

MINUTES of the meeting of COUNCIL held at The Shirehall, Hereford on Friday, 29th July, 2005 at 10.30 a.m.

Present: Councillor J.W. Edwards (Chairman)
Councillor J. Stone (Vice Chairman)

Councillors: Mrs. P.A. Andrews, B.F. Ashton, Mrs. W.U. Attfield, Mrs. L.O. Barnett, Mrs. E.M. Bew, W.L.S. Bowen, H. Bramer, R.B.A. Burke, A.C.R. Chappell, M.R. Cunningham, 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, P.E. Harling, J.W. Hope MBE, B. Hunt, T.W. Hunt, T.M. James, Brig. P. Jones CBE, Mrs. R.F. Lincoln, Mrs. M.D. Lloyd-Hayes, G. Lucas, 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, Miss F. Short, R.V. Stockton, 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

21. PRAYERS

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

22. APOLOGIES FOR ABSENCE

Apologies were received from Councillors G.V. Hyde, Mrs. J. Hyde and R.M. Manning.

23. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor Mrs Attfield declared a personal interest in Agenda Item 9, Report of Cabinet, para 13.1(iv) Homelessness and Housing Advice.

Councillor Mrs. L.O. Barnett declared a prejudicial interest in Agenda Item 11, Report of the Planning Committee, Referred Planning Application 1(a).

Councillors Phillips and Wilcox declared personal interests in Agenda item 9, Report of Cabinet, para 1.1 Youth Justice Plan.

Councillor A.L. Williams declared a prejudicial interest in Agenda Item 11, Report of the Planning Committee, Referred Planning application 1(j).

24. MINUTES

Councillor A.L. Williams said that he had been present at the meeting held on 13th May but that his attendance was not recorded in the Minutes.

In response to a query by Councillor Mrs. M.D. Lloyd-Hayes, the Chief Executive reminded Members that Standing Order 4.14.4 provides that no discussion should take place on the minutes except on their accuracy and any question of their accuracy should be raised by Motion which should be given to the County Secretary and Solicitor at least 24 hours before the Council meeting in question.

RESOLVED: That, with the inclusion of Councillor A.L. Williams, the minutes of the meeting held on 13th May, 2005 be approved as a correct record and signed by the Chairman.

25. CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that he had recently attended a ceremony to mark the completion of the improvement scheme of the Roman Road between Tillington Road, Hereford and Stretton Sugwas. A tree was planted on the new village green and a commemorative plaque unveiled. The Chairman thanked the constructor Alan Griffiths and his staff, Owen Williams and Halcrow consultants as well as Council staff from the Environment Directorate and elsewhere for their assistance in bringing the project to completion.

The Chairman announced that the Oval Advice Centre and the South Wye News had been winners of the Queen's Award for Voluntary Services, representing two of the five awards presented in the West Midlands.

The Chairman congratulated Councillor G.W. Davis on his re-election to the Hereford & Worcester Fire and Rescue Authority and appointment as Vice-Chairman of the West Midlands Regional Fire Authority. He also congratulated the Fire And Rescue Authority on the very recent announcement by the Audit Commission that it had received a "Good" rating in the Comprehensive Performance Assessment which placed it in the upper quartile of all authorities nationally.

He reminded the Members that the Council photograph for this term would be taken at the end of the meeting.

PETITIONS

The Chairman advised that he had received a petition on the subject of denominational transport. Although the petitioners recognised that the position had moved on since the petition was started, they were still concerned about the issue of the provision of free transport to schools. The Chairman presented the petition to Councillor D.W. Rule, MBE, the Cabinet Member (Children's Services).

26. 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.

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

The Chairman reminded Council that it had amended the Constitution at its previous meeting so that the Chief Executive was no longer required to read aloud the questions submitted by Members. The questions had been listed in the order in which they were received and circulated at the beginning of the meeting.

Question asked by Councillor R.I. Matthews:

"A large number of the statutory road signs situated along the County's highways have become more or less totally obscured by overgrown hedges and general vegetation in recent months. This obviously has an effect on ROAD SAFETY which

we, together with our partners, have been striving to improve over recent years. Can the Cabinet Member tell me what would be the legal implications for this Authority, should someone be injured as a result of these signs not being clearly visible to the motorist? In addition, when does the Highways Department intend doing something about this extremely serious issue?"

Councillor D.B. Wilcox advised that, in a rural area like Herefordshire, many traffic signs are sited in grass verges and alongside hedgerows, and inevitably, during the summer months there was a risk that vegetation would encroach on the visibility of the signs. He said that responsibility for cutting back hedges rests with the landowner and that the Council had power to issue notices to landowners requiring them to trim back hedges on safety grounds. In practice the Council also intervenes directly where trimming back of hedges is urgently required on safety grounds. Area Maintenance Teams have initiated an additional programme to clear vegetation from signs and marker posts at sites where specific accident reduction measures has been installed. Individual signs have also been cleared where particular problems have been identified or complaints received. As for verges, the Council is responsible for grass cutting and undertakes two cuts a year with additional cutting as necessary for safety and visibility splays. The second cut of rural grass verges is about to start.

In response to a plea to make sure that landowners carry out their duties, the Cabinet Member confirmed that the Council has an ongoing responsibility to check areas of concern and this is done on a regular basis.

Question asked by Councillor A.C.R. Chappell:

"It is now nearly two years since I asked the Cabinet Member, at Council, about the re-location of the market site. At the time Council was assured that officers were looking at alternative sites to the Hospital Farm site.

I understand that no alternative site, or one that is in the Council's ownership, has been identified. Rumours that the Cabinet Member has finally agreed that the Hospital Farm site is the only feasible and suitable site abound.

Will he confirm that his preferred site for the new market is now the Hospital Farm site at Burghill. If this is not the case will he tell Council which site has been agreed and when will that decision go to Cabinet?"

Councillor R.J. Phillips, the Leader of the Council confirmed that the Council did reject the Hospital Farm Site and that that was still the situation.

He reminded Council that the feasibility study into the best location for a new market facility preferred the area to the north west of Hereford City. This was also the geographical area preferred by Hereford Market Auctioneers. He said that three sites were being considered. Options were being explored but because of commercial sensitivity it would be inappropriate to reveal the sites at this stage.

In response to a comment from Councillor Chappell that the relocation of the market was a major obstacle to the development of the Edgar Street Grid and that the Council would lose the confidence of both members and local people if it was not resolved, the Leader replied that important negotiations of this kind needed to be dealt with properly and that getting information to Local Members would be a priority when the time was right.

Question asked by Councillor A.C.R. Chappell:

"Has the Cabinet Member thought how Herefordshire can take advantage of the 2012 Olympic Games being staged in London?"

"As many other local authorities will wish to take advantage of the Games being held in this country, and with additional tourists coming into the country, will the Cabinet Member take the lead and seek ways of putting Herefordshire on the Olympic map?"

The Leader said that he was delighted that London had been successful in securing the Olympic Games for 2012 and that a great deal of thought had already gone into capitalising on the impact the games could have on Herefordshire as evidenced by the fact that Herefordshire was one of only three local authorities in the West Midlands proactively involved in supporting the Olympic bid prior to the announcement.

A Herefordshire Olympic Group including the Royal National College for the Blind, Herefordshire Sports Council, Herefordshire Riding for the Disabled, Halo Leisure Trust and Herefordshire Council had been working very closely with the West Midlands Olympic Committee for some time in order to address, take advantage of and support the London 2012 bid.

The group had analysed the County's strengths and opportunities in relation to hosting training/holding camps and Olympic teams as well as being a potential tourism destination for visitors to the UK during the Games. It is clear that there is a real opportunity to build on the facilities at the Royal National College for the Blind, Halo Leisure Trust and proposals for Herefordshire Riding for the Disabled to attract teams associated with the Paralympics to the County.

He said that, in addition to 2012 being Hereford's year to host the Three Choirs Festival there would clearly be an opportunity to promote a range of cultural activities in Herefordshire which could significantly boost the tourism sector in the County during the Olympics and beyond.

The facilities we are able to provide for those competing in the Olympic Games will also provide a legacy which should not only provide better sporting opportunities/facilities for local people but should also enable the County to take part in bids to host future events which could include the 2022 Commonwealth Games.

Councillor Chappell, welcomed the Leader's answer and said that he hoped hotels, B&Bs and other retailers would be encourage to play their part. He was concerned about a potential lack of accommodation and said something would have to be done now or it would be too late.

Councillor Phillips, replied that Herefordshire was already more proactive than many other authorities in the West Midlands region.

Question asked by Councillor Miss F. Short:

"The Scouts and Guides who are based at Westfaling Street cater for over 300 children a week, and have a long waiting list for places as this is virtually the only facility for children in the area. Will the Cabinet Member join me in acknowledging the magnificent efforts of the volunteer staff, and pledge to offer them support to enable them to continue this vital work?"

Councillor Stockton, Cabinet Member (Community Services) stated that Council officers had been in correspondence with officers of the organisation for some time

and had recently requested a meeting to discuss issues relating to their lease. Unfortunately for the organisation, the premises had been continually subjected to bouts of vandalism and anti-social behaviour which had led to a significant drain on their resources. He advised that officers were aware of some of the reasons for this behaviour and were taking steps to alleviate the situation. He acknowledged that the local Residents' Association had a strong desire to work with the Scouts organisation to secure wider community use of the premises and additional funding for security and investment in the site, and said that officers would be happy to be able to facilitate this process and provide advice on the future management of the area.

In response to a further query he assured Councillor Miss Short that officers would give any assistance they could to resolve the current problems.

Question asked by Councillor Miss F. Short:

"I have heard rumours that the original cast iron RAF gates which were donated to the city when the RAF left their base at Credenhill are currently on the council 'tip' at Rotherwas. Could the Cabinet Member elaborate on their current condition and whereabouts?"

Councillor Stockton reminded Councillor Miss Short that she had originally raised this matter in an e-mail. He confirmed that there was no truth in the rumour that the gates were, or ever had been, at the Council tip at Rotherwas. They were currently being restored by a specialist company in Ledbury. It was still the intention to erect them at the entrance to the Aylestone Hill Park. An order had been placed with Herefordshire Jarvis Services and a start date for the works is imminent. The works at the entrance to the Park should be completed by the autumn.

Councillor Miss Short acknowledged that the Chief Executive had responded to her original e-mail query but felt that, because of the rumours surrounding the whereabouts of the gates, it was appropriate to raise it again so that a public answer could be recorded.

Question asked by Councillor Ms A. Toon:

"At the local community Forum in January 2005 provision for North of the city was requested and the comment from the head of the HCC Youth services was that it was acknowledged that there was a lack of youth facilities north of the river Wye, and highlighted the problems of staff shortages even where facilities were available. With the potential availability of Wiggins Bowling hut could I now request for 2 hours per week of a youth workers time given that The Lads Club handles more than 400 children and young people per week?"

Scouts and Guides at 1 location has 300 children and young people per week and also has a waiting list. I feel the community is doing its share and young people are being let down by the Council.

I would like to ask the Council how many hours per week do youth workers put into supporting the young people North of the city and has any action been taken since January 05?"

Councillor Stockton advised that there were 1.3 full time equivalent youth workers allocated to the Northern area of the City, He said Property Services were currently seeking definitive legal evidence of the ownership and covenants related to the Wiggins Bowling Hut and until these could be established occupation could not be granted. He confirmed that the Youth Services Team had recently met with representatives from the voluntary sector and West Mercia Police to ascertain the

feasibility of a partnership project with community groups.

Question asked by Councillor Ms A. Toon:

"On behalf of Will Marsh, Paul Jarvis, Ryan Harrison, Kori and Aiken Lee, Bradley Harrison, Ryan Harris, Tom Fenton, Jordan Lloyd, Marshall Farmer and Matt Combstock, 11 young people, children of members of the Moor Farm Residents Association, who presented a film to a recent meeting before local councillors, Paul Keetch MP and representatives of HHL and HHC Transportation Dept on how and where they skate in the city.

On behalf of the residents, who are backing the skaters and skateboarders, I would like to know what action is being taken for the provision of a skate park in the area North of the city. With Westfaling Street Skatepark being taken out of action on Health and Safety reasons, what else is there for young people to do?

There are presently over 7,000 young people aged between 10 – 19 years old in Hereford City accessing 1 official skate park and many unofficial ones including shops, schools, bus stations, churches etc. Compare this with Ross with only 1200 has 1 skatepark and Leominster 1200 about to get 1 as well. (source data 2001 census from HCC library population services)

AGE	Bromyard	Hereford City	Kington	Ledbury	Leominster	Ross-on-Wye
10 - 14	257	3,626	165	489	645	620
15	47	781	26	92	131	119
16 - 17	90	1,376	52	159	258	237
18 - 19	82	1,281	50	127	213	233
Total	476	7,064	293	867	1,247	1,209

This is now a second group of young people who have made representation to me in this way.

*In Sept 04 InSITE the magazine of the Youth Times a Herefordshire Partnership Project reported on the matter interviewing 6 young people at both the Newton Farm and Westfaling street sites. It stated that 100 young people per week attend the Westfaling Street site and a Youth worker is quoted as saying "**Skateboarding is a sport – not just a phase.** It's not going to go away. There are even rumours that it will be included in the next Olympics," a youth worker from Y-Zone, Hereford.*

Skating and skateboarding keep young people healthy and active, it is a sport, it keeps young people together and safe, it keeps them away from crime and anti-social behaviour and on this per capita basis shouldn't we have more than 1 skatepark in the Hereford City area to meet the needs of these young people and isn't it the duty of this Council to promote healthy activities and lifestyles for this very large sector of our communities as part of government guidelines and targets?"

Councillor Stockton replied that the Council's partners halo, the Courtyard and various youth and community aided programmes were providing extensive activity schemes both in the City and County-wide. There was also a number of holiday programmes being provided for young people of all ages.

He stated that skatepark facilities were not provided according to any per capita formula, nor was there a statutory duty to provide skateparks to promote healthy activities or lifestyles. Elsewhere skateparks have been provided for a number of reasons and often on the basis of time-limited funding opportunities. No sustainable funding has been available for their upkeep or development. He stated that each of the market towns in Herefordshire had taken on the provision and maintenance of skateparks at a local parish or town council level as evidence had shown that catchment areas for such facilities was essentially local.

Question asked by Councillor Mrs. M.D. Lloyd-Hayes:

At what stage are Members informed of the receipt of liquor and public entertainment licensing applications for premises affecting their wards?

Councillor Edwards, Cabinet Member (Environment) advised that, in its new role as Licensing Authority, the Council had a relatively large number of statutory consultees who were required to receive copies of applications for licences.

The Licensing Team were currently receiving between 30 and 50 licence applications per day and the Team was working under huge pressure within very tight statutory timescales.

Notifying Members about individual applications in their Wards (or that border their Wards) would be a relatively substantial task and there is currently no capacity to deliver this. Arrangements are being made to ensure that lists of all premise licence applications are made available to Members on a weekly basis. Once the initial transfer process is dealt with more comprehensive information will be made available.

Councillor Mrs. Lloyd-Hayes said this was disappointing. Advances in ICT should make it possible to provide Members with the necessary information.

In response to a further question Councillor Edwards advised that there were a number of strands to the new legislation including clearing up litter. He said the Council would be working hard in association with the Hereford City Council to ensure that litter would be cleared up.

Question asked by Councillor Miss F. Short

"Could the Cabinet Member please explain the reasons for the closing down of the Skate Park on Westfaling Street? What is proposed for the future use of the site?"

Councillor Stockton said that the Skatepark was being closed due to persistent vandalism of the structure and the high risk it posed to public safety. Work to provide temporary repairs intended to last for the duration of the summer holidays was completely destroyed within 10 days of its completion and there had been several attempts to burn down the facility. A health and safety inspection had deemed the facility beyond repair and the site will be safeguarded as public open space and re-instated to an acceptable standard to ensure public safety.

In response to a query from Councillor Miss Short about when Hereford would get a skatepark to match Leominster, Councillor Stockton advised that Leominster did not have a skatepark at present. The skatepark was part of a proposed sporting scheme. He advised that the Council may be able to make some land available in Hereford for a skatepark but it would need the backing of residents and the local council. He said the Council would be happy to assist in any such venture.

Question asked by Councillor W.L.S. Bowen:

"Planning Guidance document PPS22 has a recommendation that all new buildings should include a provision for getting 10% of their energy needs from renewable on-site resources. Does Herefordshire Council ever make such demands of planning applicants? If not – why not? Do you not think it important that we should encourage all possible uses of renewable energy systems in our buildings? What are you going to do about it?"

Councillor P.J. Edwards confirmed that the Herefordshire Unitary Development Plan contained a number of policies encouraging and requiring new developments to include measures that address energy conservation. These policies promote regenerating or recycling previously used resources and increasing energy conservation, energy efficiency and energy generation from renewable resources. These were intended to meet the PPS22 aspirations.

In response to a query about the number of applications that satisfy these requirements, Councillor Edwards, reminded Councillor Bowen that he had assisted in drafting the wording of the Unitary Development Plan which addresses the energy efficiency in new housing including sustainable energy generation. He said Councillors could ask for this to be included as a condition in appropriate planning applications.

28. NOTICES OF MOTION UNDER STANDING ORDERS

There were no Notices of Motion.

29. CABINET

The Leader of the Council, Councillor R.J. Phillips, presented the report of the meetings of Cabinet held on 19th May, 9th and 23rd June and 14th July, 2005.

In relation to Item 1.2 - Herefordshire Provisional Local Transport Plan (LTP) 2006/07-2010/11 – the Leader and Cabinet Member (Highways and Transportation) responded to a number of queries as follows.

Road Safety – The Leader reminded Council that the A49 was the responsibility of the Highways Agency and that the Council was in constant dialogue with them over issues of road safety which remained a matter of great concern to the Council. The next meeting involving the Highways Agency, the Cabinet Member (Highways and Transportation) and Council officers was due to take place in September. The Cabinet Member confirmed that issues important to the Council were discussed at these meetings. He also confirmed that the reduction of road traffic accidents was an important LPSA target and, although the numbers were reducing, the Council needed to maintain its focus and also involve its partner organisations in improving the situation.

Increased Air Pollution at Bargates, Leominster due to the new Business Park and proposed additional housing at Baron's Cross – The Leader advised that the key aims of the LTP included improved accessibility, safer roads, reduced congestion and better air quality but that the Council needed to be realistic in what it could achieve with the resources available. The Cabinet Member (Highways and Transportation) confirmed that the need for improvements to the air quality at the Bargates was now included in the Plan.

Speed Limit Policy – The Leader acknowledged that the number of road accidents in the County continued to be a concern, but confirmed that there had been some

improvement at identified accident black-spots. He spoke of the work being undertaken with the Police and Highways Agency to educate drivers of the dangers and the necessity to drive at a safe speed. The Cabinet Member (Highways and Transportation) acknowledged that there was a problem with the weight and speed of vehicles using 'rat-runs' and although there was a long-term programme to deal with problems around the A465 and A49 these would not be solved in the immediate future.

Vehicles in High Town, Hereford – Councillor Wilcox, the Cabinet Member (Highways and Transportation) said he was investigating the implementation of the necessary road order to improve the situation.

Proliferation of Road Signs – He said that the Council was obliged to comply with the statutory requirements of the Department of Transport.

Extension of the Roman Road – It was confirmed that the need for an extension of the Roman Road west and improvements to the eastern skew bridge was now included in the Plan.

In relation to Item 4.1(i) Social Care Budget – In response to a number of comments and queries the Leader stated that the case had already been made for extra investment in Social Care and thanked those Members who had supported the extra investment in the service. He said he was continuing to lobby Government to take account of the 2001 census figures and not the 1991 figures which clearly disadvantaged Herefordshire with its disproportionate aging population. With regard to the disaggregation of the Children's Budget, he commented that while it was easy to lay down legislation to separate the Children's and Adults' Social Care services it was not so easy to divide the budget due to the complexity of the issues involved. He spoke of the concerns over the demands on the Learning Disabilities budget and the underlying trend in Adult Social Care. He acknowledged that severe winter weather would cause additional pressure on the budget which needed to be managed as one of the Council's corporate priorities.

In relation to Items 4.1(xii) and 4.2(iv) – Herefordshire Jarvis Services (HJS) – In response to a number of queries the Leader confirmed that the losses incurred by HJS would not be met by the Council-Tax payers of Herefordshire. The contract with Jarvis provided that the Council would not be responsible for any losses or charges for the first 10 years of operation. However, the Council would be entitled a share of any profit made by the company. This was in contrast to the previous situation with Herefordshire Commercial Services whose losses did need to be met by the Council. He spoke of the national difficulties of the parent company and welcomed the transfer of shares to Accord.

He praised HJS for the significant improvements it had made in delivering services and advised that the interests of local subcontractors were being protected and that, after from a few initial difficulties, all invoices were being paid on time.

In relation to Item 5.1(v) – Review of Denominational Transport – Councillor Rule, the Cabinet Member (Children's Services) was congratulated for his sensitive handling of this issue and for taking account of the Scrutiny Committee's views when formulating the new policy. However, there were still some concerns that large or low income families would be denied access to their preferred schools, whether on denominational or other grounds. Councillor Rule reminded Council that the Government was preparing a paper on Home to School transport as part of the new Education Act. He said there was an opportunity to develop a pilot scheme in the County and although there were many suggests for not-for-profit schemes these would need separate Government funding. He confirmed that those families in

receipt of full housing benefit and council tax benefit would be entitled to free transport for denominational reasons.

The Leader announced that Councillors Mrs. A. Gray and Mrs. J. Hyde had been nominated to assist the Cabinet Member with his portfolio.

In relation to Item 6.1(i) – Destination Herefordshire - In response to a number of comments and queries the Leader and Cabinet Member (Community Services) responded as follows:

Both agreed that Destination Herefordshire would bring together public and private sector organisations for the benefit of residents, businesses and visitors and acknowledged the importance of both the river and the livestock market to tourism in the County.

Councillor Stockton repeated his earlier advice that that Council would not be able to provide a skatepark for Hereford City but would be willing assist other bodies that may be in a position to do so.

The Leader asked Councillor Hunt, the Council's representative on the West Mercia Police Authority to investigate whether licensing regulations which affected events such as town and village carnivals, festivals and fetes were being too strictly applied and whether it would be possible to ease the burden for the organisers of these events.

In relation to Item 7.1(vii) – Members' ICT Policy – In response to a query on information about licensing applications Councillor Mrs. J.P. French, Cabinet Member (Corporate and Customer Services and Human Resources) advised that the policy was concerned with the provision of equipment and the sending and receiving of information. It was for officers and Members to decide what information was included.

Councillor P.J. Edwards, Cabinet Member (Environment) reminded Council of his previous answer relating to this issue and the scale of the task involved in informing all Members of every application within or close to their ward. In response to a further question the Leader acknowledged that he was aware of the cramped accommodation the licensing staff were working in and that there were plans for improvements. He also said that he had written to the local MPs about his concerns about the burden not just to Council staff but also to the individual licensees.

In relation to Item 9.1(ii) - Grafton Travellers' Site - In response to a query Councillor Edwards, the Cabinet Member (Environment) said he could not give an absolute assurance that the site would have CCTV and 24 hour warden control. He said that the grant did not provide for either of these services. He said that the Council would be creating the best possible site for the travelling community at their preferred location and he was confident that the families themselves would wish to maintain the site to a good standard with appropriate assistance from Council officers. In response to a further question he stated that there were plans for an additional transit site for families who did not wish to live on a permanent site.

In relation to Items 13.1(ii) and 13.1(vii) - Homelessness Budget and Improvement Plan - The Leader responded to a number of comments and queries. He said that the additional funding, agreed by Cabinet, would take the pressure off the budget and that a clear plan for dealing with the problem had been approved. He spoke of the need for investment in preventative measures. He said he would welcome the involvement of the Scrutiny Committee in dealing with this difficult issue.

In relation to Item 13.1(v) - Joint Team with the Pension Service - In response to a query about Council Partnerships and the temporary reduction in the 'ABLE' service in particular, the Leader advised that the Government required Councils to avoid duplication and to make best use of public money.

RESOLVED: That the reports from the meetings of Cabinet held on 19th May, 9th and 23rd June and 14th July, 2005 be received and the recommendations set out below be adopted:

- That (a) the Youth Justice Plan be approved;
- (b) the Provisional Local Transport Plan 2006/07-2010/11 be approved for submission to Government, and that minor editorial changes to the draft be delegated to officers with any significant changes being subject to the approval of the Director following consultation with the Cabinet Member (Highways and Transportation);
- (c) the current level of minimum prudent reserves be maintained at £3,000,000 and continues to be reviewed annually as part of the budget process. The level of balances will continue to be assessed and influenced by the formal risk management process, which includes the corporate and service risk logs and the nature of council expenditure.
- (d) general balances be maintained at a level between 1½% and 3% of net revenue budget.
- (e) in line with current practice, general balances be utilised in support of one-off, non-recurring items of expenditure rather than for recurring expenditure.
- (f) notwithstanding the above, reserves be only utilised in exceptional circumstances, to mitigate increases in Council Tax.
- (g) the application of reserves, amounting to £175,000, to meet exceptional property related expenditure, primarily as a consequence of dilapidation works and other costs associated with rationalising the Council's office accommodation.
- (h) the establishment of a new provision in 2004/05, amounting to £108,000, in respect of the likely repayment of European Social Fund Grant to the Learning and Skills Council in respect of project work for disaffected pupils.

30. REGULATORY COMMITTEE

Councillor R.I. Mathews presented the report of the meetings of the Regulatory Committee held on 24th May and 19th July, 2005.

In response to a number of queries Councillor Matthews responded as follows:

% of public houses who have applied for new licences - he advised that the Council was receiving between 50 and 60 applications a day and he would investigate what percentage this was of licence holders and notify Members.

He advised that no provisions were currently in place for late applications as it was

hoped that all the necessary applications would be made before the statutory deadline. He also advised that, although the Council had made every effort to inform landlords of the requirements of the new legislation, it was the landlords' responsibility to know whether they needed to apply for a new licence. He agreed to investigate the provisions for enforcement at those premises which had not applied. He said it was intended that public notices containing lists of applications would be published in the local press once the current workload had eased.

Use of CCTV - He supported a suggestion that CCTV cameras should be monitored 24 hrs a day to assist in meeting the targets set out in the Crime and Disorder Strategy.

Knowledge test for taxis - Councillor Matthews advised that this test was being introduced with the full support of local taxi firms and would be operating very soon. It was aimed at improving the service to the public and ensuring good working practices.

RESOLVED: That the report of the meetings of the Regulatory Committee held on 24th May and 19th July, 2005 be received.

31. PLANNING COMMITTEE

Councillor T.W. Hunt presented the report of the meetings of the Planning Committee held on 3rd June and 15th July, 2005.

RESOLVED: That the report of the meetings of the Planning Committee held on 3rd June and 15th July, 2005 be received.

32. STRATEGIC MONITORING COMMITTEE

Councillor T.M. James presented the report of the meetings of the Strategic Monitoring Committee held on 9th June and 1st July, 2005.

In response to a query Councillor James advised that it was likely Best Value Reviews would be phased out.

RESOLVED: That the report of the meetings of the Strategic Monitoring Committee held on 9th June and 1st July, 2005 be received.

33. STANDARDS COMMITTEE

Mr Robert Rogers presented the report of the meetings of the Standards Committee held on 17th June and 8th July, 2005 and the Committee's Annual Report for 2005/06.

In response to a number of queries on the Protocol on the Use of Council Resources he advised that the use of a separate e-mail address would be required for personal use to prevent the impression of seeking preferential treatment. He could see no objection to using the Council provided equipment for parish council business. He did not wish to be overly prescriptive about a definition on modest use but advised that personal use should not exceed Council use.

In response to a query about Standards hearings, he said he did not anticipate any major change in how hearings would be conducted.

Councillor J.W. Edwards moved the recommendation.

RESOLVED:

- That (a) the report of the meetings of the Standards Committee held on 17th June and 8th July, 2005 be received; and
- (b) the revised protocol on the Use of Council Resources by Members, as set out in Appendix 1 to the report be approved.

34. STATUTORY ACCOUNTS COMMITTEE

Councillor R.J. Phillips presented the report of the Statutory Accounts Committee held on 11th July, 2005.

RESOLVED:

- That (a) the report of the Statutory Accounts Committee held on 11th July, 2005 be received;
- (b) Standing Order 4.31.1 (Changes to the Constitution) be suspended in accordance with Standing Order 4.32 to allow the Council to consider the proposed variations to the Name, Composition and Terms of Reference of the Statutory Accounts Committee as detailed in the Report;
- (c) Standing Order 9.7 be revised so that the Statutory Accounts Committee be re-named the Audit Committee and that its membership be increased, if necessary, to reflect political proportionality;
- (d) Standing Order 9.7.2 be revised so that the terms of reference of the Audit Committee be as follows:
- (e) *To provide independent assurance of the adequacy of the Council's risk management framework and the associated control environment, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process through consideration of :*
- (a) the terms of reference for Internal Audit*
 - (b) the Internal Audit strategy*
 - (c) the resourcing of Internal Audit*
 - (d) the periodic plans of Internal Audit, progress against and material changes made to these plans, and any implications arising from their findings and opinion*
 - (e) the adequacy of management response to Internal Audit advice and recommendations*
 - (f) the Head of Internal Audit's annual report*
 - (g) the arrangements made for co-operation between Internal Audit, External Audit and other review bodies*
 - (h) periodic reports by External Auditors*
 - (i) approval of the Council's Statement of Accounts and associated reports.*
- and
- (f) the Chief Executive be requested to execute his delegated powers to make, following consultation with the political group leaders, any adjustment to the number and allocation of seats to give effect to the rules on proportionality, and to make appointments to the Audit Committee in accordance with the nominations of the political group leaders.

35. WEST MERCIA POLICE AUTHORITY

Councillor B. Hunt presented the report of the West Mercia Police Authority held on 7th June, 2005.

He reminded Members to restrict their questions to those items which appeared in the report and invited them to approach him after the meeting, or at any other time, if they had any other questions.

He responded to a number of queries as follows:

He reported that there was provision in the Capital Programme for a substantial upgrade to the Hereford Police Station and would provide further written details.

He advised that a number of new recruits were expected to make a difference to the number of police on duty in High Town and would provide more information as it became available. It was noted that police numbers had risen from 2000 to 2400 over the last few years.

He referred to the dates of Police/Community Consultative Group meetings set out in his newsletter and agreed to provide further information as it became available.

He advised that the arrangements for shared border working had virtually no cost implications as the two police forces covered the same area more efficiently.

RESOLVED: That the report of the meeting of the West Mercia Police Authority held on 7th June, 2005 be received.

The meeting ended at 12.50 p.m.

CHAIRMAN