

COUNTY SECRETARY AND SOLICITOR
Committee Services

TO: ALL MEMBERS OF THE COUNCIL

Your Ref:

Our Ref: MR/CD

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8th January, 2004

Dear Councillor,

YOU ARE HEREBY SUMMONED to attend the meeting of the County of Herefordshire District Council to be held on **FRIDAY, 16TH JANUARY, 2004** 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, 16th January, 2004**

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*

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**County of Herefordshire
District Council**

AGENDA

for the Meeting of the Council

To: All Members of the Council

	Pages
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 7th November, 2003.	1 - 12
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 To consider any Notices of Motion.	
9. CABINET To receive the report and to consider any recommendations to Council arising from the meetings held on 20th and 27th November and 4th and 18th December, 2003.	13 - 26
10. PLANNING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meeting held on 28th November, 2003.	27 - 30
11. STANDARDS COMMITTEE To receive the report and to consider any recommendations to Council arising from the meeting held on 5th December, 2003.	31 - 36
12. STRATEGIC MONITORING COMMITTEE To receive the report and to consider any recommendations to Council arising from the meeting held on 8th December, 2003.	37 - 42
13. REGULATORY COMMITTEE To receive the report and to consider any recommendations to Council arising from the meeting held on 9th December, 2003	43 - 44
14. CASUAL VACANCY IN THE ST NICHOLAS WARD To inform Council of the death of Councillor Rev. D.C. Short, MBE and of the arrangements to fill the resulting casual vacancy in St Nicholas Ward.	45 - 46

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| 15. APPOINTMENT OF CHAIRMAN OF EDUCATION SCRUTINY COMMITTEE
To appoint a Chairman to the Education Scrutiny Committee. | 47 - 48 |
| 16. WEST MERCIA POLICE AUTHORITY
To receive the report of the meeting of the West Mercia Police Authority held on 9th December, 2003 Councillor B. Hunt has been nominated for the purpose of answering questions on the discharge of the functions of the Police Authority. | 49 - 58 |

The Public's Rights to Information and Attendance at Meetings

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- 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).
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- 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.

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The Council Chamber where the meeting will be held is accessible for visitors in wheelchairs, for whom toilets are also available.

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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.

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MINUTES of the meeting of Council held at Brockington, 35 Hafod Road, Hereford. on Friday, 7th November, 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. L.O. Barnett, Mrs. E.M. Bew, W.L.S. Bowen, H. Bramer, R.B.A. Burke, A.C.R. Chappell, Mrs. S.P.A. Daniels, P.J. Dauncey, N.J.J. Davies, Mrs. C.J. Davis, 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. R.F. Lincoln, Mrs. M.D. Lloyd-Hayes, G. Lucas, R.M. Manning, R.I. Matthews, J.C. Mayson, R. Mills, J.W. Newman, Mrs. J.E. Pemberton, R.J. Phillips, Ms. G.A. Powell, R. Preece, Mrs. S.J. Robertson, D.W. Rule MBE, R.V. Stockton, J. Stone, D.C. Taylor, J.P. Thomas, W.J.S. Thomas, Ms. A.M. Toon, P. G. Turpin, W.J. Walling, D.B. Wilcox, A.L. Williams, J.B. Williams and R.M. Wilson

31. PRAYERS

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

32. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Mrs. W.U. Attfield, M.R. Cunningham, and D.C. Short.

33. DECLARATIONS OF INTEREST

Councillor J.P. Thomas declared an interest in Agenda item 9, Cabinet Report item 13.1(ii) - Extra Care Housing.

34. MINUTES

RESOLVED: That the minutes of the meeting held on 25th July, 2003 be approved as a correct record and signed by the Chairman.

35. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed a teacher and group of pupils from Haywood High School who had come to see how the Council conducted its business.

He announced that the Council had received a Certificate from nPower, marking the Council's commitment to the use of renewable energy.

He gave notice of two events to take place in early 2004. The first was an invitation from the Chaplain to attend Evensong in the Cathedral on 29th January at which light refreshments and a tour of the Cathedral would be included. The other was the Council's Civic Service which would take place on 14th March at St Mary's Ross on Wye by kind permission of the Rector and Church Wardens. Invitations to both events would be sent out nearer the time.

The Chairman also thanked the Chaplain for his assistance in staging the Anne Frank Exhibition which had been extremely well attended and proved to be a great success.

Petitions

The Chairman had received a petition containing 943 signatures from Councillor Manning relating to traffic control at Newtown Crossroads, which he passed it to the Cabinet Member (Highways and Transportation) for action.

36. 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.

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

Councillor R.I. Mathews asked:

A sale of Library books held at the Shirehall on Saturday, 4th October, 2003, raised the sum of £2,231 and the staff costs for preparing and managing the sale was £900. Do you agree with me that this is not a very efficient way of disposing of these books and in particular could you look at ways of reducing staff costs which I think were excessive?

Councillor Stockton replied that the income on the day was £2,321.20. The total staff time required to prepare, manage and clear away the sale was 85 hours, with an equivalent cost of approximately £900. 40 hours were normal weekday working; 33 hours as time in lieu and 12 hours additional payment. The library service did not incur any additional costs for the use of the Shirehall.

He advised that the Library Operations Manager had been looking at the viability of book sales of this kind. There had not been any previous analysis to compare income generated with costs but it was estimated that 35% of staff time would have been required to sell this volume of stock by other means. This suggested a net profit of at least £1,700.

Councillor P.J. Dauncey asked the Cabinet Member (Community and Social Development):

Can you tell us how Council is monitoring the performance of outside contractors, particularly HALO?

Councillor Stockton replied that the question had implications across the authority and he could only reply specifically in relation to HALO. He agreed to liaise with the other Cabinet Members and arrange for written responses to be given where appropriate. He advised that there were a number of arrangements with HALO. The Council was represented by two Members on the Board. There was an annual funding agreement which was monitored regularly by senior officers within Policy and Community Directorate and the County Treasurer's Department. This process was currently considering the position for 2004/2005. Discussions were also taking place on the five year Business Strategy which would be presented to Cabinet later

this year. Day to day monitoring takes place between client officers within Parks and Countryside and HALO. In addition, and to aid communication, there are monthly meetings between the Director of Policy and Community and Chief Executive of HALO. HALO is also required to report annually to the Social and Economic Development Scrutiny Committee. This was due at the next meeting on 27th November, 2003.

In response to a further question from Councillor Dauncey, Councillor Stockton gave his assurance that he would look into HALO's operations in Bromyard and in particular whether they were acting outside their terms of reference.

Councillor R.M. Manning asked, with reference to the Newtown Crossroads (Junction A4103 and A417), Yarkhill, Frome Ward:

In view of the increasing number of accidents at the Newtown Crossroads, will the Council now give due consideration to the priorities of road safety and install traffic lights at this notorious black spot?

Councillor R.M. Wilson, Cabinet Member (Highways and Transportation) responded by saying that Herefordshire Council worked hard to ensure its roads were safe. Newtown Crossroads had been identified as an area of concern and a number of low cost measures had been introduced which had led to a drop in the number of accidents and up to the end of 2002 had a record good enough to not warrant further action. Unfortunately, this figure had risen over the last two years and the junction has been investigated again with a view to taking further measures. As part of this process a public meeting was held at which various options, including traffic signals, were discussed. At the meeting it was apparent that whilst signals had significant local support, there was also a section of the local community opposed to them. Technical investigations have continued, looking both at how to improve the acceptability of a traffic signal scheme and at alternative options. This work is expected to be completed by early December, when the results will be discussed with Councillor Manning as the local Member and the police before being presented to the local community. Subject to the outcome of these discussions and the availability of funding, works could be carried out early in the new financial year. Councillor Wilson advised motorists to approach the crossroads with care and observe the restrictions in force.

Councillor Manning asked if, as the ducting was already in place, traffic lights would be the cheapest option. Councillor Wilson agreed that the ducting was in place but that he could only advise on the cheapest option once all other options had been investigated.

Councillor Mrs. M.D. Lloyd Hayes asked the following questions on the River Wye Litigation.

What is the figure to date of fees paid to Learned Counsel for representing Herefordshire Council with regard to the River Wye Litigation?

The exempt report at the Cabinet Meeting on 23rd October, 2003 was not circulated to Herefordshire Councillors representing the City. Will the precise terms of the advice given by Learned Counsel be made available to those Councillors on an exempt information basis?

As the custodian of the Ancient Royal Charters, does Herefordshire Council accept that it has a legal and moral duty to protect the fishing and other rights in favour of the inhabitants of the City?

Will the Council act by whatever means necessary to protect such rights for the benefit of the community?

The Chairman reminded Council that it had inherited a number of High Court actions relating to the navigation, mooring and fishing rights associated with the River Wye. Consideration of these matters involved the disclosure of advice on the strengths (or otherwise) of the position of the respective parties and had quite properly been taken in confidential session. Subject to observation of confidentiality, Members had had the opportunity to attend those meetings.

He advised that the matters raised in the four questions asked by Councillor Mrs. Lloyd-Hayes required the disclosure of exempt confidential information to be answered properly. This meant that the Council would have to agree to move into confidential session. Having given consideration to the merits of such a step and the information which is already available to members of the Council he ruled, under Standing Order 4.25.4, that the subsequent circulation of the answer to Councillor Mrs. Lloyd-Hayes would constitute a sufficient reply to her questions. He reminded Councillor Mrs. Lloyd-Hayes that that answer would itself be subject to the normal rules on confidential items and reports.

Councillor Mrs. Lloyd-Hayes asked for, and received, an assurance that the inhabitants of the City would be well represented.

Councillor A.C.R. Chappell asked the following question about the siting of the new market.

It is some months now since the Cabinet Member for Economic Development, Markets and Property announced that the Hospital Farm site near Burghill was no longer an option for the siting of any new market development. At the time he announced that he would examine all possible alternatives. Can the Cabinet Member now tell me:

1. *With whom did he consult before he made the decision to abandon the Hospital Farm site as a possible option for the market?*
2. *How many other sites have been examined as possible alternatives since he made that decision?*
3. *What are the conclusions that he has made regarding the sites that have already been examined as possible alternatives?*
4. *When does he intend to announce the alternative to the Hospital Farm site?*
5. *Before he makes an announcement about the proposed new site for the market, with whom will he consult and will the result of those consultations be made public?*

Councillor Hyde replied

1. Local inhabitants within a ½ mile radius, and Local Councillor Mrs. Robertson.
2. No other sites have been examined.
3. As no other sites have been examined this question is not applicable.
4. I will announce an alternative when a site has been identified and appropriate consultation taken place.
5. Yes, the result of any consultations will be made public.

38. NOTICES OF MOTION UNDER STANDING ORDERS

The following Notice of Motion had 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 that 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 ruled that the motion be not accepted and that, under Standing Order 4.26.9, the matter be dealt with during debate on Agenda item 9 - Cabinet Report at item 10.1(ii).

39. CABINET

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 21st August, 4th and 25th September and 9th and 23rd October, 2003.

In relation to Item 2.1 - Notice of Motion by Councillors B. Hunt and P.J. Dauncey - In response to a request for an update Councillor Hunt was advised that the matter would be dealt with as part of the report on swimming pool provision in North Herefordshire which would be considered by Cabinet on 27th November, 2003.

In relation to Item 3.1 - Compulsory Purchase Order (CPO): A4103 Roman Road, Hereford, in response to a question on progress towards a start date of February 2004 Councillor Wilson, Cabinet Member (Highways and Transportation) advised that archaeological works were due to be completed in December 2003 and that the CPOs were currently with the Secretary of State.

In relation to Item 4.1(ii) - Council Tax Consultation, in response to a series of questions about discounts for pensioners the Leader advised that this was a scheme that had been raised by other local authorities and a great deal of investigation and debate would be required before coming to any conclusion. He warned that if discounts for pensioners were agreed a heavier tax-paying burden would fall on non-pension households, some of whom also have low incomes. He advised that the Council would be considering reducing the discounts currently applied to second homes which would be more practical to implement and could raise up to £350,000 a year.

In relation to Item 4.1(ix) - Local Area Forums, the Leader advised that review of the constitution would be submitted to Council in January but that he hoped the Local Area Forums would start again as soon as practicable.

In relation to Item 4.2(i) - Procurement of Contract Services - in response to a query on the adverse publicity Jarvis had received nationally, the Leader assured Council that the contract with Jarvis would be subject to scrutiny both by the Scrutiny Committees and by the Executive. He advised Council that Jarvis was a many-faceted company and acknowledged that there had been considerable adverse publicity in relation to their rail operations. However, Jarvis were addressing these issues. He said he was confident that with proper monitoring the Jarvis contract would secure a good quality of service and represent value for money.

In relation to Item 4.2(vii) - LPSA Monitoring Report - in response to a query about potential difficulties in meeting agreed targets the Leader advised that some targets, e.g. in Education, were set extremely high. The Government had relaxed its own targets in this area but had not yet passed those on to the LPSA targets. He said milestones were now being included in the monitoring reports which were being considered both by Scrutiny Committees and the Executive.

In relation to Item 6.1(iii) - Public Library Position Statement - in answer to a question about lottery funding recently granted for Ledbury library, Councillor Stockton, Cabinet Member (Community and Social Development) gave an assurance that this scheme would move ahead as quickly as possible.

In relation to Item 7.1(ii) - Local Authority Business Growth Incentives (LABGI) - Councillor G.V. Hyde, Cabinet Member (Economic Development, Markets and Property) confirmed he would continue to apply pressure with regards to the flood alleviation scheme at Rotherwas, which was vital for the continued growth of the industrial estate.

In relation to Item 7.1(i) - Leominster Industrial Estate Access Road - Councillor R.M. Wilson, Cabinet Member (Highways and Transportation) confirmed that road works had commenced and that the business park should be open during the summer of 2004.

In relation to Item 8.1(i) - Children's Centres, in response to a question about the continuing closure of the Ledbury Youth Centre, Councillor Stockton advised that the youth centre had experience great difficulty in recruiting and retaining staff. He said that investigations were underway into possible dual-use of the facility. Councillor D.W. Rule, Cabinet Member (Education) advised that "Mucky Pups" was providing a service for the early years category.

In relation to Item 8.1(ii) - Building Schools for the Future - Councillor Rule advised that all Councillors would be kept fully informed of proposals to improve or extend schools in their local area. He confirmed that the bid to be included at an early phase of the national programme had been submitted and that a decision should be announced in December 2003. For the benefit of the pupils from Haywood High School attending the meeting, the Leader advised that it was proposed that 90% of their school would be demolished and rebuilt if such proposals were to be approved.

In relation to Item 9.1(i) - Herefordshire Unitary Development Plan (UDP) Part 1 (Strategy) - Councillor P.J. Edwards, Cabinet Member (Environment) was congratulated on the consultations with local members at which a broad consensus view was agreed to be taken forward to the next stage in the process. However, some Councillors who represented wards within the City expressed disappointment that none of the Hereford Councillors representing the City were included in the UDP Group.

In relation to Item 10.1(ii) - Car Parking Strategy and Charges - Councillor T.M.

James moved the following motion:

"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 that 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."

He expressed the view that this should not be a matter for the Executive. It was a policy matter which should be decided by the whole Council. He said he was concerned at the way in which the Cabinet Member (Highways and Transportation) had dealt with the consultation meeting at which the schedule of charges had been circulated to Members. He said there had been limited consultation with parishes and communities, and that the charges would be, in effect, a stealth tax. He was concerned that there was a lack of information from officers who could not say whether the charges would cover the costs of collection. He said there was a need for an all-party body to consult with communities and make recommendations which would be fair to the whole County. He said that people were tired of increases to charges that were way above the rate of inflation.

Councillor Chappell seconded the motion.

Several Members spoke in favour of the motion, making the following points:

Leominster - it would be wise to defer changes in Leominster for 12 months to assess the impact of various retail factors including

- the construction of a new DIY superstore which would have around 100 free car parking spaces;
- restrictions to access to town centre caused by work on the Industrial Estate Access Road;
- transfer of Council staff from Leominster to Hereford;
- current planning application for 40% increase in out-of-town supermarket space;
- general deprivation factors.
- Leominster Town Council had commissioned a report which would be ready before Christmas.
- Equity of charges did not mean equality - different towns had different needs.

Hereford City

- Money raised from parking in the City should be used in the city, e.g to remove graffiti.
- Hospital car parks are inadequate and increasing charges would put members of staff at risk.
- Parts of Merton Meadow car park are often completely empty - spaces here should be free to key workers.

- Additional income expected from a 12% increase in charges.
- A Multi-storey car park is required in the vicinity of the bus station.
- Belmont has more unemployment than any other part of the City.
- A cross-party group should be set up and extra funding made available for rural transport.

Environment Scrutiny Committee

- The point was made that the all-party Scrutiny Committee had unanimously rejected the increased charges and referred the decision back to Cabinet. Further consideration should be given to the proposals before they were implemented because, once imposed, they would not be reversed. Review of charges should take place at the end of the administration's term of office.
- More consultation was needed.

Those opposed to the motion argued:

- The Council had made a pledge to be equitable in provision of services across the County in particular on issues such as parking and cemeteries;
- the position on free parking was obviously unfair;
- neighbouring authorities charge much more for their parking;
- the car parking strategy was approved and supported by the previous administration.

The Cabinet Member (Highways and Transportation) reminded Council that it had approved the car parking strategy as part of the Local Transport Plan and that a review of charges had not been undertaken for two and a half years. He also said that Cabinet had attempted to achieve equity and had agreed to review the strategy. The Leader said that the decision to raise charges was always a difficult one, as neither the County nor the Council was wealthy. He reminded Council of the overall package of proposed changes which included concessions for Christmas. He said that increases had to be practical in terms of coinage and that fees collected from car parking charges helped offset costs for other services. He said that the Forward Plan had contained details of the proposed changes but that had been largely ignored.

Councillor James took issue with the Leader's comments. He said that the strategy did not imply authority to raise charges nor to extend parking charges in Leominster, Ledbury and Kington. He said that if the Council went ahead with imposing such charges it would be sending a clear signal to market towns, businesses and the people of Herefordshire that it did not care about their views.

A named vote was held with the following result

For (18) - Councillors Mrs. Andrews, Ashton, Mrs. Bew, Bowen, Chappell, Mrs. Daniels, Dauncey, Mrs. Davis, Fleet, James, Mrs. Lloyd-Hayes, Newman, Preece, J.P. Thomas, W.J.S. Thomas, Ms Toon, Walling and A.L. Williams.

Against (36) - Councillors Mrs. Barnett, Bramer, Davies, G.W. Davis, J.W. Edwards, P.J. Edwards, Mrs. French, Goodwin, Mrs. Gray, Grumbley, Guthrie, Harling, Hope, B. Hunt, T.W. Hunt, G.V. Hyde, Mrs. Hyde, Brig. Jones, Mrs. Lincoln, Lucas, Manning, Matthews, Mayson, Mills, Mrs. Pemberton, Phillips, Ms Powell, Mrs. Robertson, Rule, Stockton, Stone, Taylor, Turpin, Wilcox, J.B. Williams, Wilson.

Councillor R.B.A. Burke abstained.

The motion was therefore declared lost.

In relation to Item 11.1(i) - Access to Services in Kington and Surrounding Areas: Wesleyan Chapel - Councillor James congratulated Councillor Mrs. French, Cabinet Member (Human Resources and Corporate Support Services) on holding a successful open public meeting.

In relation to Item 11.1(ii) - Implementing Electronic Government (IEG) Statement - in response to a query about the amount of funding likely to be awarded next year, Councillor Mrs. French advised that the statement had been submitted to central government in October and the award of funding was in their hands. She stated that the Budget Panel would be looking at how much would be needed to bring the Council's IT to a comparable standard with other authorities. Councillor Mrs. Barnett, Cabinet Member (Social Care and Strategic Housing) confirmed that officers were investigating the introduction of a system of single assessment. Councillor Mrs. French noted a request to encourage parish councils to access e-government.

In relation to Item 13.1(v) - TUPE Considerations in Relation to the Proposed Transfer of Homes for Older People to Shaw - Councillor Chappell urged the Leader to reconsider the Cabinet decision not to require Shaw Homes to employ new joiners, post-transfer on the same terms and conditions as existing staff. Councillor Mrs. Barnett said that negotiations were continuing with Shaw but that the Council could not dictate how they should treat new staff. It could, however, protect existing staff, and that was what it had done. She advised Council that, if negotiations with Shaw were to fail, the Council would be failing the most vulnerable people in the County and she would not wish to be involved in that. Councillor Chappell stated that a divided workforce would not be a happy workforce. He quoted the recent transfer of staff at the Hospital as an example. He also praised Jarvis for adopting TUPE Gold and again urged the Cabinet Member to require Shaw to comply.

The Council adjourned at 12.20 p.m. and reconvened at 12.25 p.m. to allow the staff and school pupils in attendance to withdraw.

In relation to Item 13.2(i) - Regional Housing Strategy for the West Midlands and Regional Housing Board Allocations Strategy - In response to a question, Councillor Mrs. Barnett advised that there were 5,000 homeless families in Herefordshire and that there was an average of 19 applications for each house.

In relation to Item 13.2(ii) - Annual Review of Performance in 2002-03 Herefordshire Council Social Services - In response to a query Councillor Mrs. Barnett advised that a date had not yet been set to consider the business case for Older People's Homes. The Leader advised that there would be a full Member briefing.

RESOLVED: That the report of the meetings of Cabinet held on 21st August, 4th and 25th September and 9th and 23rd October, 2003 be received.

40. REGULATORY COMMITTEE

Councillor R.I. Matthews presented the report of the meetings of the Regulatory Committee held on 29th July and 14th October, 2003. He advised that the recommendation to Council, at Item 9 of the report, was no longer required as the delegation to officers was already provided for under existing delegated powers.

In response to a query on licensing hours, he assured Council that all Members would be invited to appropriate training sessions/seminars.

RESOLVED: That, subject to the deletion of the recommendation to Council at item 9, the report of the meetings of the Regulatory Committee held on 29th July and 14th October, 2003, be received.

41. STATUTORY ACCOUNTS COMMITTEE

Councillor D.B. Wilcox presented the report of the meeting of the Statutory Accounts Committee held on 19th September, 2003.

RESOLVED: That the report of the meeting of the Statutory Accounts Committee held on 19th September, 2003 be received.

42. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meeting of the Planning Committee held on 3rd October, 2003.

RESOLVED: That the report of the meeting of the Planning Committee held on 3rd October, 2003 be received.

43. STANDARDS COMMITTEE

Mr. Robert Rogers presented the report of the meeting of the Standards Committee held on 10th October, 2003.

RESOLVED: That the report of the meeting of the Standards Committee held on 10th October, 2003 be received.

44. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meeting of the Strategic Monitoring Committee held on 13th October, 2003.

RESOLVED: That the report of the meeting of the Strategic Monitoring Committee held on 13th October, 2003 be received.

45. COUNCILLOR REV. D.C. SHORT, MBE - ST NICHOLAS WARD: LOCAL GOVERNMENT ACT 1972 - SECTION 85

RESOLVED: 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.

46. ELECTORAL MATTERS

Council noted the outcome of the Electoral Pilot Scheme undertaken at the elections held on 1st May, 2003 and received a report from the Chief Executive on two consultation papers from the Electoral Commission.

The Chief Executive advised that consultation on electoral reform was a sensitive issue because if such consultation was undertaken solely through the Executive there might be a perception that the response could be partisan. For this reason the consultation had been conducted through the political group leaders who were unanimous in their recommendations.

The Council thanked the Chief Executive, as Returning Officer, and all those who had organised and assisted during the election process.

The Chief Executive answered a number of questions.

- He was unable to give an assurance, at this stage, that marked up registers would be available at future elections, but agreed to look at the practicalities at the time.
- He was surprised that Parish Councils had not received bills for electoral expenses and would expedite the matter.
- He reported that if there was a move to all-out postal ballots a change would be required to the electoral registration system which could require all electors to sign the form as a means of confirming identity. He advised that three regions would be involved in an all postal pilot for the next European elections. He did not know at this stage if the West Midlands would be one of the pilots.
- He said that he had advised the Electoral Commission that, because of the success of the all-postal pilot, it would be difficult to return to the traditional ballot-box method.

RESOLVED:

- 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 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 be endorsed.**

47. WEST MERCIA POLICE AUTHORITY

Councillor B. Hunt presented the report of the meeting of the West Mercia Police Authority held on 23rd September, 2003. He advised Council that the authority was carrying out extensive upgrades and extensions to its properties including an experimental booth at Peterchurch which would operate when the station was unmanned. He also asked Councillors for their feedback on the newsletter he had circulated.

He stated that 34 additional police staff had been allocated to Herefordshire but advised that they could not all be on duty all the time. He agreed to pass on a number of concerns including: inadequacy of police numbers on the ground; difficulties in making contact with the police; slow response times, inadequate communication between CCTV control rooms and police at the scene; and low level anti-social behaviour and the need for more community policing.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 23rd September, 2003 be noted.

48. HEREFORD AND WORCESTER COMBINED FIRE AUTHORITY

Councillor G.W. Davis presented the report of the meetings of the Hereford and Worcester Combined Fire Authority held on 16th June, and 2nd and 24th September, 2003. He confirmed that local fire fighters had indicated that they would not be joining the unofficial strike action proposed elsewhere in the country.

The Council gave Councillor Davis a vote of thanks for the work he had undertaken in keeping people informed during the strike earlier in the year.

RESOLVED: That the report of the meetings of the Hereford and Worcester Combined Fire Authority held on 16th June, and 2nd and 24th September, 2003 be noted.

The meeting ended at 1.00 p.m.

CHAIRMAN

REPORT OF THE MEETINGS OF CABINET

HELD ON 20TH AND 27TH NOVEMBER AND 4TH AND 18TH
DECEMBER 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 third 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 **Second Homes and Empty Property Council Tax Discounts** - The recently passed Local Government Act has given Councils the discretion to reduce the level of discount on second homes and long term empty property.

Cabinet has agreed to recommend the reduction of the level of Council Tax discount on second homes to 10% and remove the 50% discount on long-term empty properties.

- 1.2 **Review of the Constitution** - Cabinet has considered proposed amendments to the Constitution relating to Local Area Forums and Regulatory Committee. It has confirmed its earlier proposal to create six Local Area Forums with ward composition and Councillor membership as set out in Appendix 1, but allowing flexibility for attending another forum if appropriate. Chairmen of the Forums to be appointed by the Group Leaders and the special responsibility allowance for Chairmen to be discontinued. The changes to the terms of reference for the Regulatory Committee are required as a result of the Licensing Act 2003, which gives the Council responsibility for all liquor licensing, gaming permits, public entertainments licences and cinema licences within its area. It is also necessary for the delegated powers of the Director of Environment to be made more specific.

Cabinet recommends to Council that the Constitution be amended as follows:

- (a) **Part 4 of the Constitution by deleting Standing Order 4.3.7 which deals with the appointment of Chairmen of Local Area Forums;**
- (b) **Part 10 of the Constitution by deleting Standing Order 10.1.5 which sets out provision for formal membership of Local Area Forums, and amend Standing Order 10.1.6 which deals with the appointment of Chairmen;**
- (c) **Appendix 20 of the Constitution by substituting Appendix 1 to set out the ward composition and Councillor membership of Local Area Forums;**
- (d) **Appendix 15 (Councillors' Allowances Scheme) of the Constitution to delete Band 5, Chairman of Local Area Forums, £517 from the Scheme approved by the Council on 25 July 2003;**

(e) **Part 5 of the Constitution by adding “Regulatory Committee” to Standing Order 5.1.1 Appointment of Sub-Committees and Working Groups;**

(f) **Standing Order 9.3.2.1 (Terms of Reference of the Regulatory Committee) of the Constitution by adding:**

“To undertake responsibility for the Council’s functions in relation to all liquor licensing, gaming permits, public entertainment licences and cinema licences under the Licensing Act 2003 as amended from time to time.”

(g) **Standing Order 9.3 (Regulatory Committee) of the Constitution by adding:**

“9.3.3 REGULATORY SUB-COMMITTEE

9.3.3.1 The Regulatory Sub-Committee will be responsible for determining individual applications for liquor licensing, gaming permits, public entertainment licences and cinema licences within Herefordshire.”

(h) **Standing Order 12.7.3 (County Secretary and Solicitor) of the Constitution by adding:**

“12.7.3.6 The County Secretary and Solicitor will maintain a Scheme of Delegation to officers for regulatory matters and is authorised to revise that Scheme from time to time.”

and

(i) **the County Secretary and Solicitor be authorised to make any further consequential revisions to the Constitution as necessary.**

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). Cabinet received an update on the latest developments regarding a replacement swimming pool for North Herefordshire. The report is to be found at paragraph 6.1(i) of this report where it is indicated that Cabinet accepted that three separate feasibility studies had concluded that there was insufficient justification for siting a pool at Bromyard.

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

3.1 There were no such decisions during the reporting period.

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

4.1 Report on Decisions Taken

- (i) **The Prudential Code and its Impact on Capital Strategy** - With the recent enactment of the Local Government Bill, the Prudential Code for Capital Finance will come into force for the new financial year. The Code replaces all current legislation and regulation on capital finance, in particular the system of borrowing approvals, which has governed capital expenditure planning for many years. Cabinet has received a report on the implications of the new Code. Cabinet approved the framework for the resulting strategy.
- (ii) **Index of Multiple Deprivation (IMD)** - The IMD is a list of all the 8,000+ wards in England, ranked in descending order of deprivation, based on a wide variety of factors. The IMD is used by Central Government and regional bodies to distribute regeneration and other funds to wards. The current Index was published in 2000 based on statistics pertaining to 1998. It incorporates data on indicators in a variety of “domains” of personal deprivation: income, employment, housing, health, education and geographical access to services. With the exception of the South Wye area and other parts of Leominster and Hereford, the wards of the County rank as less deprived than many in England on most domains. A first stage consultation on updating the Index was produced in late 2002; there was a move by some urban authorities to remove the Access to Services domain. Herefordshire Council responded to that consultation urging, among other issues, that the access to services domain be retained and that indicators relating to a lack of affordable housing be included. Cabinet has endorsed the issues to be addressed regarding the current consultation, which again includes geographical access to services and affordable housing.
- (iii) **Write-Offs during 2002/03 Financial Year** - In general, debts considered for write-off fall into five main categories: Bankruptcy or liquidation; written off by Magistrates at Committal hearing; inability to trace debtors; no further action possible; and sundry debts below £100. In 2002/03, compared with 2001/02 there was a slight fall in proposed Council Tax write-offs, and a significant drop in the proposed National Non-Domestic Rates write-offs. However, Cabinet has expressed concern about the growth in sundry debtors which has almost doubled since the previous year, and has questioned the robustness of the debt recovery process. The Cabinet Member (Audit and Performance Management) has agreed to investigate the process of debt recovery and provide an information report to Members of the Cabinet.
- (iv) **The Implications of the Local Government Act 2003** - Cabinet has noted the effect on Herefordshire of the provisions within the Local Government Act 2003 which received Royal Assent on 18th September, 2003. The Act is primarily concerned with financial issues but it also gives local authorities new powers to charge for discretionary services, trade and raise additional income for defined capital improvements through a business levy. The majority of its provisions have been in force since 18th November, 2003 and apply to the

Council and the Combined Fire Authority. Cabinet has agreed that the Council's policies be reviewed to take account of these changes in legislation.

- (v) **Connecting with Communities** - Herefordshire Council has been participating in the Connecting with Communities project since early 2002. Two of the key recommendations arising from this work are the production of a Communication Strategy and the introduction of a "Council" newspaper. Cabinet has approved a Communications Strategy for the Council, and agreed that the Council newspaper "Herefordshire Matters" be re-launched in early 2004. It discussed the frequency of editions and the method of despatch and agreed that there would be four editions a year, the first to be despatched by direct mail to each household in the County. The next issue will be circulated by a combination of direct mail and local newspaper. After these two issues an evaluation would be undertaken on the success of the delivery mechanism and advertising revenue and a further report submitted to Cabinet.

4.2 Report on Items of Interest

- (i) **Revenue Budget Monitoring 2003/04** - Cabinet has received a monitoring report on the revenue budget for programme areas in 2003/04, which showed expected expenditure was well within the 1% Council limit.
- (ii) **Capital Programme Monitoring 2003/04 to 30th September, 2003** - Cabinet has noted the Capital Programme forecast for 2003/04. The current capital monitoring forecast is that, subject to the expected acceleration of spending in the second half of the year, no conditional resources will be lost.
- (iii) **Public Service Agreement Update** - Cabinet has received a report on the latest performance against Public Service Agreement (PSA) targets. Progress has been made on liaising with Government on clarifying baseline information on targets relating to the care of the elderly, crime and housing. It now seems likely that there will be a greater possibility of achieving the Key Stage 2 exam targets.

A second round of PSAs is to be negotiated with the Government. The key differences are a greater focus on local issues and better partnership arrangements with the Government. This should present opportunities for Councils to be more innovative in achieving their targets.

- (iv) **Strategic Monitoring Committee** - Cabinet has received the draft report of the Strategic Monitoring Committee to Council.

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

5.1 Report on Decisions Taken

- (i) **Comprehensive Performance Assessment: Improvement Reporting** - The Council received a "good" rating in the Comprehensive Performance Assessment (CPA), missing an "excellent" rating once more by a very small margin. The Audit Commission has recently published proposals for interim revision to the scores pending proposals for a revised full CPA in 2005. At the time the report was written it seemed likely that the Council's service score would improve. Cabinet felt that a proportionate re-assessment would

not make sufficient contribution to the Council's Improvement Planning to justify the inevitable disruption of further inspection. Rather it would benefit the Council to concentrate on consolidating any improvements in service in time for the revised Comprehensive Performance Assessment in 2005. It has, therefore, decided that the Council should not take up the opportunity for a proportionate Corporate Assessment, if offered.

Note: The revised score card was published on 18th December, 2003 and showed that although there had been improvements to individual services, because of the complex scoring methodology, the Council was unlikely to achieve an "excellent" score, if re-evaluated at present.

- (ii) **Performance Management Action Plan** - The post of Head of Performance Management was created as a response to the Comprehensive Performance Assessment (CPA) recommendation that Herefordshire Council required a more rigorous approach to performance management. The successful appointee took up post on 15th September, 2003 and following a period of analysis and consultation has produced an action plan reflecting priorities to March 2004.

Cabinet has approved the action plan based on the recommendations contained in other key documents, such as the CPA Improvement Plan and the Performance Management Framework and these are signposted. A further report is expected in the Spring.

- (iii) **2003/04 Corporate Performance Outturns** - Cabinet has received an update on the Council's corporate performance in relation to its national and Local Best Value Performance Indicators from 1st April to 30th September, 2003. Three targets had been exceeded in the monitoring period and 16 were identified for improvement. Four of these related to housing benefits claims. Changes to staffing levels, software and processes are expected to show an improvement in this area during the next monitoring period. Other areas for improvement included performance related to domestic burglaries, electronic delivery of services, Land Charges searches, complaints and First Stop INFO enquiries. Action is being taken to address these issues.

5.2 Report on Items of Interest

- (i) **Mid-Year Assurance Report** - Cabinet has noted the key internal control issues identified during the course of audit. It has also received an update on the actions or current position on key issues identified during 2002/03 that required attention, including information security, payroll access and progress on completion of Good Environmental Management (GEM) audits. Of the 25 cases being investigated under the National Fraud Initiative, four have resulted in guilty pleas. Of these, one has received a community order and three are awaiting sentence. Of the nine being reviewed by Audit Services, eight related to other authorities/organisations from which the employee transferred and have been eliminated from our enquiries. Information from the matched authority is still outstanding for the one case to be concluded.

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

6.1 Report on Decisions Taken

- (i) **Replacement Swimming Pool for North Herefordshire** - The Sydonia Swimming Pool in Leominster was closed in March 2002 on health and safety grounds. The Council has been unable to secure external funding through Sport England for a replacement pool. In July 2003, it was agreed that a replacement swimming pool be provided for North Herefordshire and professional advisers be appointed to compile tender documents for a 25m x 12.5m pool with a 50 square metre learning bay at the site adjoining the Leisure Centre in Leominster. The scheme to be as approved by the Council's Northern Area Planning Sub-Committee on 30th May, 2001.

It was also agreed that the local community be requested to seek to raise a minimum of £250,000 which is the additional cost of providing this size of pool.

Cabinet has now received a progress report and noted the estimated timetable as follows:

12th January, 2004 - out to tender

9th February, 2004 - return of tenders

Early March 2004 - award of contract

There will be a mobilisation period with a commencement date of March/April, 2004

July 2005 - completion.

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."

Cabinet received details of three separate feasibility studies undertaken at Bromyard. All three concluded that there was insufficient justification for siting a pool at Bromyard. Similar studies at Kington came to the same conclusion.

Cabinet has noted that local fund raising events have already collected in the region of £55,000 and have emphasised that any monies raised by this method should offset the costs for the provision of the basic pool, not be used for additional features. It has also recognised the need for tight control of the specifications in order to prevent overspending on the overall project.

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

7.1 Report on Decisions Taken

(i) **Edgar Street Grid Masterplan** - At its meeting on 17th July, 2003 Cabinet had agreed a preferred masterplan option for the Edgar Street Grid as a basis for further consultation. Key themes emerging from the consultation process include:

- the need for investment and development of Hereford City;
- sufficient car parking;
- ways of reducing traffic congestion, including park and ride and outer relief road;
- public transport interchange;
- location of football ground;
- new library and civic centre
- relocation of existing businesses;
- development of the canal basin;
- necessity of a supermarket;

Cabinet has noted concern about the current traffic congestion at the bottom of Aylestone Hill and the need to address this issue further.

Cabinet has endorsed the masterplan for the Edgar Street Grid site in Hereford; agreed that appropriate elements should be included in the Revised Deposit Draft of the Herefordshire Unitary Development Plan; and that a further report be prepared for Cabinet assessing the options for a delivery vehicle to implement the proposals.

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

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

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

9.1 Report on Decisions Taken

- (i) **Development Control Functions** - Cabinet has considered a request that the discharge of the Council's development control functions within the area of the city and parish of Hereford should be delegated to Hereford City Council but has decided that development control functions are a key responsibility, which should remain with Herefordshire Council.
- (ii) **Draft Regional Planning Guidance for the West Midlands - Response to Proposed Changes** - Cabinet has agreed a response to the changes proposed by the Office of the Deputy Prime Minister (ODPM) to draft Regional Planning Guidance (RPG). It was concerned by the apparent diminution of the importance of rural renaissance, and has recommended that positive policies for farm diversification should be strengthened. It has also made a number of recommendations in relation to transport and accessibility in line with the findings of the local multi-modal study.

9.2 Report on Items of Interest

- (i) **Legionnaires Disease** – The Chief Executive provided an update on the outbreak of the disease in Hereford City. Cabinet thanked all staff involved in resolving the situation, including the Head of Environment Health and Trading Standards and his officers and the Public Relations Officer.

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

10.1 Report on Decisions Taken

- (i) **Consultation on Future Arrangement for Flood Defence Management** - In March 2003 the Government announced the outcomes of the Flood and Coastal Defence Funding Review. One of the key recommendations of the review is the creation of Single Tier Flood Defence Committees. The proposals, if adopted, would apply to England and Wales and would result in the abolition of any current two tier (Regional and Local) committee structures.

Within Herefordshire, flood defence functions on the River Wye are the responsibility of the Environment Agency Wales and are generally discharged through the River Wye Local Defence Committee, which is subsidiary to the Welsh Regional Flood Defence Committee.

The Council has been invited by both the Environment Agency and the Welsh Assembly Government to comment on options for future management of flood defence functions and funding arrangements in the areas currently administered by Local Flood Defence Committees.

Cabinet has considered the options suggested in the consultation papers and has recommended to the Environment Agency and the Welsh Assembly Government that:

- any future Regional Flood Defence Committee having responsibility for Herefordshire should be sufficiently small to ensure that local interests can be properly represented;
 - the funding arrangements for work undertaken by the Regional Flood Defence Committee must be consistent across the whole of the Committee area and not affected by national boundaries;
 - in the event that Herefordshire remains within a Welsh system of Regional Committees, the creation of three Regional Committees for Wales be recommended; and
 - if the English/Welsh border is adopted as the boundary for Flood Defence Committees, Herefordshire should become part of an English Regional Committee structure but within a smaller region than that proposed for the Midlands Regional Flood Defence Committee.
- (ii) **Car Parking Strategy and Charges** - In line with the adopted countywide parking strategy, a review of car park charges was carried out in the summer of 2003 and the Cabinet Member (Highways and Transportation) agreed new charges on 9th October, 2003. The decision was called in and considered by the Environment Scrutiny Committee on 21st October, 2003. Cabinet at its meeting on 23rd October, 2003 confirmed the original decision, subject to ongoing consultation. That consultation exercise is now complete and no new considerations, with the exception of Leominster, have been identified. Cabinet has now approved the variation to charges, and other amendment/additions to the Off Street Parking Traffic Orders in Herefordshire, decided by the Cabinet Member and confirmed by Cabinet on 23rd October, with the exception of charging proposals for Leominster. It has further agreed that charges in Central Car Park, Leominster be increased to 30p for one hour and 60p for two hours (time limit of two hours to remain); charges be introduced in Dishley Street Car Park, Leominster at a charge of 20p per hour (0800 – 1800, Mon – Sat); the annual season ticket for Dishley Street car park be set at £150; quarterly season ticket charges be set at one quarter of the annual season ticket cost plus 10% rounded up to the nearest £5; and all other Leominster car parks remain free.

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

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

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

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

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

13.1 Report on Decisions Taken

- (i) **Response to the Consultation on the Government's Green Paper "Every Child Matters"** - The Green Paper sets out policies to reduce the number of children who experience educational failure, suffer ill health, become pregnant as teenagers, are the victims of abuse and neglect, or become involved in offending and anti-social behaviour. Lord Laming's Inquiry into the tragic death of Victoria Climbié highlighted the need to ensure all children are safeguarded and have the opportunity to fulfil their potential. The Green Paper, "Every Child Matters", aims to achieve this by moving to a system locally and nationally where:

- services are focused around the needs of children, young people and families;
- services are integrated across Education, Social Care, Health and Youth Justice;
- there is clear accountability at all levels.

The Social Care and Housing Scrutiny Committee considered the response to the consultation at its meeting on 24th November, 2003 and resolved that the Executive be requested, in formulating its response, to consider the following points:

- the need for there to be sufficient resources made available to support the proposals which affect every child;
- the need for local flexibility to determine structural arrangements to reflect local circumstances;
- the need for a national framework prescribing arrangements for sharing information between agencies;
- there would be strength in relevant major partners in the County submitting a single joint response."

Cabinet has agreed the Council's response to the consultation as set out in the report.

- (ii) **Herefordshire Child Concern Model** - Cabinet has approved a Child Concern Model for Herefordshire. The Child Concern Model is an approach developed by the Herefordshire Area Child Protection Committee (ACPC) to help develop an appropriate response to vulnerable children. It has evolved

from discussions between agencies (voluntary, police, education, social services, NSPCC, health, school representatives, Women's Aid). A draft document was produced in July which, following widespread consultation, was approved in October 2003 by the Area Child Protection Committee. The model is part of Herefordshire's Multi-agency response both to the report on the death of Victoria Climbié (Laming Report) and the Green Paper "Every Child Matters" with particular emphasis on the area of 'Effective Protection'.

- (iii) **Fostering Service Statement of Purpose** - The Council is obliged to meet the requirements of Fostering Services Regulations 2002 and will be inspected against them by the National Care Standards Commission in March 2004. Cabinet has approved the Herefordshire Council Fostering Service Statement of Purpose which is required under the Regulations.
- (iv) **Council's Residential Care Homes Proposed Transfer to Shaw Homes Limited** - In June 2002 Cabinet agreed that the Council should enter into negotiations with Shaw Homes Limited as the preferred bidder for the future management and development of the Council's homes and the provision of appropriate levels of care and service for both current residents and future service users. Detailed negotiations have continued since then, and Cabinet has now approved the draft Heads of Terms agreed to date, subject to contract, which will form the basis of the partnership arrangements with Shaw Homes. Cabinet has also agreed the proposed funding arrangements and authorised the Director of Social Care and Strategic Housing, in consultation with the County Secretary and Solicitor and County Treasurer, to conclude negotiations with a view to establishing formal contractual agreement which will provide for the transfer of the homes in early 2004/05. Cabinet has received an update on proposals for changes to respite care currently available at Woodside, Ross-on-Wye and been reassured that there will be a full reassessment of the needs of users and carers. A briefing note will be sent to all Members of the Council updating them on the position relating to the transfer of homes to Shaw and future service provision. Cabinet congratulated the Director of Social Care and Strategic Housing and her staff for their hard work over the negotiating period.

14. QUARTERLY REPORT ON SPECIAL URGENT DECISIONS OF THE EXECUTIVE

14.1 There were no such decisions taken during the reporting period.

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

MEMBERSHIP OF LOCAL AREA FORUMS

Central Herefordshire

Backbury	Pemberton, Cllr Mrs J
Burghill, Holmer and Lyde	Robertson, Cllr Mrs S
Credenhill	Matthews, Cllr B
Hagley	Wilson, Cllr M
Hampton Court	Grumbley, Cllr K
Sutton Walls	Guthrie, Cllr J
Wormsley Ridge	Mayson, Cllr C

East Herefordshire

Bringsty	Hunt, Cllr T
Bromyard	Dauncey, Cllr P
	Hunt, Cllr B
Frome	Manning, Cllr R
Hope End	Mills, Cllr R
	Stockton, Cllr R
Ledbury	Ashton, Cllr B
	Harling, Cllr P
	Rule, Cllr D

Golden Valley

Golden Valley North	Davies, Cllr NJJ
Golden Valley South	Williams, Cllr JB
Stoney Street	Taylor, Cllr D
Vallets	Turpin, Cllr P

Hereford

Aylestone	Wilcox, Cllr B
Belmont	Williams, Cllr A
	Edwards, Cllr P
	Newman, Cllr J
Central	Powell, Cllr Ms G
St Martins and Hinton	Fleet, Cllr D
	Attfield, Cllrs Mrs U
	Chappell, Cllrs C
	Preece, Cllr B
St Nicholas	Bew, Cllr Mrs M
	Vacancy
Three Elms	Andrews, Cllr Mrs P
	Daniels, Cllr Mrs S
	Toon, Cllr Ms A
Tupsley	Hyde, Cllr G
	Lloyd-Hayes, Cllr Mrs M
	Walling, Cllr B

North Herefordshire

Bircher	Bowen, Cllr S
Castle	Hope, Cllr J
Golden Cross with Weobley	Goodwin, Cllr J
Kington Town	James, Cllr TM
Leominster North	French, Cllr Mrs J
	Jones, Cllr Brig P
Leominster South	Burke, Cllr RBA
	Thomas, Cllr JP
Mortimer	Barnett, Cllr Mrs LO
Pembridge, Lyonshall with Titley	Phillips, Cllr R
Upton	Stone, Cllr J

Ross-on-Wye

Hollington	Thomas, Cllr S
Kerne Bridge	Lincoln, Cllr Mrs R
Llangarron	Hyde, Cllr Mrs J
Penyard	Bramer, Cllr H
Pontrilas	Davies, Cllr G
Old Gore	Edwards, Cllr J
Ross-on-Wye East	Davies, Cllr Mrs J
	Gray, Cllr Mrs A
Ross-on-Wye West	Cunningham, Cllr M
	Lucas, Cllr G

REPORT OF THE PLANNING COMMITTEE

Meeting Held on 28th November, 2003

Membership:

Councillors: T.W. Hunt (Chairman), 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

PLANNING APPLICATIONS FROM MEMBERS OF THE COUNCIL

1. The Committee has approved the following planning applications which were referred to it under the provisions of the Council's Constitution.
 - (a) DCN2003/2849/9 – Extension to form shower room and link porch at 27 Bridge Street, Leominster, Herefordshire; and
 - (b) DCSE2003/2876/F – Retention of garage/store Rudhall Manor, Phocle Green, Ross-on-Wye, Herefordshire.

PLANNING APPLICATIONS REFERRED TO THE PLANNING COMMITTEE

2. The Head of Planning Services has referred the following planning applications to the Committee because the Area Planning Sub-Committees are mindful to approve them, contrary to officer advice and the Council's planning policies.
 - (a) SW2003/1227/O – Site For One Dwelling, Lower Tomlins Field, St Weonards, Hereford, HR2 8QE
 - (b) DCNW2003/2418/F – Proposed Two Buildings of Negative Environmental Impact For Family/Educational Groups - Land Adjoining Lemore, Eardisley, Hereford, Herefordshire, HR3 6LR
 - (c) DCNE2003/2387/F – Detached Dwelling On Land Adjacent To 47 The Green, Ashperton, Herefordshire, HR8 2RY.
3. The Committee has given detailed consideration to each application including the reasons why the Area Sub-Committees were mindful to approve them and the crucial policy issues at stake. The Local Ward Councillors have given their views about the applications and in accordance with the criteria for public speaking, the applicants gave their reasons for requiring planning permission.
4. The Committee has taken into consideration all the facts regarding the applications. In respect of the application for Lower Tomlins Field, St Weonards, the Committee has decided to grant permission because of the unique circumstances surrounding the application. The application for two buildings on land adjoining Lemore, Eardisley has also been approved because the applicant had provided additional information and given undertakings which satisfy the Council's planning policies. In the case of the detached dwelling on land adjacent to 47 The Green, Ashperton, the Committee has decided that it should be refused because there are insufficient grounds for an exception to be made to the Council's planning policies.

PLANNING POLICY STATEMENT 7 (PPS7) – SUSTAINABLE DEVELOPMENT IN RURAL AREAS

5. A consultation paper has been received from the Office of the Deputy Prime Minister (ODPM) to seek views about proposals for Planning Policy Statement 7 (PPS7) on Sustainable Development in Rural Areas. The consultation relates to the Government's policy objectives in respect of rural areas and the way in which these objectives could be achieved. The policies are firmly based on sustainable development and the need to protect the undeveloped countryside for the benefit of local communities, the environment, agriculture, tourism and leisure and employment. The ODPM proposes to issue accompanying guidance on agriculture and forestry permitted development rights when the final version of PPS7 is published.
6. The Committee, together with the officers, has given its views on the following issues contained within the Policy Statement:
 - sustainable rural communities, rural businesses and services
 - the countryside
 - agriculture, farm diversification, equine related activities and forestry; and
 - tourism and leisure.

The relationship between the proposals and those contained within the Herefordshire Unitary Development Plan had also been taken into consideration and recommendations have been made by the Committee to the Cabinet Member (Environment) for a response to be submitted to the ODPM.

DEVELOPMENT BRIEF – LAND OPPOSITE SUTTON ST. NICHOLAS PRIMARY SCHOOL

7. The Committee has approved the Development Brief for land opposite Sutton St Nicholas Primary School which will form supplementary planning guidance to be used as the basis of a more detailed master plan to guide future planning applications on the site. The Development Brief is extremely important, having been the first to emerge from the Herefordshire Unitary Development Plan. It has been prepared in conjunction with the Council's Property and Education Services, discussed with the landowner, school governors and the Parish Council and the views of the local community have also been taken into consideration. The site has been identified to provide a new school, open space and affordable housing.

DRAFT REGIONAL PLANNING GUIDANCE FOR THE WEST MIDLANDS

8. The Committee has taken advice from the officers and recommended a response to the Cabinet Member (Environment) regarding consultation from the ODPM on Draft Regional Planning Guidance (RPG) for the West Midlands. In general terms the Committee has welcomed many of the proposed changes to the RPG which has been under discussion by interested parties since early 2000. The Committee has recommended that views should be given by the Council about the following issues in the RPG:
 - rural renaissance
 - housing targets for previously developed land
 - positive policies for farm diversification

- quality of the environment
- better systems for alternative sources of materials used in construction projects
- minerals output targets
- land sterilisation targets
- transport and accessibility.

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

BACKGROUND PAPERS

- Agenda for the meeting of the Planning Committee held on 28th November, 2003.

REPORT OF THE STANDARDS COMMITTEE

Meeting held on 5 December 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 Following advertisement in the local press for the post of independent Member, interviews were held on 20 November 2003 by a Panel comprising the Chairman of the Council, the County Secretary and Solicitor and myself. We recommend to Council the appointment of Mr David Stevens
- 3 Mr Stevens is the Chairman of Herefordshire Young Enterprise and West Mercia Crimestoppers and formerly Chairman of the Area Council of the Herefordshire Chamber of Commerce, and an Independent member of the Police Authority. David Stevens worked for many years with Bulmers' export department. He lives in Hereford City and is married with three grown up children.
- 4 Herefordshire Association of Local Councils (HALC) has put forward Mr John Hardwick as its second representative on the Committee. We endorse his appointment.
- 5 John Hardwick farms in the Fownhope area and is a much respected member of the local community, which he is involved in and has served for many years. He is currently Chairman of the Fownhope Parish Council and a member of the HALC Executive Committee.

RECOMMENDATION TO COUNCIL: That Mr David Stevens (Independent Member) and Mr John Hardwick (Town and Parish Council Representative) be appointed as members of the Standards Committee.

ELECTIONS 2003

- 6 We are delighted to report that following hard work by the County Secretary and Solicitor and her staff and the Town and Parish Clerks, all Town and Parish Councillors have undertaken to comply with the Code of Conduct and have completed the Register of Financial and Other Interests.

USE OF MEMBER SUPPORT SERVICES – INTERNET, EXTERNAL E-MAIL AND OTHER FACILITIES AND PROTOCOL FOR MEMBER/OFFICER RELATIONS

- 7 At its meeting on 28 April 2003, Council decided that the Draft Protocols for Member/Officer relations and the use of Members Support Services, internal, and external e-mail and other facilities, should be accepted in principle but be re-submitted to Council for adoption following further consultation on the detailed terms. We have sought the views of the Group Leaders and the Chief Executive's Management Team. We now put forward a revised Protocol for Member/officer relations seeking to give clearer guidance for Members, and especially new Members elected in May.

- 8 On the Protocol dealing with Members' use of the internet, external email and other facilities, we have set in hand further work, aimed particularly at drawing on best practice from other authorities. We will bring forward a revised draft as soon as may be.

RECOMMENDATION TO COUNCIL: That the revised protocol set out in the Appendix to this report be adopted.

TRAINING

- 9 A Seminar for town and parish councillors was held in conjunction with the Herefordshire Association of Local Councils on 20 November. The Seminar was, very successful and will become at least an annual event. In addition, the Herefordshire Association of Local Councils will arrange further training about the Code of Conduct in Spring 2004. On 6 February 2004 we will be holding a joint event with Worcestershire County Council's Standards Committee and the Combined Fire Authority Standards Committee. This will cover the handling of complaints under the powers conferred on the Committees by the Local Authorities (Code of Conduct) (Local Determinations) (Regulations) 2003.

GUIDANCE FOR MONITORING OFFICERS AND STANDARDS COMMITTEES AND OTHER ISSUES

- 10 We have considered guidance from the Standards Board for England on the conduct of local determination hearings. We have some concerns about apparent inconsistencies in penalties imposed by Adjudication Panels for similar offences, and we will keep this under review.
- 11 We note that the Third Annual Assembly of Standards Committees will take place on 13/14 September 2004 at the International Conference Centre in Birmingham.

INVESTIGATIONS BY THE STANDARDS BOARD FOR ENGLAND

- 12 We have considered a report on the results of investigations by the Standards Board for England into complaints against Town and Parish Councillors.

**ROBERT ROGERS
CHAIRMAN
STANDARDS COMMITTEE**

BACKGROUND PAPERS

- Agenda papers of the meeting of the Standards Committee held on 5 December 2003

HEREFORDSHIRE COUNCIL CONSTITUTION

PART [] – CODES OF CONDUCT AND PROTOCOLS

Protocol for Member/Officer Relations

1. General

- 1.1 Mutual respect is the key to establishing good Member-officer relations. Close personal familiarity should be avoided.
- 1.2 Officers are employed to manage the Council and to help councillors achieve their policy goals. Officers have to advise Members from time to time that a certain course of action cannot be carried out. Members should not assume that this is deliberate obstruction. Officers have a duty to give unbiased professional advice – even if it is not what Members want to hear.
- 1.3 You should remember that officers cannot respond to personal criticism in the same way that politicians can, and so you may need to temper your remarks accordingly.

Undue Pressure

- 1.4 You should recognise that employees (especially junior employees) may feel overawed and at a disadvantage in their dealings with you. This feeling can be intensified when you hold political office.
- 1.5 You must not apply undue pressure on an employee to do anything that he or she is not empowered to do nor to undertake work outside normal duties or outside normal hours.

2. Officer Advice to Political and Party Groups

- 2.1 No officer can be a Member of their employer local authority. Also, senior officers, except those specially exempted, cannot be a member of any other local authority or an MP. Nor can they speak or publish written work for the public with the apparent intention of affecting public support for a political party.
- 2.2 Because political groups are a feature of modern local government and have a role in the successful running of the Council, on occasion officers may be asked to provide support and assistance to political groups.
- 2.3 This support can take many forms, ranging from a briefing meeting with a Group Leader or spokesperson, to a presentation to a full party group meeting. It is an important principle that such support is available to all political or party groups. In accordance with the Council's Code of Conduct for employees, officers must not be involved in advising any political group of the Council or attend any meeting without the express consent of their Director or the Chief Executive.
- 2.4 Certain points must however be clearly understood by all those participating in this type of process, Members and officers alike. In particular:
 - (a) officer support in these circumstances must not extend beyond providing information and advice in relation to matters of Council business. Officers must not be involved in advising on matters of party business. The observance of this distinction will be assisted if officers are not expected to be

present at meetings, or parts of meetings, when matters of party business are to be discussed;

- (b) party group meetings, whilst they form part of the preliminaries to Council decision making, are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings do not therefore rank as Council decisions and it is essential that they are not interpreted or acted upon as such;
- (c) similarly, where officers provide information and advice to a political or party group meeting in relation to a matter of Council business, this cannot act as a substitute for providing all necessary information and advice to the relevant Committee when the matter in question is considered; and
- (d) Members often seek officers' assistance in drafting resolutions or amendments which they wish to move at a meeting. It is proper for an officer to advise on the wording of such a proposal to ensure it is accurate, practical and lawful but there can be no inference that the officer supports the substance or merits of the proposition.

2.5 Special care needs to be exercised whenever officers are involved in providing information and advice to a political or party group meeting which includes persons who are not members of the Council. Such persons will not be bound by the code of Conduct (in particular, the provisions concerning the declaration of interests and confidentiality) and for this and other reasons officers may not be able to provide the same level of information and advice as they would to a members only meeting.

2.6 Officers must respect the confidentiality of any political or party group discussions at which they are present in the sense that they should not relay the content of any such discussion to another party group. It follows that whilst there is no reason why other such groups should not be aware that a Group has sought and received officer advice or be inhibited from requesting officer support themselves no political point should be made of that fact.

2.7 Any particular cases of difficulty or uncertainty in this area of officer advice to political or party groups should be raised with the Chief Executive who will discuss it with the relevant group leader(s).

3. Key Contacts

3.1 You will find a list of Key Officer Contacts in the Council Diary. Members' Services also keep an up to date list extended to cover areas where councillors need urgent assistance. These officers are designated to provide you with information you need for all your casework and service queries. They can be contacted by letter, telephone or via the Council's e-mail system. They are responsible for replying within five working days. Some queries may take longer but you will be updated on progress.

3.2 The Council's Chief Executive, Directors, County Secretary and Solicitor, County Treasurer, and Head of Human Resources are also available to assist you as required.

3.3 Please make the key contact officer your first point of contact as contacting other officers can cause confusion and duplication. However if they are not available then

the relevant Director or Head of Service will arrange for someone else to contact you quickly.

4. Local Members

4.1 You will be kept fully informed about significant issues which affect your ward or bodies on which you represent the Council. Officers will be alert to advise members at the earliest possible stage of relevant development proposals. Over and above this general responsibility the County Secretary and Solicitor will:

- notify a Member that a report on any such local matter is being tabled or discussed as soon as the decision to place that item on the agenda of a Committee is taken;
- ensure that this report is sent to the Member as soon as it is published.

4.2 You will be invited to any public meeting organised by the Council to consider an issue affecting your ward. You will be notified of any consultative exercise at the outset of the exercise proposed for your ward or on an issue affecting your ward.

4.3 You will, wherever practicable, also be notified of any visits by the Chairman or Vice-Chairman of the Council or Committee Chairmen or Cabinet Members to Council sites or establishments in your ward, except where these are purely courtesy visits.

4.4 You will be notified of all decisions taken by the Cabinet or by Cabinet Members affecting your ward.

5. Relationships between Cabinet Members and Officers

5.1 There should be a close working relationship between Cabinet Members and Directors and other senior officers of the Council. However, care must be taken to ensure that this arrangement does not affect an officer's ability to deal impartially with Scrutiny Committee Members, other members and party groups.

5.2 The Constitution, Part 6, provides that a Cabinet Member has delegated powers to take any decision (other than a key decision) in respect of the functions of the Cabinet.

5.3 When this process is used, a report of the action taken must be made to the County Secretary and Solicitor who will arrange for it to be reported to all Members and made available for public inspection.

5.4 Finally, it must be remembered that officers within a Directorate / Department are accountable to their Director and that, whilst officers should always seek to assist a Cabinet Member or Chairman (or indeed any member), they must not, in so doing, go beyond the bounds of whatever authority they have been given by their Director.

6. Relationships between Scrutiny Committee Members and Officers

6.1 There should be a close working relationship between Scrutiny Chairmen and Vice-Chairmen and Directors and other senior officers. Directors and their nominees are responsible for providing professional support, advice and assistance to Scrutiny Committees and to guide and support Scrutiny Committee Chairmen as well as Executive Members.

7. Press Releases

- 7.1 You are encouraged to represent your local constituents in discussions with the media and external organisations. You must, however, take care that you portray yourself as representing the Council only if you have an explicit mandate to do so. The Council's Public Relations Officer can assist as necessary.

8. Correspondence

- 8.1 Your correspondence with officers should not normally be copied (by the officer) to any other Member. There can be no objection however to officers giving correspondence the same circulation as the original. You need to exercise caution in your distribution of queries made to officers to avoid duplication and confusion. You are encouraged to use the key officer contacts to avoid this. Where exceptionally it is necessary for an officer to copy your correspondence to another member, this should be made clear to you.
- 8.2 Official letters on behalf of the Council should normally be sent out in the name of the relevant officer who carries the legal and administrative responsibility. It may be appropriate in certain circumstances (e.g. representations to a Government Minister) for a letter to appear in the name of a Member, but this should be the exception. Letters which for example, create obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

9. Access to Documents, Information and Council Property

- 9.1 You may contact the key officer contacts for information, explanation and advice to help you in your role as a Member of the Council. Your legal rights to inspect Council documents are set out in Part 2 of the Constitution.
- 9.2 You may not inspect Council land, premises or other property unless specifically authorised to do so by the relevant Director in consultation with the relevant Cabinet Member.

10. Local Area Forums

- 10.1 These are being reviewed at present and guidance will be introduced soon.

**Herefordshire Council
November 2003**

REPORT OF THE STRATEGIC MONITORING COMMITTEE

Meeting Held on 8 December, 2003

Membership:

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

REVIEW OF THE CONSTITUTION

1. The Committee has considered the proposed amendments to the Constitution required to give effect to Cabinet's decisions following a review of the Local Area Forums. It has also noted the need to empower the Regulatory Committee to appoint a Sub-Committee to carry out new licensing duties and to refine the scheme of delegation to officers for regulatory matters.

RECOMMENDATION

- THAT**
- (a) **the Cabinet's proposals relating to the Local Area Forums and the Scheme of Allowances for Members be noted and the necessary consequential amendments to the Constitution be recommended to Cabinet and Council for approval;**
 - (b) **it be recommended to Cabinet and Council that the Constitution be amended to empower the Regulatory Committee to establish a Sub-Committee;**
- and**
- (c) **it be recommended to Cabinet and Council that the Constitution be amended to provide for the County Secretary and Solicitor to be authorised to devise a scheme of delegation for officers for regulatory matters.**

HUMAN RESOURCES STRATEGY

2. The Committee has received an update on progress in implementing the Human Resources Strategy. It has noted how the findings of the third annual staff opinion survey will inform action to make progress against the targets in the Strategy and the addition of milestones and interim targets into the Strategy to monitor performance.

ASSET MANAGEMENT PLAN

3. The Committee has noted that the Council's Asset Management Plan has been rated as "good" by the Government Office for the West Midlands (GOWM), the highest rating possible, and had obtained the best score in the West Midlands. The Council accordingly no longer has to submit a Plan to the GOWM. The Asset Management Plan will, however, remain an important tool for the authority and link into the prudential code for local authority finance.

THE PRUDENTIAL CODE AND ITS IMPACT ON CAPITAL STRATEGY

- The Committee has noted the implications of the new Prudential Code which will take effect in the 2004/2005 financial year. The Committee has been informed that the Council has in place the building blocks to develop the capital strategy in line with the Code's requirements and that the Code will afford the Council greater flexibility in seeking to deliver its priorities.

CAPITAL BUDGET MONITORING

- The Committee has been advised that it remains the case that, subject to the expected acceleration of spending in the second half of the year no conditional resources will be lost.

REVENUE BUDGET MONITORING

- The Committee has noted that the projected overspending is within the Council limit of 1%.

ISSUES CONSIDERED BY THE INDIVIDUAL SCRUTINY COMMITTEES

- The work of the Committees is analysed below as far as practicable under the following five roles for overview and scrutiny: holding the executive to account, best value reviews, policy development and review, external scrutiny, and improvement (performance management and review), the first four of which are identified as key roles in report on "The Development of Overview and Scrutiny in Local Government published by the Office of the Deputy Prime Minister". Issues considered by the Strategic Monitoring Committee not all of which are dealt with above because they arise from its role in fulfilling its remit to scrutinise the Policy and Finance Programme area, rather than being of Council-wide significance, are listed for completeness.

Summary By Programme Area

Education

- The Education Scrutiny Committee met on 18th November, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Safer Routes To Schools Home To School/College Transport – Discretionary Areas Of Policy Social Inclusion Education Policy Building Schools For The Future Review Of Small Schools
External Scrutiny	
Improvement (Performance Management and Review)	Education Development Plan 2002-2007 Post Ofsted Inspection Action Plan

and Review)	Complaints, Compliments And Appeals
Other	Work Programme

9. The Environment Scrutiny Committee met on 21st November, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	Implementation of Improvement Plans
Policy Development and Review	Parish Council Minor Highway Maintenance Scheme Public Rights of Way Service
External Scrutiny	
Improvement (Performance Management and Review)	Human Resources Capital Budget Monitoring Revenue Budget Monitoring Performance Indicators Herefordshire Plan Ambitions – progress Kerbside Collection of Recyclables GEM performance
Other	-

10. The Health Scrutiny Committee met on 13th November 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	
External Scrutiny	Briefing on public health team and public health issues
Improvement (Performance Management and Review)	
Other	Work Programme

11. The Social Care and Housing Scrutiny Committee met on 24th November, 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	Home Support - update
Policy Development and Review	Green Paper: Every Child Matters
External Scrutiny	
Improvement (Performance Management and Review)	Serious Case Review Action Plan Better Care Higher Standards Annual Users Report Home Energy Conservation Act Annual Report Adoption Service Annual Report Complaints Comments and Compliments Supporting People Inspection Herefordshire Plan Ambition Groups Performance Indicators Budget Monitoring
Other	

12. The Social and Economic Development Scrutiny Committee met on 27th November 2003 and considered the following issues:

Theme	Reports
Holding the Executive to Account	
Best Value Reviews	
Policy Development and Review	Festivals Review
External Scrutiny	Presentation by HALO (the leisure trust)
Improvement (Performance Management and Review)	Budget Monitoring Performance Indicators Payment of Invoices
Other	

13. The business conducted by the Strategic Monitoring Committee at its meeting on 8th December, 2003 is summarised below.

Theme	Reports
Holding the Executive to Account	-
Best Value Reviews	
Policy Development and Review	Review of the Constitution Property Management Scrutiny Review Prudential Code and its Impact on Capital Strategy
External Scrutiny	
Improvement (Performance Management and Review)	Human Resources Strategy Asset Management Plan Performance Monitoring – Corporate Health Revenues and Benefits Service Capital Programme Monitoring Revenue Budget Monitoring
Other	Health Scrutiny Work Programme.

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

BACKGROUND PAPERS

- Agenda Papers of the Meeting of the Strategic Monitoring Committee held on 8th December, 2003.

REPORT OF THE REGULATORY COMMITTEE

Meeting Held on 9th December, 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 views of other interested parties have also been sought and a series of training events arranged early in 2004 for the Committee and Officers.

PUBLIC ENTERTAINMENT LICENSING - VARIATION OF CLOSING HOURS OF CHRISTMAS EVE 2003 TO BE EXTENDED TO CHRISTMAS MORNING - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982.

2. The Committee has considered proposals to extend the opening hours for Christmas 2003 from midnight on Christmas Eve to 1:00 a.m. on Christmas morning. The Police and the Fire Brigade have raised no objections having encountered few problems with a 1:00 a.m. finishing time during Christmas 2002. The Police are of the view that a 1:00 a.m. finishing time on Christmas morning for some of the nightclubs would enable a steady dispersal of those attending and help to avoid potential public order problems.
3. In view of there being no objections from the Police, the Committee decided that the Head of Environmental Health and Trading Standards should be authorised to permit premises to remain open for the purpose of Public Entertainments Licensing up to 1:00 a.m. on 25th December, 2003.

PUBLIC ENTERTAINMENT LICENSING - APPLICATION TO VARY THE CHRISTMAS EVE 2003 OPENING HOURS FOR TIME, 100 COMMERCIAL ROAD, HEREFORD. BEYOND THE HOURS SET BY COUNCIL STANDARD CONDITIONS - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

4. The Committee received an application from Time Nightclub to vary the opening hours of its Public Entertainments Licence to 2.00 am on Christmas Morning 2003. Consideration was given to the Council's policies for licensing which are in place to protect the local community and individuals from disturbance from events involving music, singing and dancing. The Fire Authority and the Police had no objection to the application.
5. The Solicitor acting on behalf of the applicants said that the finishing time of 2.00 a.m. had been applied for by her clients for commercial reasons to enable the differential to be maintained between the nightclub and the finishing time of pubs, which had been increased to 11.45 p.m. on Christmas Eve. She also said that the later finishing time would also enable a more gradual dispersal of customers during

the evening. She advised that her clients had already been granted an extension of their liquor licence to 2.00 a.m. and that they had applied for the Public Entertainments Licence to tie in with this. The Police were in favour of a later finishing time to assist with the dispersal of the public from licensed premises on Christmas Eve.

6. The Legal Practise Manager and myself strongly advised that the request should be granted in view of the decision of the Magistrates Court to allow a 2.00 a.m. finish for the liquor licence. Notwithstanding this, several Members of the Committee expressed concerns about the potential noise nuisance to local residents from those leaving the club late at night felt that a finishing time of 1.00 a.m. would be more appropriate for Christmas morning. The request for a 2.00 a.m. finish was therefore refused.

PUBLIC ENTERTAINMENT LICENSING - APPLICATION TO VARY OPENING HOURS BEYOND THE HOURS SET BY COUNCIL STANDARD CONDITIONS FOR THE GRANDSTAND, GRANDSTAND ROAD, HEREFORD - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

7. The Committee considered an application to vary the Public Entertainments Licence in respect of The Grandstand, Grandstand Road, Hereford to 12.00 midnight on Fridays and Saturdays instead of 11.30 p.m. The Police and Fire Authority had raised no objection to the application and the Council had received no complaints about any noise or nuisance arising from the premises.
8. The applicant was given the opportunity to present his case and he said that the later finishing time would provide him with greater flexibility to stage live music on the premises on Fridays and Saturdays.
9. The Committee acknowledged that the premises were very well run and decided that the requested extension should be granted for the Annual Public Entertainments Licence.

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

BACKGROUND PAPERS

- Agenda papers from the meetings of the Regulatory Committee held on 9th December, 2003.

14. CASUAL VACANCY IN THE ST NICHOLAS WARD**Report By: Chief Executive****Wards Affected**

St Nicholas

Purpose

1. To inform Council of the death of Councillor Rev. D.C. Short, MBE and of the arrangements to fill the resulting casual vacancy in St Nicholas Ward.

Financial Implications

2. The revenue budget includes provision for meeting the costs of elections to fill casual vacancies.

Notice of Casual Vacancy

3. Notice of the Casual Vacancy in St Nicholas' Ward was given in the edition of the Hereford Times published on 4th December 2003 and by public notice in St Nicholas Ward.
4. An election to fill the vacancy is required to be held within 35 days after notice in writing requesting an election is given to the Chief Executive as proper officer by two local government electors for the area. Saturdays, Sundays and Bank Holidays do not count in the calculation of the 35 days. Written notice was duly received, four valid nominations have been received and the election to fill the casual vacancy will take place on 22nd January, 2004.

RECOMMENDATION**THAT the information be noted.****BACKGROUND PAPERS**

None identified.

**15. APPOINTMENT OF CHAIRMAN OF EDUCATION
SCRUTINY COMMITTEE****Report By: Chief Executive****Wards Affected**

None.

Purpose

1. To appoint a Chairman to the Education Scrutiny Committee until the Annual Meeting of Council on 21st May, 2004.

Financial Implications

2. The budget for Members' Special Responsibility Allowances includes provision for payment of an allowance for Chairmen of Scrutiny Committees.

Background

3. At its Annual Meeting on 23rd May, 2003 the Council appointed a number of office holders, including Councillor D.C. Short as Chairman of the Education Scrutiny Committee. Following Councillor Short's death a vacancy has occurred in this office and, consequently, in the membership of the Strategic Monitoring Committee.
4. Group Leaders have indicated that they do not consider it practicable to recalculate the political proportionality of the Council until the outcome of the by-election on 22nd January, 2004 is known.
5. In the meantime it is proposed that Councillor B.F. Ashton be appointed by the Council as Chairman of the Education Scrutiny Committee (and member of Strategic Monitoring Committee). Councillor Ashton currently holds seats on both the Environment Scrutiny Committee and the Planning Committee. No immediate change is required but depending on the outcome of the by-election it may be necessary for those seats to be vacated in order that they can be re-allocated to meet political proportionality requirements or to be re-allocated within the Liberal Democrat Group.

RECOMMENDATIONS

THAT (a) Councillor B.F. Ashton be appointed Chairman of the Education Scrutiny Committee;

and

(b) the term of office will expire at the next Annual Meeting of Council.

Further information on the subject of this report is available from
N.M. Pringle, Chief Executive, on (01432) 260044

AppointmentChairmanEducationScrutinyCommittee0.doc

BACKGROUND PAPERS

None identified.

REPORT OF THE MEETING OF THE WEST MERCIA POLICE AUTHORITY HELD ON 9 DECEMBER 2003

Race and Diversity

1. The BBC Documentary 'The Secret Policeman' received considerable national publicity and highlighted racist attitudes among a number of police recruits in the district training centre based in Manchester. Following the programme the Commission for Racial Equality (CRE) indicated their intention to undertake a formal investigation, using their powers under the Race Relations (Amendment) Act.
2. The CRE has requested each Chief Constable and Police Authority to provide specific information on their Race Equality Schemes, their approaches to diversity training and their recruitment processes and initial recruit training. Replies have been sent. The Authority also requested a report from the Chief Constable and considered this at its last meeting together with a range of other matters relating to race and diversity issues.
3. Vetting of West Mercia's new recruits is conducted in accordance with National Standards. This involves screening for convictions, cautions, financial checks, employment references for the last five years, declaration of tattoos (which, in some cases, can be an indicator of extreme or inappropriate views and/or attitudes) and a complete Home Office security vetting.
4. The Assessment Centre for new recruits is designed to identify key behaviours and asks specific questions in relation to the communities that West Mercia Constabulary serves and the implications of policing diverse communities. The process involves an interview with a trained assessor who probes any areas of concern. All new staff also receive an input in relation to Diversity and Dignity and Respect in the workplace. These issues are further covered within other training programmes.
5. To further support the review process, members of the force's Independent Advisory Groups will be invited to observe the recruitment, selection and training process for probationary constables.
6. Internally, covert methods known as 'Integrity Testing' will be used where appropriate to examine the attitudes and behaviour of staff in cases where concerns have already been expressed.
7. The Authority endorsed the Chief Constable's report on the steps taken to ensure that all communities served by West Mercia Constabulary have confidence in the impartiality of police officers in upholding the law.

Stop and Search

8. The Authority has agreed to adopt a new force policy on Stop and Search, which places greater importance on monitoring the use of these powers.

9. Research has revealed that Stop and Search is a most effective power when used by police officers in a focused and intelligence-led manner. Also critical is the way officers carry out Stop and Search in that people expect to be treated fairly, with respect and be given a credible reason for the stop.

10. The Authority will be receiving regular reports on the application of the new policy and in particular where disproportionality in its use is identified this will be analysed. Where this reveals any discrimination or unfairness then remedial action will be taken. The effectiveness of the Policy will also be informed by advice from the Independent Advisory Groups.

11. The Stephen Lawrence Inquiry Report recommended that Police Authorities should be given a duty to undertake publicity campaigns to ensure that the public is aware of Stop and Search provisions and the right to receive a record of any search they have experienced. The Association of Police Authorities has produced publicity and awareness raising literature entitled 'Know your Rights' and copies will be circulated to local organisations including the Race Equality Councils.

2002/2003 Audit Letter

12. The Authority's Auditors PricewaterhouseCoopers has produced its 2002/2003 Audit Letter in which it praises the strong performance culture throughout the organisation and highlights the continual strive for improvement.

13. The Auditors also comment that setting and managing budgets in the medium term will continue to be a very challenging process for the Authority, particularly in an environment where it is difficult to predict the future levels of Government funding for rural police authorities. In this context members are invited to ensure that the Authority's strong record of budgetary control and monitoring is continued. Members will also need to consider carefully the level of uncommitted reserves going forward to ensure that they remain at a level sufficient to cover these uncertainties.

Provisional Police Funding Settlement 2004/2005

14. The Government has announced the provisional financial settlement for 2004/2005. Each police authority in England and Wales has received a headline increase of 3.25%. It has, however, become apparent that there are some technical difficulties with the settlement in relation to the roll out of the new communications system Airwave and this is being addressed by the Home Office, Association of Police Authorities and the Association of Chief Police Officers. The outcome will be that some authorities might not benefit from the full 3.25% increase.

15. The provisional settlement is less than is required to maintain the current level of the police service in West Mercia. The cost of preserving current policy in 2004/2005 is £164.7 million and this would require an increase in the Council Tax of around £18.50 per year (35p per week), equivalent to a 15.4% increase in the Police precept.

16. The Authority has considered a report that outlines a number of options ranging from limiting the Council Tax increase to an inflation rate of 2.8% at the one end, maintaining the current policy and enhancing the level of service at the other. These

options will be worked up further during January and the Authority will meet to approve its budget for 2004/2005 on 17 February 2004. The views of the Community Policing Boards, Police/Community Consultative Groups and local business are being invited as part of the budget process.

17. The Authority also agreed to write to the Government to express its disappointment with the settlement given that it will place a disproportionate burden on Council Taxpayers, particularly those on fixed incomes such as pensioners, just to maintain current levels of policing.

Capital Programme 2003-2004

18. The following bids made under the Home Office's Premises Improvement Fund have been successful with the full £895,500 being awarded:

- Refurbishment schemes at Tenbury Wells Police Station and the Town Office, Shrewsbury
- New Police Station at Peterchurch, incorporating a pilot video booth project
- New front counter area at Redditch Police Station
- New Police Station on the present site at Evesham, freeing up the present building for an extension to the extremely successful Contact Centre and allowing more local partners to make use of these facilities.

19. The conditions of the grant require the Police Authority to match fund the Premises Improvement grant and to complete the projects before March 2005. These projects had been provisionally included in next year's programme and bringing them forward to take advantage of the Fund does not alter the Authority's priorities. The Authority, therefore, agreed to increase the Capital Programme 2003/2004 by £1,941,000 to accommodate these projects.

20. The Authority has also agreed to the inclusion in the Capital Programme of two Drugs Analyser Units (total cost £60,000), which will be financed through the Community Safety Partnerships in North Worcestershire.

21. The Division there is working with the three Community Safety Partnerships to tackle a range of drug related issues using "Ion track" Itemiser Instant Drugs Analyser Units (a non-invasive Narcotics Detection Device that gives test results in 10 seconds). The units are used as the basis for interventions including high profile preventative and interventional detection programmes.

22. By incorporating the use of these portable devices into a range of police operational settings, the ability to detect drug use/offences will be greatly enhanced and it is hoped will thereby further contribute to the reduction of drug related crime issues. The introduction of such devices would ensure that through the early identification of an individual's 'drug problem', interventional and treatment measures are introduced at an early stage offering increased opportunities to break the cycle of addiction.

23. This initiative will support the objectives of each Community Safety Partnership's Drug and Alcohol Plans and support the Divisional Policing Plan by assisting in the detection and prevention of drug related offences coupled with the ability, through early

identification of a problem, to ensure that help and treatment is made available where necessary.

Performance Update

24. The Authority has received an update on performance for the first six months of the year. Key points arising from the summary data are shown below:

Reduce Crime and Increase Detections

Total Crime:

- Crime in West Mercia Constabulary has risen by nearly 1% when compared to the same period last year. The growth is due to increases particularly in Violent Crime. Validation of crime has also changed since August 2003, which means that crimes are reaching full validation status more quickly.
- Detection Rates as previously measured have improved compared to the same period last year from 29.3% to 30.4%. This equates to an additional 735 detections.
- West Mercia does, however, need to monitor the breakdown of these detections as the new national sanctioned detection rate reduces this figure (22.2%). These relate to the offences where someone has been charged, summoned, cautioned, or the offence is taken into consideration. Reprimands and Final Warnings are also included.

Domestic Burglary:

- The number of domestic burglaries has reduced compared to the same period last year by 4%. There were 134 fewer domestic burglaries recorded.
- The detection rate in relation to this measure has improved slightly compared to the same period last year but is narrowly missing the target at this stage of the year. To have achieved the target an additional 18 detections would have been required.

Violent Crime And Robbery:

- The number of violent crimes recorded has increased by 1,004 (9%) compared to the same period last year. Violent Crime in a Public Place has increased the most (+19%) although this could reflect changes in recording practices. The number of robberies recorded has increased slightly compared to the same period last year. The level of robberies in the second half of 2003-04 has been falling.

Vehicle Crime:

- The number of vehicles crimes recorded is continuing to fall. West Mercia has consequently improved compared to last year and is achieving its year to date target.
- Detections on this measure remain relatively static on this indicator with a slightly lower detection rate recorded so far this year. An additional 93 detections were required to meet the target.

Class A Drugs:

- The number of offenders dealt with in relation to the Supply of Class A Drugs has improved compared to the same period last year. The target is being met at this stage of the year.

Racial Crime:

- The detection rate on this measure has significantly improved compared to the equivalent 6 months of last year. The target (which is more challenging than last years) has been narrowly missed (by 3 detections) at this stage of the year.

Provide Reassurance

Customer Satisfaction:

- Of the seven indicators relating to this area only one is achieving its target at this stage of the year. Improvements can be seen in relation to the satisfaction with arrival times, but five of the seven measures are showing a decrease in user satisfaction compared to the same period last year.

Sickness:

- The number of sick days taken per officer has improved significantly compared to the same period last year. By contrast the number of sick days taken per police staff employee has worsened on this indicator. The Authority is aware that the underlying level of long-term sickness always skews these statistics.

Operational Posts:

- The percentage of officers in operational posts has declined compared to the same period last year. This may reflect inappropriate recording of which officers have operational duties, especially amongst probationers.

Medical Retirements:

- The number medical retirements taken for both police officers and police staff has improved compared to last year and is meeting the target at this stage of the year.

Reducing Disorder and Anti-Social Behaviour

Public Disorder:

- Public Disorder has increased by 9% in West Mercia over the first 6 months of this year. Much of this increase is in general nuisance and associated with Town Centres. The target has been missed at this stage of the year.

Reducing Road Casualties

Road Traffic Collision:

- There have been 4 fewer road traffic collisions recorded this year compared to the same period last year, although the number of fatalities has remained the same (42).

Annual Policing Plan

25. The Home Secretary published the National Policing Plan 2004-2007 in November 2003 and this will be taken into account in the Authority's Three-Year Strategic and Annual Policing Plan, which is currently being prepared. Draft copies of the Plan will be considered by the Community Policing Boards and Police/Community Consultative Groups early in the new year.

Be Somebody Campaign

26. As at 1st November 2003 the Constabulary's overall strength was 2388 police officers and this excluded the latest intake of 12 transferees during November, in addition future intakes of 11 transferees and 12 probationers would take place in December 2003.

Complaints and other Statistics

27. Between April and September 2003 130 complaints were received against the police compared to 166 in 2002.

28. In total 207 complaints have been finalised since April 2003, 13 of which were substantiated, 18 withdrawn, 52 informally resolved, dispensation was given for 58 and 66 were unsubstantiated.

29. Six police officers were seriously injured during the period 1 June to 31 August 2003 and a further 160 suffered minor injuries.

Best Value Review of Forensic Services

30. The Best Value Review of Forensic Services has been completed and the Authority has agreed the options report to take the service forward (a copy of which is available from the Clerk to the Police Authority). Forensic Services is seen as providing a crucial link between crime scenes and offenders, particularly in view of the increasing reliance of the criminal justice system for forensic evidence. Victims of crime were generally satisfied with the service received from Crime Scene Forensic Investigators who were described as sympathetic, fair, helpful and competent.

Police/Community Consultative Groups (PCCG)

31. The Annual Meeting of the Police/Community Consultative Groups was held in Hereford in November 2003 and a summary of the wide range of topics discussed during the year is shown below:

Anti-social Behaviour
Automatic Number Plate Recognition
Beat Managers
Call Management
Car Crime
CCTV
Child Safety Issues
Crime Figures
Crime Prevention
Crown Prosecution Service
Crucial Crew
Decriminalisation of local traffic offences
Disabled access
Door Security
Drugs and Related Crime
Drunkenness
Fire-fighters Industrial Action
Licensing
Neighbourhood Watch
Noise Project
Parking
Parish Officer
Partnership Working

Police Funding and Numbers of Officers
Police Divisional Boundaries
Police Patrols
Policing Plan
Post Office Watch
Publicity
Public Service Desk
Recruitment
Road Safety
Response Times
Shop Watch Scheme
Special Constables
Speed Cameras
Surgeries by Beat Officers
Traffic Enforcement
Travellers
Vagrants
Vehicle Crime
Vandalism
Volunteer Cadet Scheme
Violent Crime
Warden Schemes
Youth Liaison and Input

Community Support Officers

32. The first Community Support Officers (CSOs) were appointed in Hereford during 2002/2003 when the Home Office awarded a 100% grant. During 2003/2004 a further 45 CSOs will have been appointed with the Home Office awarding a 50% grant for 30 of those officers over a three-year period. The cost of the remaining 15 CSOs has been funded from budget savings arising from the Police Reform Programme requirement to reduce police overtime together with funding from the newly established BCU fund.

33. The deployment of the CSOs is shown below:

	2002/03	2003/04	Total
Shropshire		10	10
Telford and Wrekin		21	21
South Worcestershire		12	12
Herefordshire	10	2	12
	10	45	55

Community Support Accreditation Scheme

34. The Authority has been offered a grant of £20,000 by the Home Office to explore the potential for a Community Safety Accreditation Scheme in order to determine if non-police staff are fit and proper persons to exercise a limited range of police powers. If found to be suitable, these people will become Accredited Community Support Officers. This role, together with the other roles within the extended police family are primarily designed to increase public confidence and to provide further reassurance to citizens. The grant will be expended on an accredited protocol centred on the warden scheme at Wyre Forest. The Police Authority will monitor the results of this pilot.

Policing: Building Safer Communities Together

35. The Government has issued a major consultation on the future of police reform, which was launched on 4th November entitled '[Policing Building Safer Communities Together](#)'. The thinking behind this paper is to improve community engagement in policing; to create a police service which is more responsive and accountable to local communities; and better able to deal with serious and organised crime. The broad direction of reform is set out in the consultation paper but there is no blueprint in Whitehall for how this is to be achieved.

36. The comments sought by Government fall into four key areas and are outlined over the page:

<i>Community Engagement</i>	<i>Accountability</i>
<ul style="list-style-type: none"> • Providing information to local people • Develop a visible and accessible policing style • Increasing local voluntary involvement 	<ul style="list-style-type: none"> • Accountability for providing neighbourhood policing • Enhancing the leadership role of Divisional Commander • Improving police response • Developing community advocates • Changing Police Authority and Partnership arrangements
<i>Operational Effectiveness</i>	<i>Service Modernisation</i>
<ul style="list-style-type: none"> • Ensuring sufficient capacity • Consider structural changes to Forces • Reviewing police powers 	<ul style="list-style-type: none"> • Rewarding performance • A representative and properly skilled force • Improving police leadership

37. Before responding to the consultation paper West Mercia Police Authority is anxious to hear from its key stakeholders and comments have been sought from a range of bodies including local authorities, Crime and Disorder Reduction Partnerships, Community Policing Boards, Police/Community Consultative Groups, Independent Advisory Groups and voluntary and business organisations in the areas. The Chief Constable has also been asked to respond to the consultation paper and is conducting as similar exercise with the Constabulary's key stakeholders.

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 9 December 2003.

