinet has confirmed the Cabinet Member's original decision summarised in paragraph (ii) above, subject to ongoing consultation, agreed that revised charges be introduced from early 2004 and agreed that a full review of the car parking strategy be undertaken and arrangements for this will be put in hand as soon as is practicable.

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

11.1 Report on Decisions Taken

- (i) **Access to Services in Kington and Surrounding Areas: Wesleyan Chapel** - Cabinet has received a progress report on the possible refurbishment and conversion of the Wesleyan Chapel for use as a Library, INFO shop and associated community and business services as agreed in March, 2003, subject to a viable Business Case being reported to Cabinet. It has agreed that further development work should be undertaken and to this end officers have been authorised to establish a partnership-based project team to establish funding, and develop and implement the scheme in line with previous recommendations of Cabinet.
- (ii) **Implementing Electronic Government (IEG) Statement** - Cabinet has approved the Implementing Electronic Government Statement 2003. This is the third year that the Council has been required to submit an IEG statement to central government to set out how it will achieve improvements on customer focused services underpinned by information technology. To date £200,000 has been allocated as a result of submitting the IEG statements and it is assumed that a similar sum will be awarded next year.

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

12.1 Report on Decisions Taken

- (i) **Local Authority Business Growth Incentives (LABGI)** - A report on this item is to be found at paragraph 7.1(ii).

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

13.1 Report on Decisions Taken

- (i) **Children's Centres** - A report on this item is to be found at paragraph 8.1 (i) of this report.
- (ii) **Extra Care Housing** - Cabinet has received a report on the proposed development of an Extra Care Housing scheme within Hereford City on the site of the former Council-owned nursery in Ledbury Road, which is currently leased for a limited two-year period to Unity Gardens. It was emphasised that the report was seeking approval to apply for planning permission. Cabinet was unanimous in its acknowledgement of the enormous success of the Unity Gardens project and its contribution to the local community. It has noted that if extra care housing was to be provided on the site it would effectively deny the Council the opportunity to use the route from the city end of Aylestone Hill to the Ledbury Road as a means of achieving the possible aspirations of the Hereford Transport Review and the Edgar Street Grid proposals. However, on balance Cabinet considered that the land in question should be the preferred site for an Extra Care Housing scheme. Cabinet re-affirmed its support, and approved the development of an Extra Care facility within Hereford City to be developed in partnership with Extra Care Housing Trust

and selected Registered Social Landlords; supported the proposal to use the former Nursery Site, Ledbury Road, Hereford for the purposes of developing an Extra Care Housing scheme, subject to relevant planning application processes and land disposal considerations; and agreed that the Council would try to assist the current leasehold occupiers of the site by exploring with the proposed developers the possibility of accommodating them on part of the site. If this is not feasible the Council will consider offering an alternative location for their operations.

- (iii) **Herefordshire Homelessness Review and Strategy 2003** - The Council is obliged, under the statutory requirements of the Homelessness Act 2002, to carry out a review of homelessness and to write a five year homelessness strategy setting out an action plan to meet specific outcomes. A draft of the review and strategy has been submitted to the Office of the Deputy Prime Minister, subject to subsequent changes. Cabinet has noted the detailed analysis of the extent of homelessness in Herefordshire and agreed the Homelessness Strategy 2003, including the associated action plan, to meet the national and local targets necessary to maintain the Council's three star homelessness service.

- (iv) **Future of Elmhurst Residential Home for Older People** - On 13th March, 2003 Cabinet authorised the Director of Social Care and Strategic Housing to work with Herefordshire Primary Care Trust (HPCT) to develop a resource centre for older people with mental health problems at Elmhurst Residential Home, and that Partnership discussions be extended to include an independent sector provider to operate the facilities at Elmhurst. Since then no agreement has been reached with HPCT on the development of an EMI resource centre and although they wish to continue discussions, the HPCT are primarily interested in Elmhurst as office accommodation which would also enable the Department of Mental Health for Older People (DMHOP) to be co-located. As it seems likely that no further progress will be made with the HPCT over the next few weeks, Cabinet has agreed, subject to further consultation with residents, their families and carers, to make all of Elmhurst available to SHAW as part of the transfer in order to achieve and continue intermediate/interim care, day services and carer support for the user group. This would be on a tapering commissioning and contract arrangement. Over time this would release resources for Older People's Services, while in the short term it would contribute to reducing delays in the NHS locally for this user group.

- (v) **TUPE Considerations in Relation to the Proposed Transfer of Homes for Older People to Shaw** - Cabinet has received a confidential report on the choices available in respect of the protection of terms and conditions of employment (including pension arrangements) of both those Council staff who would transfer to SHAW and new staff employed by SHAW subsequently. It has agreed that the existing staff group should be transferred to SHAW under the terms of the Transfer of Undertakings and Protection of Earnings (TUPE) Regulations and that their existing occupational pension rights be fully protected as part of that transfer; and that SHAW would not be required to employ new joiners, post-transfer, on no less favourable terms and conditions (including pension arrangements). It is expected that a further report will be submitted to Cabinet during November 2003.

13.2 Report on Items of Interest

- (i) **Regional Housing Strategy for the West Midlands and Regional Housing Board Allocations Strategy** - Cabinet has noted the contents of the Regional Housing Strategy for the West Midlands and the Regional Housing Board Allocations Strategy which will form the basis of investment and other decisions taken by the Regional Housing Board.
- (ii) **Annual Review of Performance in 2002-03 Herefordshire Council Social Services** - Cabinet has received a report on the performance assessment by the Social Services Inspectorate (SSI) for 2002-03. The Review gives the Council a statement of progress and the need for improvements which forms the basis of star rating decisions in November 2003. The main area for concern is the performance in Older People's Services. A detailed Older People's business case is to be presented to a future meeting of Cabinet. Performance in the children's area is sustained as demonstrated in the SSI evaluation of the self audit following the Victoria Climbié Inquiry. This showed Herefordshire was serving most children well and had promising capacity for further improvement.

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

REPORT OF THE REGULATORY COMMITTEE

Meeting Held on 29th July and 14th October, 2003

Membership:

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

THE LICENSING ACT 2003

1. A draft licensing policy has been prepared in respect of the transfer of liquor and other such licensing from the Magistrates Court to the Council with effect from 1 April 2004. The views of the Partner Authorities (Hereford & Worcester Combined Fire Authority and West Mercia Constabulary) have been received and further discussions will be held with the two authorities about the procedural arrangements. The next stage will be for the views of interested parties to be sought. A series of training events have been arranged for the Committee and Officers to take place early in 2004.

OCCASIONAL PUBLIC ENTERTAINMENTS LICENCE – APPLICATION TO EXTEND THE OPENING HOURS BEYOND THOSE WITHIN COUNCIL POLICY - HEREFORDSHIRE YOUNG FARMERS' CHAIRMAN'S BALL ON FRIDAY 6TH SEPTEMBER 2003 - MARQUEE AT GILLOW FARM, HAREWOOD END, HEREFORD - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

2. The Committee heard an appeal from the Hereford Young Farmers' Association for an Occasional Public Entertainment Licence with a finishing time later than that of 0100 hours which is set out in the Council's Licensing Policies. The application was for their Chairman's Ball on 6 September 2003 between 9.00pm and 2.00am at Gillow Farm, Harewood End, Hereford
3. The applicant was given the opportunity to present his case, as were officers of the Environmental Health and Trading Standards Department and the West Mercia Constabulary. The views of the Fire Authority were considered together with the fact that the finishing time of not later than 0100 hours is in place to protect the local community and individuals from disturbance by night-time events that will be held within the County. The Committee was also mindful of the implications of the Crime and Disorder Act 1998.
4. Having considered all the facts in relation to the application the Committee was mindful of the Council's policies but took the view that the applicant had given satisfactory evidence to suggest that the event would be well supervised in a responsible manner. Similar events had been held 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. It was therefore decided that the application should be granted.

ANNUAL PUBLIC ENTERTAINMENTS LICENCE – APPLICATION TO EXTEND THE OPENING HOURS BEYOND THOSE WITHIN COUNCIL POLICY - KING CHARLES II, 13 BROAD STREET, ROSS ON WYE - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

5. The Committee considered an application for an Annual Public Entertainments Licence requesting a finishing time of later than that which is set out in the Council's licensing policies. The application had been deferred at the meeting held on 29 July to enable the views of local residents to be obtained on the application, which is for the hours of opening to be increased to 1am on Thursdays, Fridays and Saturdays and 12.30 am on Sundays. Local residents have been written to and an advert placed in the local press. Noise monitoring has been undertaken by the Environment Health Officer and although there are no problems within the premises, she has concerns about the possible noise nuisance which could arise from clients leaving the premises if the hours of opening are increased as requested.
6. The applicants were given the opportunity to present their case and they provided the Committee with details of the work that has been carried out to minimize any noise nuisance. Comments were also considered from the West Mercia Constabulary and the Hereford and Worcester Combined Fire Authority. The Committee was also mindful of the implications of the Crime and Disorder Act 1998 and the fact that the finishing time set out in the Council's policies were in place to protect the local community and individuals from disturbance by night time events within the County.
7. Whilst acknowledging that the premises were very well run and that the applicants had gone to great lengths to ensure that noise and nuisance was minimized, the Committee decided that the applicants had no control over their clientele once they had left the premises. The Committee was concerned that possible disturbance could be caused for local residents in the early hours of the weekend and, therefore decided to refuse the application.

REVISED POLICY FOR VARIATIONS OF PUBLIC ENTERTAINMENT LICENCES

8. The Environmental Health and Trading Standards Department has been receiving an increase in the number of applications for the variation of Public Entertainments Licences in advance of the new regime for dealing with liquor and related licences which comes into force on 1 April 2003. The applications are for extensions to the licensing hours beyond those set out in the Council's policies and the fee of £120 is not sufficient to cover advertising in the local press. The Committee decided that applicants should therefore be required to pay for an advert in the local press when applying for a variation of a Public Entertainments Licence.

REPORT ON MOTOR SALVAGE OPERATORS - THE VEHICLE (CRIMES) ACT 2001 & THE MOTOR SALVAGE OPERATORS REGULATIONS 2002

9. The Council has new registration responsibilities under the provisions of the Vehicle (Crimes) Act 2001 and the Motor Salvage Operators Regulations 2002, to make provision for the registration of motor salvage operators. These have implications for the Council in relation to resources and enforcement and the Committee agreed that the following should be put in place:
 - (a) a registration fee of £70;
 - (b) that there shall be no charge for inspection or making copies of the public register;
 - (c) the fee for making a certified copy of the register be £15; and

(d) the above fees shall be subject to periodic revision at the same time as all other fees.

The Committee recommends to Council that the Constitution (Delegated Powers of the Director of Environment) be amended by adding:-

“The Director of the Environment and officers authored by him no lower than the position of Trading Standards Manager to act on behalf of the Council in relation to its functions and responsibilities for registering motor salvage operators including being the person appointed by the Council to hear oral representations, concerning the proposed refusal, refusal to renew or cancellation of a registration.”

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

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 29th July and 14th October, 2003.

REPORT OF THE STATUTORY ACCOUNTS COMMITTEE

Meeting Held on 19th September, 2003

Membership:

Councillors D.B. Wilcox (Chairman), Mrs. P.A. Andrews, G.V. Hyde, T.M. James, R.J. Phillips.

1. STATEMENT OF ACCOUNTS

The Statutory Accounts Committee has been set up to approve the Council's Statement of Accounts. It is a statutory requirement that the Council's 2002/03 Statement of Accounts is formally approved by 30th September, 2003. This date will be brought forward each year over the next three years so that the approval deadline for the 2005/06 Statement will be 30th June, 2006.

The Committee has approved the Statement of Accounts including the final Revenue and Capital Outturn for 2002/03. It has also approved the formal signing of the Statement of Accounts by the Chairman of the Committee on behalf of the Council. It has decided on appropriate arrangements for publishing the Statement, including making copies available in libraries, on the Council's website and on request. It has noted the information in respect of redundancies and early retirements.

2. HOUSING REPAIRS SERVICE

The Committee has received a detailed confidential report on the Housing Repairs Service following a significant overspend during 2002/03. The Committee noted that, although there had been an overspend, the money had been properly spent on repairs to the housing stock prior to transfer to Herefordshire Housing. The report included details of the position relating to disciplinary proceedings taken as a result of the overspend and the lessons learned and since put into practice including improved monitoring arrangements.

D.B. WILCOX
CHAIRMAN
STATUTORY ACCOUNTS COMMITTEE

BACKGROUND PAPERS

Non-exempt agenda papers of the Meeting of the Statutory Accounts Committee held on 19th September, 2003.

REPORT OF THE PLANNING COMMITTEE

Meeting Held on 3rd October, 2003

Membership:

Councillors: Councillor T.W. Hunt (Chairman), Councillor J.B. Williams (Vice-Chairman), BF Ashton, MR Cunningham, Mrs CJ Davis, PJ Dauncey, DJ Fleet, JGS Guthrie, JW Hope, B Hunt, Mrs JA Hyde, Brig P Jones CBE, Mrs RF Lincoln, RM Manning, RI Matthews, Mrs JE Pemberton, R Preece, Mrs SJ Robertson, DC Taylor, WJ Walling

THE ENGLISH HERITAGE REGISTER OF BUILDINGS AT RISK 2003

1. English Heritage published its sixth annual edition of a national register of buildings at risk in July 2003. The document provides information on Grade I and Grade II listed buildings and scheduled ancient monuments considered by them to be at risk through neglect or decay. The list does not imply criticism of the owners of the buildings and monuments concerned but is aimed at defining the scale of the problem and establishing which important buildings and artefacts are at risk. The information is also helpful to establish the level of resources necessary to bring the identified structures back into good repair.
2. There are approximately 5800 historic buildings within the County (including 60 Grade I and 300 Grade II listed buildings) and just over 260 scheduled ancient monuments. 33 of the listed buildings and the ancient monuments have been identified as being at risk. This compares with 26 identified in 1999. 5 have been deleted from the 1999 register and 12 new ones have been added, 5 of which are churchyard crosses which have been added because of the serious condition of their stonework and the fact that English Heritage hopes to promote a grants scheme for them.
3. The Council has very limited resources to assist with the repair of the buildings at risk, many of which are substantial structures such as castle ruins or church ruins. English Heritage is however prepared to invest in the establishment of specialist conservation posts in local authorities to help tackle buildings at risk. This is to help with the management of the historic buildings stock and give support to undertake statutory action. It was therefore decided that the Regional Office of English Heritage should be approached to discuss what assistance it might give to the Council to monitor the condition of its historic buildings and increase its actions towards safeguarding the County's listed buildings and scheduled ancient monuments.

DEPARTMENT OF CULTURE, MEDIA AND SPORT'S (DCMS) CONSULTATION PAPER – PROTECTING OUR HISTORIC ENVIRONMENT: MAKING THE SYSTEM WORK BETTER

4. A consultation paper was published by the Department of Culture, Media and Sport (DCMS) in July, inviting comments by 1 October. The document is part of the review of heritage protection that was started in November 2002 and carried out in association with English Heritage.
5. The Review covers the designation of Ancient Monuments, Listed Buildings, Registered Parks and Gardens, Registered Battlefields, World Heritage Sites and Conservation Areas, together with how the planning system protects these historic assets. Four objectives are identified as the basis for the proposals put forward in the review document:

- to simplify what are seen as complex protection systems (Simplifying);
 - to increase the openness of processes which are considered inaccessible, even secretive (Openness);
 - to have a more flexible regime for management (Flexibility); and
 - to have a system robust enough to conserve the best and to continue to take on board changes in what people value without devaluing the purpose (Rigour).
6. The outcome of the review will have significant implications for the work of the Planning Committee and the officers and the DCMS propose a number of events to be held during the autumn to debate the issues although no details of these have yet been received.
7. The Planning Committee has advised the Cabinet Member (Environment) that it generally supports the intentions for improvement set out in the consultation document, namely to establish a system that is simpler, more open, flexible and rigorous than the present arrangement. However it does have concern about many of the more detailed suggestions and it has set out these concerns in answer to the questions that have been posed by the review document, for consideration by the Cabinet Member (Environment)

PROPOSED CHANGES TO NATIONAL PLANNING POLICY GUIDANCE 3 – HOUSING (PPG3)

8. The Office of the Deputy Prime Minister has sought the views of local authorities and interested parties on proposed changes to National Planning Policy Guidance 3 – Housing (PPG3) in respect of
- the reallocation of employment and other land to housing and
 - influencing the size, type and affordability of housing.

The Committee considered the main issues regarding the proposed changes to PPG3 and received a summary of concerns which had been prepared by the officers. The Committee was of the view that there are elements of the changes being proposed to national policy which would present the Council with difficulties in implementation. The Committee therefore agreed that the observations which had been prepared by the Head of Planning Services should be submitted to the Office of the Deputy Prime Minister to highlight the concerns of the Council to the proposed changes to PPG3.

**T.W. HUNT
CHAIRMAN
PLANNING COMMITTEE**

BACKGROUND PAPERS

- Agenda for the meeting of the Planning Committee held on 3rd October, 2003.

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 10 October 2003

Membership:

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

APPOINTMENT OF NEW MEMBERS OF THE COMMITTEE

- 1 On 25 July 2003 the Council agreed to our proposal that one additional Independent Member and one additional Parish/Town Council representative should be added to the Committee.
- 2 The post of Independent Member has been advertised in the local press. We want to encourage a good range of candidates to apply; to publicise the appointment we issued a press release, which triggered some press coverage, and I have spoken about the role in an interview for BBC Hereford and Worcester. Interviews will be on 20 November 2003; we hope that a recommendation will be before Council at the meeting on 16 January 2004.
- 3 The Herefordshire Association of Local Councils has arrangements in hand for the appointment of a second Parish/Town Council representative on the same timescale.

ELECTIONS 2003

- 3 Following the elections on 1 May 2003 almost all Town and Parish Councillors have undertaken to comply with the Code of Conduct and have completed the register of financial and other interests. A small number of Town and Parish Councillors have not; we are pursuing this as a matter of urgency.
- 4 Town and Parish Councillors need to understand the requirements of the Code of Conduct and we have sought to assist them through seminars and other events. A partnership between HALC and the University of Gloucester has been particularly successful. In co-operation with HALC we are arranging a seminar on 10 November 2003 at the Shirehall, which will cover the new arrangements for determining complaints locally as well as elucidating the Code of Conduct through case studies.

JOINT MEETING OF STANDARDS COMMITTEES

- 5 Arrangements are in hand for a joint meeting with the Standards Committees of the Hereford and Worcester Combined Fire Authority and Worcestershire County Council. The meeting will take the form of a training event on how to deal with complaints under the powers conferred on the Committees by the Local Authorities (Code of Conduct) (Local Determination) (Regulations) 2003. It will be held in February 2004, after the new members of our Committee have been appointed.

LOCAL PROCEDURE FOR THE DETERMINATION OF COMPLAINTS

- 6 The Local Authority Code of Conduct (Local Determination) (Regulations) 2003 is now in force. 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. In July this year the Standards Board for England issued guidance which provides practical procedural information for Standards Committees on how to conduct hearings. It

recommends that Committees should consider introducing a pre-hearing stage to give directions on the conduct of the hearing. We think the model procedure for a hearing and a pre-hearing is sensible, and have adopted it for our own use.

APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS

- 7 Under the model code of conduct Councillors may not participate in matters in which they have a prejudicial interest. In the normal course of events this would not prejudice the proper working of the councils, but there are instances where the number of councillors who would be prohibited from participating would impede the transaction of business. Section 97(1) of the Local Government Act 2000 authorises the Standards Committee to grant dispensations in relation to the Herefordshire Council and town and parish councils in the County.
- 8 We have granted a dispensation to Parish Councillor JT Godsall in respect of the Yarkhill Parish Hall Committee.

INVESTIGATIONS BY THE STANDARDS BOARD FOR ENGLAND

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

ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE

BACKGROUND PAPERS

- Agenda Papers of the Meetings of the Standards Committee held on 10 October 2003.

REPORT OF THE STRATEGIC MONITORING COMMITTEE

Meeting Held on 13th October, 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.

IMPROVEMENT PLAN

1. The Committee has considered the first monitoring report on progress in respect of the Herefordshire Council Improvement Plan 2002-2005, put in place following the outcome of the Comprehensive Performance Assessment (CPA).
2. The Committee has noted that, as reported to Cabinet, the majority of actions have either been completed or are fully on track for completion by the target date.
3. The Committee sought and received explanations of action being taken to address significant issues that could affect the timing and performance of the Plan and other areas where issues had arisen but which were not expected to impact on the achievement of the overall Plan.

LOCAL PUBLIC SERVICE AGREEMENT

4. The Committee has also considered an analysis of the half term progress towards meeting the targets in the Council's Local Public Service Agreement (LPSA).
5. Overall performance is mixed and explanations for the reasons for that, some of which are beyond the Council's control, have been noted. It was also noted that many of the targets are based on performance purely in 2004/2005 and some targets are sensitive to single, major incidents.
6. The Committee was advised that the Cabinet had asked for advice on what targets were thought to be achievable so that consideration could be given to allocating resources to those areas to secure as much performance reward grant as possible. It has noted that regular monitoring reports are to be made.
7. It has also noted the considerations informing the next round of LPSAs.

HEREFORDSHIRE PLAN AND PARTNERSHIP PROGRESS REPORT

8. The Committee has received a report on progress in implementing the Herefordshire Plan. This is in accordance with the Committee's decision in September 2001 that, in order not to lose sight of the breadth of the Plan, the Committee should receive, at least on an annual basis, a report bringing together key activities/themes which are being progressed or emerging.
9. It was also requested at that time that individual Scrutiny Committees should receive six monthly reports setting out progress to date, work in hand and future timetables. Where Cabinet Members are responsible for more than one ambition Scrutiny Committees should examine composite reports.
10. Member support and involvement in delivering the Herefordshire Plan is an essential element of success and the Plan has been developed using a number of dedicated events with Herefordshire Council Members.

11. Members of the Executive are charged with receiving regular reports on the progress of the Herefordshire Plan generally and the contribution of the different parts of Herefordshire Council to the achievement of individual Ambitions. Wherever possible Executive Members should be integrated into the work of the Ambition Groups.
12. The Ambitions are as follows indicating the Cabinet Member within whose remit the ambition falls and the Scrutiny Committee responsible for scrutinising progress towards achieving the ambitions.

Ambition	Cabinet Member	Scrutiny Committee
Improve the health and well-being of Herefordshire People	Social Care and Strategic Housing	Health Social Care and Housing
Reduce crime and disorder and make Herefordshire safer	Leader	Strategic Committee Monitoring
Tackle poverty and isolation in Herefordshire	Leader	Strategic Committee Monitoring
Encourage communities to shape the future of Herefordshire	Community and Social Development	Social and Economic Development
Develop Herefordshire as an active, vibrant and enjoyable place to be	Community and Social Development	Social and Economic Development
Protect and improve Herefordshire's distinctive environment	Environment	Environment
Provide excellent education, training and learning opportunities in Herefordshire for all ages	Education Community and Social Development	Education Social and Economic Development
Meet Herefordshire's accommodation needs	Social Care and Strategic Housing	Social Care and Housing
Support business growth and create more and better paid work in Herefordshire	Economic Development, Markets and Property Rural Regeneration	Social and Economic Development
Develop an integrated transport system for Herefordshire	Highways and Transport	Environment

13. The Audit Commission's Corporate Assessment of the Council in December 2002 commented that "the Plan has provided the focus for partnership working and has contributed significantly to the Council being able to attract significant external funding to deliver projects tackling local priorities, such as rural access and pockets of deprivation in Hereford City. In this respect the Plan has enabled the Council to punch above its weight as a small low-funded authority." The Committee has noted that the performance in delivering the Plan will be important in the context of the next Comprehensive Performance Assessment.

COMMUNITY SAFETY PROGRESS REPORT

14. In accordance with the monitoring arrangements referred to above the Committee has received the annual report 2002/2003 and progress update from the Herefordshire Community Safety Partnership, responsible for delivering the ambition in the Herefordshire Plan of reducing crime and disorder and making Herefordshire safer.
15. The report stated that the targets were being met effectively apart from that for vehicle crime, a target which the Government has acknowledged to be problematic.
16. The Committee focused on the approach towards securing Anti-Social Behaviour Orders. It was suggested that few Orders had been obtained and that more work needed to be done to involve families in the process. The complexities involved and the implications for and sometimes conflict with other national and local policies were, however, acknowledged.
17. In advance of Government requirements the Community Safety Partnership has already merged with the Drug Action Team and the report referred to actions undertaken to combat drug related problems. Having expressed concern about the significance of drug misuse in Herefordshire the Committee has welcomed a proposal that a briefing be held on this subject for all Councillors.

AUDIT SERVICES ASSURANCE REPORT 2002/2003

18. The Committee has received a report on Audit Services activity during 2002/03 and the Council's overall level of internal control. The report also highlighted areas which had been identified as being of concern. It was, however advised that these issues had now been addressed.
19. The Committee emphasised the need to ensure that recommendations made following audits were implemented and had been assured that a robust process is in place to establish that this was the case, although currently compliance may not be confirmed until the report for the subsequent year. This will be borne in mind as part of the continuous development of the audit process.

EXTERNAL AUDIT AND INSPECTION PROGRAMME

20. The Committee has been advised of the Audit Commission's approach to the revised external audit and inspection programme.
21. Whilst the focus of Best Value inspections has changed significantly since their first introduction, they have not, contrary to the impression in the local government press, been abandoned in their entirety. They remain an important focus of the Audit Commission's Programme although there are now other significant elements involved following the Comprehensive Performance Assessment.
22. The most significant of those is the Improvement Programme agreed following the Comprehensive Performance Assessment.

23. The Committee noted that the programme was draft and some inaccuracies and timings still needed to be revised with the Audit Commission. Once finalised the framework could be used to inform the priorities of the Scrutiny Committees.

PERFORMANCE MONITORING – CORPORATE HEALTH

24. In accordance with the performance management arrangements the Committee has received a report on performance for the first four months of 2003/2004.
25. Performance against the National Best Value indicators is analysed by the Audit Commission and used as part of the Council's overall Comprehensive Performance Assessment. The frequency of collection of data for these indicators and arrangements for their consideration by the Scrutiny Committees have been noted.

REVENUE BUDGET MONITORING

26. Details of spending as at 31st July 2003 for each Programme Area together with the projected outturn for 2003/2004 have been reported to the Committee. Areas of concern were discussed, noting that careful monitoring and appropriate action where necessary will be required to ensure the 1% limit on overspendings for the Council as a whole is not exceeded at the year end.
27. The Committee sought clarification of the effect on the Council's financial position of the Housing Stock Transfer and the resources available to the Council as a consequence. It has requested that a statement clearly setting out the position be sent to all Members.

ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

28. 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). Issues considered by the Strategic Monitoring Committee not all of which are dealt with above because they arise from its role in fulfilling its remit to scrutinise individual programme areas, rather than being of Council-wide significance, are listed for completeness.

Summary By Programme Area

Education

29. The Education Scrutiny Committee met on 23 September 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Special Educational Needs Provision and Support Services – Stage 1

Policy Development and Review	School Workforce Remodelling Training and Support of Governors Home to School/College Transport – Discretionary Areas of Policy
External Scrutiny	
Improvement (Performance Management and Review)	Year 2003 provisional results for Herefordshire Schools Performance Indicators Sickness Absence Capital budget Revenue Budget
Other	

30. The Environment Scrutiny Committee met on 26 September 2003 and 21 October 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Call-in – car-parking charges
Best Value Reviews	Implementation of Improvement Plans Commercial Enforcement Progress Report
Policy Development and Review	
External Scrutiny	
Improvement (Performance Management and Review)	Sickness Absence Capital Budget Revenue Budget Performance Indicators
Other	-

31. The Health Scrutiny Committee met on 8th October, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Not applicable
Policy Development and Review	Making Partnership Work for Patients, Carers and Service Users – a consultation Choice Responsiveness and Equity

External Scrutiny	Work of the Community Health Council
Improvement (Performance Management and Review)	
Other	Work Programme Training Programme

32. The Social Care and Housing Scrutiny Committee met on 29 September 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Cabinet Member presentation on policy issues
Best Value Reviews	Carer Support – Stage 3 Adoption and Fostering – Stage 1
Policy Development and Review	Audit of Services following the Victoria Climbié Inquiry Extra Care Housing Development Delayed Transfers of Care and Reimbursements
External Scrutiny	
Improvement (Performance Management and Review)	Performance Statistics Revenue Budget Herefordshire Plan Ambition Groups
Other	Work Programme

33. The Social and Economic Development Scrutiny Committee met on 4th September 2003 and 2nd October 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	Presentations by Cabinet Members for Community and Social Development, Rural Regeneration and Smallholdings, and Economic Development Markets and Property
Best Value Reviews	Improvement Plan Monitoring
Policy Development and Review	Draft Strategic Framework for Libraries Access to Services in Kington and Surrounding Areas

	Policy on Festivals
External Scrutiny	
Improvement (Performance Management and Review)	Revenue Budget Adult learning Inspectorate's inspection of the Adult and Community Learning Service Performance Indicators Regeneration Funding Streams Herefordshire Plan Ambition Group Staffing Numbers
Other	Engagement of Expert Witnesses

34. The business conducted by the Strategic Monitoring Committee at its meeting on 13th October, 2003 is summarised below.

Holding the Executive to Account	
Best Value Reviews	Carer Support – Stage 3 Transport – Implementation Plan
Policy Development and Review	
External Scrutiny	
Improvement (Performance Management and Review)	Herefordshire Council Improvement Plan Local Public Service Agreement Herefordshire Plan and Partnership Progress Report Community Safety Progress Report information and Communications Technology Improvement Plan Audit Services Assurance Report External Audit and inspection Programme Performance Monitoring – Corporate Health Land Charges Revenue Budget Monitoring Capital Programme Monitoring
Other	

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

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 13th October, 2003.

**15. COUNCILLOR D.C. SHORT. MBE - ST NICHOLAS
WARD: LOCAL GOVERNMENT ACT 1972 - SECTION 85****Report By: County Secretary and Solicitor****Wards Affected**

St Nicholas

Purpose

1. To ask Council to take the precaution of granting Councillor Rev D.C. Short, MBE leave of absence until the next meeting of Council on 16th January, 2004 in case he is unable to attend a Council meeting prior to 16th December, 2003.

Background

2. Councillor Short has, through ill health, been unable to attend any Council meetings since 16th June, 2003. Councillor Short wishes to return as soon as he is able but it is not yet clear whether he will be able to attend Council meetings before the expiry of six months since his last attendance. There is a risk that he will be automatically disqualified from office under Section 85 of the Local Government Act 1972 because of his failure to attend a meeting for a period in excess of six months. Leave of absence may be granted by Council but cannot be granted retrospectively.

RECOMMENDATION

THAT leave of absence be granted to Councillor Rev. D.C. Short, MBE until the matter can next be reviewed at the Council meeting to be held on 16th January, 2004.

BACKGROUND PAPERS

None identified.

16. ELECTORAL MATTERS**Report By: Chief Executive****Wards Affected**

County-wide

Purpose

To note the outcome of the Electoral Pilot Scheme undertaken at the elections held on 1st May 2003 and receive a report on the issue of two consultation papers by the Electoral Commission.

Electoral Pilot Scheme

1. The Council submitted its proposal to undertake an all-postal pilot, covering all of its 40 wards, at the local elections to be held in May 2003 to the Office of the Deputy Prime Minister (ODPM) on 26 November 2002. On 18 December, the ODPM approved the Council's pilot scheme bid.
2. The main aspects of the Council's pilot scheme were as follows:
 - a wholly postal election in all 40 wards;
 - no polling stations, with voters given the option of returning their ballot papers to one of a number of specified locations by 5pm on Thursday 1 May 2003;
 - no traditional declaration of identity to be used, but electors required to officially sign the return envelope;
 - a watermark on the ballot paper to enhance security and minimise fraud;
 - a barcode on the return envelope to enable production of a marked register available during and after the election, and to assist in the investigation of any alleged irregularity;
 - votes verified and counted centrally; and
 - efforts made to publicise these arrangements.
3. Ballot papers for 38 of the 40 wards (two of which were uncontested) were issued to the eligible electorate of 130,203 on 16 April 2003 and the Count was held in the traditional manner on 1st May, 2003. Overall turnout was 58.3% with a total of 75,883 ballot papers being returned. This represented a very significant increase on the previous May 2000 turnout of 36.85%. Turnout between wards varied from 47.69% in Belmont ward to 72.53% in Bircher ward.
4. Detailed comparison between the elections held in 2000 and 2003 on a ward by ward basis is difficult as boundary changes since the last election led to changes to all ward boundaries and a reduction in the total number of wards from 44 to 40. However, it is clear that turnout increased in all areas and that this increase was by more than 30% in some areas. No exceptional local issues were reported that would have been expected to have affected voting activity. The Electoral Commission

Further information on the subject of this report is available from Mr Stephen Oram, Public Services Manager
on 01432 260110

concluded that It was clear that the all-postal nature of the election contributed significantly to the increase in turnout.

5. The Electoral Commission monitored the Pilot Scheme throughout the election process and noted that the Council had established a small project team to manage the pilot project and that a high-level project plan and task list had been maintained. The Commission concluded that the project had been efficiently managed and the Council's approach ensured that the administrative burden on the Council had been minimised. A copy of the Commission's evaluation report on the pilot scheme is available on request.
6. The Electoral Commission's conclusions, in terms of the five statutory evaluation criteria used to evaluate all of the government approved Pilot Scheme's, were as follows:
 - Given the significant increase in turnout, the Commission believes that all postal voting was successful in facilitating voting.
 - The turnout achieved in all wards was significantly higher than the previous local election, increasing from 36.85% in 2000 to 58.3%.
 - The large increase in turnout for the election and feedback received from parties and the media suggest that the majority of those who participated in the ballot found the new procedures reasonably straightforward, easy to use and understand. The significant number of envelopes returned without the required signature is considered to reflect security concerns rather than a failure to understand the process.
 - The Commission has no evidence to suggest that the pilot scheme led to an increase in impersonation or other malpractice. There is insufficient evidence to judge whether the signing of envelopes (in the absence of a traditional declaration of identity), a watermarked ballot paper and bar-coded return envelopes contributed, in practice, to protecting the integrity of the election.
 - The cost of the pilot election was more than 25% higher than the previous traditional poll in Herefordshire. However, increased costs must be considered in the light of the very significant increase in turnout, and the Commission considers that, at £1.66 per voter, this pilot represents good value for money.

Consultation papers

7. The Electoral Commission has recently issued two consultation papers entitled "Voting Age and Candidacy" and "The Cycle of Local Government Elections in England".
8. The Electoral Commission believes that the time is right to review the current minimum age (18) at which people can take part in elections and the age of candidacy (21). The Commission has therefore published its consultation paper and seeks views on this issue.
9. In January 2003, the Government invited the Electoral Commission to review the cycle of local elections in England and identify options for change that would simplify the current cycle. This consultation process considers elections to principal local

authorities (including mayoral elections), the Greater London Authority and parish councils. In recommending any options for change, the Commission may consider changes to councillors' terms of office, the number of councillors for local authority areas and the number and boundaries of local authority wards and divisions.

Consultation with political group leaders

10. Consultation on electoral reform is a sensitive issue because if such consultation was to be undertaken solely through the Executive there may be a perception that the response could be partisan. The consultation has therefore been conducted through group leaders.
11. In relation to the consultation on "voting age and candidacy" group leaders were unanimous in their support for maintaining the voting age at 18 but lowering the age of candidacy to age 18 also.
12. In relation to the cycle of elections the group leaders noted that the Council had only recently addressed this issue in the context of the Electoral Review, the outcome of which was implemented from the May 2003 elections. There group leaders so no reason to disturb the Council's clearly expressed preference for the continuation of quadrennial elections with the next election being held in May 2007.

RECOMMENDATION

- THAT (a) the Electoral Commission's evaluation report on the Electoral Pilot Scheme for the 1st May, 2003 elections be received and noted; and**
- (b) the Council endorses the proposed response of group leaders to the Electoral Commission's Consultation papers entitled "Voting Age and Candidacy" and "The Cycle of Local Government Elections in England" supporting a minimum voting age and age for candidacy of 18 and re-expressing its support for the continuation of quadrennial elections.**

BACKGROUND PAPERS

None identified.

**REPORT OF THE MEETING OF THE
WEST MERCIA POLICE AUTHORITY
HELD ON 23 SEPTEMBER 2003**

Appointment of Members and Questions on Police Matters

1. Following the council elections in May 2003 Mr J T Hicks and Mrs K Tomlinson have been appointed to the Authority from the Borough of Telford and Wrekin Council. Mr B Hunt has also been appointed from the Herefordshire Council.
2. The Authority agreed to nominate Mr Hicks and Mr Hunt to answer questions on the discharge of the functions of the Police Authority at meetings of their respective councils during 2003-2004.

Annual Report 2002-2003

3. The Authority has published its Annual Report, which looks back on the year ending April 2003. This was the year that saw the recruitment of 300 extra police officers and their training and development is well advanced and the impact will become increasingly apparent during the current year.
4. The Police Authority remains committed to an increasing police presence on the streets of West Mercia and prompt response to calls for assistance.
5. Last year the Authority asked the force to put even more effort into detections and it is pleasing to report that overall detection levels are some of the highest in the country. The force has also exceeded its target for the detection of violent crimes and burglary. The Authority believes that improved detection is an important ingredient in providing good policing and reassurance to the public.
6. Vehicle crime has fallen significantly, as have road deaths and serious injuries. Response times too have improved both in rural and urban areas and the Authority will continue to set high targets that reflect the importance attached to this service.
7. Resourcing, however, remains a major concern particularly given the relatively low level of Government support received in West Mercia compared to many other forces.
8. Copies of the Annual Report are available from the Clerk to the Authority or from the website www.westmercia.police.uk.

Final Accounts 2002-2003

9. The Authority has approved the Statutory Financial Statements of Accounts for 2002/2003 and the external auditors PricewaterhouseCoopers anticipate issuing an unqualified audit opinion.

Be Somebody Campaign

10. As at 1st September 2003 the Constabulary's overall strength had increased to 2410 police officers – an increase in strength of 390 officers since the start of the “Be Somebody” Campaign. The figure of 2410 was based on actual numbers although it includes some part time officers. The full time equivalent number was 2391 police officers.

Capital Programme 2003-2004

11. The Authority has agreed a revised Capital Programme of £13,913,600 for 2003-2004.

12. The revised programme provides for the purchase of land at Battlefield Business Park, Shrewsbury as a site for a new Shropshire Divisional Headquarters and the leasing of the British Telecom building in Barton Road, Hereford. This will enable the relocation of some staff and allow the refurbishment of the existing custody facilities at the current Herefordshire Divisional Headquarters site.

13. Included in the programme is the purchase of equipment for video recorded identity parades throughout all divisions in West Mercia. This follows the successful pilot in Shropshire of the scheme. The cost of the equipment was £20,000 and the Shropshire Division, which saw 265 parades during a six-month period, soon recovered this outlay. If volunteers had been used this would have cost £200 in expenses per parade.

14. The Authority has also agreed to the installation of a CCTV monitoring system in the Hereford Custody Suite. All six primary custody suites in West Mercia are now fitted with this system, which is essential in the event that a person in custody alleges that West Mercia failed in its duty of care.

Medium Term Plan 2004-2007

15. The Authority has received an update on the Medium Term Plan produced last year for 2003-2006. The strategic principles remained largely unchanged but the financial position has been updated.

16. In formulating the Plan the basic principles adopted were:

- *Maintain strength of operational officers.*
- *Balanced budget – planned spending to be no greater than funding in any year. However, some reserves are available to smooth any large fluctuations, e.g. pensions or major incidents.*
- *Reserves to be maintained at a well-judged level, having a considered view of the nature of the liability for which they exist.*
- *Capital investment is important and is likely to require support from the revenue account.*

- *Financial plans should be set in the context of a three year view, whilst recognising the high degree of uncertainty inherent in this time frame.*
- *Opportunities for improving the service or for enhancing the support to operational officers can arise at short notice and may need to be implemented rapidly. Plans will be sufficiently flexible so as to allow this to happen.*

17. The report included details of the range of any possible impact on the Council Tax precept for 2004-2005 given that this was heavily dependent on the amount of increase in government grant each year.

Flint House

18. The former Chairman of the Authority, Mr D B Watkins DL has been very involved in raising money for the Police Convalescence Home at Goring on Thames in Oxfordshire. The appeal has so far raised £78,729 from local donations and the Police Authority has agreed to donate a further £5,000 from the Occupational Health Grant it receives from the Home Office towards helping fund a new room at the centre. This will enable more police officers who are in need of rehabilitation to attend. The Authority placed on record its appreciation of Mr Watkins' success with the appeal.

West Midlands Regional Watch Association

19. The Authority has joined with the other three police authorities in the West Midlands in contributing £500 each to help establish the West Midlands Regional Neighbourhood Watch Association, which has been formed in response to the emerging regionalisation agenda.

Complaints and other Statistics

20. There were fourteen assaults on police personnel during April and May 2003 coincidentally the same as in this period in 2002. Six were in the Telford Division, three in the Shropshire and South Worcestershire Divisions and one in each of the other two divisions. During the same period 38 complaints were received against the police.

Best Value Reviews

21. The following Best Value Reviews have been completed and the Authority has agreed the respective options reports, which are available from the Clerk to the Police Authority. Costed Implementation Plans will be prepared for further consideration.

- Criminal Justice Support Unit
- Crime Recording – including Central Data Unit
- Procurement
- Information Systems and Technology Department
- Police Authority

Race Equality Scheme

22. The Authority has agreed a revision to its Race Equality Scheme, which was adopted in May 2002, to reflect the fact that the Constabulary has now established Independent Advisory Groups.

Police/Community Consultative Groups (PCCG)

23. The Authority receives regular reports from the PCCG meetings held throughout the West Mercia area. Recent matters brought to the attention of the Authority included:

- Some concern about responses, particularly to cases of vandalism and lack of action with known offenders (Malvern Hills).
- Problems with youths on local housing estates and call handling (Redditch).
- Information on allocation of additional police officers (several groups).
- Continued desire for high visibility policing (several groups).

Independent Custody Visiting Scheme

24. The Independent Custody Visitors Scheme provides the opportunity for members of the local community to observe, comment and report upon the conditions under which people are detained in police stations, and the operation in practice of the statutory and other rules governing their welfare, with a view to securing greater public understanding of these matters. The visitors are all volunteers and subject to certain restrictions any person over the age of 18 can apply through the Clerk to the Police Authority to become a custody visitor in West Mercia. The Authority monitors the reports submitted by the visitors and where necessary takes matters up with the Constabulary if there are areas of concern.

25. A total of 306 visits were undertaken during 2002-2003. This compared with 312 in 2001-2002 and 331 in 2000-2001. There were 1011 people in custody at the time of the visits of which 839 were held by the police under the Police and Criminal Evidence Act (PACE). 530 (60%) of PACE detainees were visited by visitors. This compared with 513 out of 822 (62%) in 2001-2002 and 457 out of 739 in 2000-2001 (62%).

26. No major problems emerged from the visits and where issues were raised these were either rectified as soon as possible, dealt with in correspondence with the Divisional Police Liaison Officer or discussed at the Panel meetings. Specific issues raised included the unavailability of duty solicitors, which was being addressed nationally and concerns with the custody area at Shrewsbury and the Sergeant's office at Redditch.

27. Six fewer visits were undertaken compared to last year but a higher number of detainees were seen (530 compared to 513 in 2001-2002). There was also an increase in the number of positive comments on the way in which the visitors were received and

dealt with by custody officers and assistants. There were no visits recorded during the year to temporarily designated stations.

28. The overall performance against the visiting rotas was 94% with 100% records being achieved at Kidderminster and Redditch stations.

29. The Authority is always keen to recruit new visitors, particularly in the Herefordshire area, and applications are invited from people over the age of eighteen. For further information please contact the Clerk to the Police Authority.

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 Meeting of the West Mercia Police Authority held on 23 September 2003.

REPORT OF THE HEREFORD & WORCESTER COMBINED FIRE AUTHORITY TO THE CONSTITUENT AUTHORITIES

Meetings Held on 16 June 2003, 2 September 2003 and 25 September 2003.

OPERATIONAL ACTIVITY

1. During the period 1 April 2003 to 30 September 2003 the Brigade attended a total of 5,909 incidents (this includes all types of Fire, All False Alarms and Special Service Incidents). More statistics and details of notable incidents have been reported to the Authority and can be found on the Brigade's website (www.hwfire.org.uk)

INTEGRATED RISK MANAGEMENT PLAN

2. The Deputy Prime Minister has stated that there should be a programme of reform and modernisation of the framework within which the fire service operates. The White Paper *Our Fire and Rescue Service* sets out the Government's vision for the future and strategy for achieving that vision in England and Wales. The White Paper describes fundamental changes to the way in which the fire service is structured and run.

3. The summary of the White Paper states that

"The Government's prevention strategy rests on three main strands:

- *designing fire safety into our homes, offices and other buildings through the Building Regulations;*
- *maintaining a safe environment, through fire safety and other legislation, which sets out employers' and commercial property owners' responsibilities; and*
- *promoting community fire safety to encourage safe behaviour and to reduce the incidence of arson.*

The fire service has had a key role in this strategy, but its focus until now has been on fire suppression. Traditionally, the fire service has organised its staffing levels and the location of fire fighters, stations and appliances to match nationally prescribed fire cover standards, originally set in the 1930s..... We will change that focus. In future, the fire and rescue service will plan for, and respond to, emergencies on the basis of risk assessment and management. These new requirements will be brought together in the Integrated Risk Management Plans that each fire authority will be required to produce. They will consult their local communities on these plans, and the fire and rescue service will work with the other emergency services to implement them."

4. The purpose of an Integrated Risk Management Plan (IRMP) is to provide a strategic overview of all aspects of service delivery in order to determine their relevance to the Fire Service and as a consequence enable the determination of current and future fire policy.
5. It is intended that integrated risk management will lead to improved community safety and more productive use of Fire Service resources by:
 - a. reducing the number of fires and other emergency incidents occurring;

- b. reducing loss of life in fires and other emergency incidents;
 - c. reducing the number and severity of injuries occurring in fires and other emergencies;
 - d. reducing the commercial, economic and social impact of fires and other emergency incidents;
 - e. safeguarding the environment and heritage (both built and natural); and
 - f. providing communities with value for money.
6. The primary objective of the initiative is to make the service more responsive to locally identified needs and better able to deliver community safety. It should not be seen as a simple revision of fire cover standards and operational response, but as a holistic and corporate approach to improving community safety generally.
 7. The starting point in integrated risk management planning must be the preventative measures that will reduce the incidence of fires and other emergency incidents, save lives, and reduce injuries and loss (personal, societal, commercial, economic, environmental and heritage). This will require a move from the traditional reliance on the 'formulaic approach' using recommended standards set centrally, to locally assessed and determined standards.
 8. Introducing this more flexible, locally determined risk-based approach will lead to:
 - a. more effective targeting of resources that will improve community safety, and protective and prevention measures; and
 - b. more dynamic, flexible and appropriate levels of emergency response to incidents, effectively targeted to save lives and reduce injuries.
 9. It is recognised by the Office of the Deputy Prime Minister (OPDM) that the Combined Fire Authority will be taking on new responsibilities for making judgements about the risks within its area, the balance between prevention and intervention, and determining response standards and resource allocation. The Authority will need to set local standards to take the place of existing centrally recommended standards of fire cover, which will be withdrawn in due course. The work will be fundamental to the delivery of modernisation in the Fire Service and will be an indispensable element of a flexible, locally determined and risk-based approach.
 10. The Authority approved a draft Plan for consultation in September. This identifies existing and potential risks to the community. It evaluates the effectiveness of current arrangements and identifies opportunities for improvement. Where improvements can be made it identifies changes to resource requirements in order to deliver planned improvements and includes arrangements for implementation, monitoring, audit and review.
 11. The Authority has sought to consult widely on the draft Plan. Consultation has included the following elements: a public opinion survey sent to stakeholders in the Herefordshire and Worcestershire area, five focus groups; City/Town Centre events at Hereford, Ledbury, Ross-on-Wye, Leominster, Bromyard, Malvern, Worcester, Tenbury, Kidderminster, Bromsgrove, Redditch, Droitwich and Evesham; distribution of the Plan to a wide range of external stakeholders; use of the Brigade Website and Intranet; face-to-face meetings with all work based units; distribution of the Plan to all fire stations and departments; Brigade seminars and a series of newsletters.
 12. The consultation will close on Wednesday 26 November 2003. A report will then be prepared for consideration at the Authority's meeting in December.

LOCAL PUBLIC SERVICE AGREEMENTS

13. As previously reported the three year Local Public Service Agreements (LPSAs) entered into by each of the constituent authorities both contain an objective to be delivered in partnership with the Brigade: to achieve a reduction in the incidence of accidental fire and fire related deaths. The Authority has been advised that the Brigade has managed to sustain further reductions in accidental dwelling fires and associated injuries and deaths. It remains on target to better the performance required by the end of the LPSAs in April 2005. This represents significant progress towards reducing avoidable fires and injuries, and tangible evidence that the Brigade's community fire safety strategies are able to make the communities of Herefordshire and Worcestershire safer. To support both the LPSA and the Integrated Risk Management Plan strategy, the Brigade will look to expand its community fire safety outreach to the vulnerable, targeting those most at risk. Increased capacity for more preventative activities will occur through a number of Brigade-wide and local initiatives. With approximately eighteen months remaining of the three-year LPSA life cycle performance targets have been set for this year that aim to maintain the downward trend achieved to date and to better the LPSA targets if possible. It remains important to note, however, that success in achieving the target specified in the Agreements is measured in the final year.

COMMUNITY FIRE SAFETY

14. The Authority has noted progress on a wide range of Community fire safety initiatives which as mentioned in the paragraph above are important to the LPSAs and the Integrated Risk Management Plan.

Partnership with the National Community Fire Safety Centre

15. The Brigade is continuing to work in partnership with the National Community Fire Safety Centre in preparation for the BBC Good Food Show at the National Exhibition Centre in November 2003. Following last year's successful pilot, the National Centre has recognised the importance of the Brigade's presence and have agreed to part-fund this year's event. This will allow the Brigade to project kitchen safety messages from a much larger exhibition stand with more visual impact.
16. This event is an excellent example of collaborative working to maximise Community Fire Safety provision, with both West Midlands and Warwickshire Fire and Rescue Services joining the Brigade to help plan the event.

Quick Strikes

17. The Brigade has introduced a new procedure for carrying out 'Quick Strike' campaigns following fires. It uses the opportunity to raise fire safety awareness amongst people who may not have been involved in the original fire but who may be at risk, and is achieved through the distribution of information leaflets. It also provides an opportunity for people who may have witnessed a deliberate/arson fire to pass information to the Police via Crimestoppers.

Redditch and Bromsgrove Car Amnesty

18. In a bid to reduce the number of deliberate car fires in the North East Worcestershire area, the Brigade worked with the Police and the two District Councils in Redditch and Bromsgrove to run another vehicle amnesty campaign offering members of the public the opportunity to dispose of any 'end-of-life' cars free of charge. The campaign commenced with a week of advertising to coincide with the Redditch 'Keep Safe Week' during October and was followed by a week of removing reported unwanted vehicles. This is being supported by the Police carrying out a period of

enforcement on vehicle issues.

Schools' Fire Safety Education Programme

19. Since autumn 2001, the Brigade's schools' fire safety education programme has reached an impressive number of children; comprising 175 visits to key stage 1 classes, 261 visits to key stage 2 classes and 23 visits to key stage 3 classes. By July 2003, over 17,000 children had received the programme, which is a considerable achievement.
20. Although coverage has been adequate in town and city schools for the targeted key stage 2 classes, further provision had been beyond capacity. To address the needs for a wider delivery of the programme, the Brigade introduced two non-uniformed specialist education assistant posts in May 2003, funded through the Local Public Service Agreements and working during term-time only.
21. The expansion of the programme across both counties through the use of these dedicated specialists represents a major increase in the delivery of fire safety education to communities previously beyond reach.
22. In order to meet the needs of Key Stage 3 pupils, a new education programme has been designed that will be delivered by teachers of the personal, social and health education curriculum. The Brigade has identified this as the most far reaching and effective means of delivery, not only from a staffing level but also from the degree of specialism required when dealing with pupils of this age. It is essential that the key messages in the 11 to 15 year old age group are delivered as part of the curriculum and in accordance with the new guidelines for Citizenship. The programme is targeted towards malicious calls and secondary fires and was delivered to all Secondary schools during September 2003.

Increased Education Outreach

23. Whilst schools' programmes are an essential part of the Brigade's work with young people, it is recognised that the Brigade can't reach all sections of the community through work in the school environment.
24. A new project was piloted in the Summer with 'Worcester Action for Youth', an organisation providing activities and advice to children and young people in socially disadvantaged areas of Worcester. By providing fire safety training to the group leaders, key messages will be cascaded to a wide range of young people and their parents. The aim is to work towards safer school holidays and reduce the risk of hoax calls and secondary fires during that period.

Juvenile Fire Setters

25. A recent rise in the number of Juvenile Firesetters has led to the introduction of a new programme believed to be the first of its kind in the country. Following a number of referrals from social services, an eight-week group programme based at Redditch Fire Station was jointly developed. This was another initial pilot scheme with the potential to be extended across the two counties in due course.

Special Educational Needs

26. Following a series of meetings with head teachers from some of the special schools, a new education programme for children with special needs is being developed that will be introduced in the near future.

Bonfire Night

27. Staff worked with the West Midlands Fire Service to develop a bonfire night safety package, distributed to schools during the Autumn of 2003 for delivery by schoolteachers.

RED CROSS VICTIM SUPPORT VEHICLE

28. Following a request from the British Red Cross, officers are progressing arrangements for the provision of a Red Cross Victim Support Vehicle at Bewdley Fire Station. This will enable the Red Cross to expand their provision of support services following a fire, flood or similar incident to Worcestershire, Herefordshire, South Shropshire and South Staffordshire.
29. The service is delivered by specially trained British Red Cross volunteers who use an adapted vehicle to assist them in providing practical and emotional support to the victims of the incident, including temporary shelter, clothing, child care and referral to other organisations. The costs to the Fire Authority are minimal; the partnership role mainly involving the provision of garage and office facilities, and mobilising arrangements.

EQUAL OPPORTUNITIES

30. The equality and diversity agenda has continued to move ahead, with the development of the draft Equality and Diversity Strategy. Phase one of the strategy's implementation is currently underway. The strategy will take account of current proposals for future working, including the Integrated Risk Management Plan and the Integrated Personal Development System.
31. The Authority's Race Equality Scheme has been published. An Executive Summary of the scheme has also been produced. This will be available in local community languages, and accessible formats, including Braille, large print and on tape. The Race Equality Scheme itself will be available in these formats upon request.

PRECEPTING

32. The Local Government Act 2003 contains provision for changing the status of the Fire Authorities from levying Authorities to precepting Authorities. The Act provides that this provision will come into force on such day as the Secretary of State may by order appoint. The Authority has noted that there are a number of implementation issues to be considered in a very tight timescale if, as expected, the power is to be conferred on the Authority for 2004/2005. A particularly important consideration will be to decide upon a prudent level of balances to be accumulated, and how they are to be generated and maintained.

MEMBERS ALLOWANCES SCHEME

33. In compliance with the relevant Regulations the Authority has approved the introduction of an allowances scheme for Members. The Authority has been mindful that there is no budgetary provision in 2003/04 for a comprehensive scheme of allowances. It has therefore agreed that no change will be made to the existing allowances scheme until 1 April 2004.

STATEMENT OF ACCOUNTS 2002/2003

34. The Authority has approved the Statement of Accounts for 2002/03. The Authority's auditors PriceWaterhouseCoopers have issued an unqualified audit opinion on the accounts.

BEST VALUE PERFORMANCE PLAN

35. The Authority has approved the Performance Plan for 2003/2004. Performance in 2002/2003 against the 24 national performance indicators applicable to the Brigade showed that against 7 the Brigade was performing in the top 25% of all Brigades and in a further twelve was performing above the national average. Performance was below average in only four areas, with information on one indicator unavailable.

ETHICAL STANDARDS

36. The Authority has modified its Code of Governance at the request of its Standards Committee to reflect the role in monitoring the Code which the Standards Committee considers it should undertake to discharge its responsibilities effectively. It has been advised that no concerns have been expressed about the operation of the Authority's Code of Conduct, adopted in 2002, which incorporates all the mandatory provisions of the statutory Model Code of Conduct.
37. The Standards Committee has discussed a work programme for itself. In doing so it has been mindful of the wish not to duplicate the work of the constituent authorities and to ensure that its work is proportionate. It has recognised the potential changes associated with the Authority becoming a precepting authority and the possible need to acknowledge this in its work in due course
38. The Committee intends to take the opportunity to familiarise itself with the procedures for a hearing under the Local Authority (Code of Conduct) (Local Determination) Regulations 2003 and believes that this could most usefully be done in partnership with the Standards Committees of the constituent authorities. In arranging a meeting with the Standards Committees of the constituent authorities it will also be established whether there were any other common issues which it would be prudent to address.

DAVID O'DWYER
CHIEF FIRE OFFICER/CHIEF EXECUTIVE
HEREFORD AND WORCESTER COMBINED FIRE AUTHORITY
October 2003

BACKGROUND PAPERS

Agenda papers of the meeting of the Combined Fire Authority held on 16 June 2003, 2 September, 2003 and 25 September, 2003.