

SUPPLEMENT TO THE AGENDA FOR

Council

Friday 30 September 2016

10.00 am

**Council Chamber, The Shire Hall, St Peter's Square, Hereford,
HR1 2HX**

	Pages
5. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	3 - 6
11. FORMAL QUESTIONS FROM COUNCILLORS TO THE CABINET MEMBERS AND CHAIRMEN UNDER STANDING ORDERS To receive any written questions from Councillors.	7 - 8

PUBLIC QUESTIONS TO COUNCIL – 30 SEPTEMBER 2016**Question from Mr P McKay, Leominster****Question 1****Community representation as part of the Strategic Development Plan (SDP)**

Fathoming out why there was a lack of community input into appropriate s.106 planning obligations in recent 20+ dwelling planning decision in parish that had lodged objection, with several other housing sites in its Neighbourhood Plan, and putting this down to absence of guidance in the SDP when there has been no developer initiated pre-application consultation regarding these in-conformance with chapter 1.8 of the SDP, with the effect being that the absence of any guidance denied the community of any input, and then finding that the latest s.106 agreements contain a clause to effect that should the Community Infrastructure Levy become payable that this would replace agreed s.106 payments.

May I ask for confirmation that in absence of any developer initiated consultation that consideration of appropriate planning obligations is not closed to community but open for community representations to be made as part of consideration of the planning application within the published consultation period, and if guidance regarding this could be added to the SDP, making it clear that submitting this information should the development be approved would not prejudice any objection to the development raised by the community, or if the introduction of the Community Infrastructure Levy is so imminent that clarifying this issue would no longer serve any practical purpose and ought look forward to receipt of Community Infrastructure Guidance ?

Answer from Councillor Philip Price, cabinet member infrastructure

Herefordshire Council is required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in Article 15 of the Development Management Procedure Order.

Where a planning application requires developer contributions or affordable housing this is set out in a section 106 draft heads of terms. This document forms part of the suite of information submitted in support of a planning application. It is published on the council planning website and is subject to public consultation.

Anyone can comment on a planning application. In addition to individuals who might be directly affected by a planning application, community groups and specific interest groups can provide representations on planning applications within the prescribed time period for consultation.

A new planning obligations supplementary planning document would be produced following the adoption and implementation of a community infrastructure levy.

Question from Mr R Palgrave, How Caple**Question 2****Rail freight**

The Government published its Rail Freight Strategy on 13th September 2016.

They said: "Transporting freight by rail offers significant benefits to the UK economy:

- by reducing road congestion
- improving industry productivity

Public questions to Council – 15 July 2016

- cutting carbon emissions and air pollution"

Large lorries are up to 160,000 times more damaging to road surfaces and foundations than the average car. Road repair costs are therefore mostly attributable to freight traffic.

Reducing greenhouse gas emissions from road freight transport is a significant challenge, more so than for personal transport and local buses where electric vehicles are a viable option.

With the local road network already in a poor state and with Herefordshire lagging behind much of the rest of the country in cutting emissions arising from transport, will the council investigate ways to support the expansion of rail freight in Herefordshire?

Answer from Councillor Paul Rone, cabinet member transport and roads

In line with commitments set out in the local transport plan the council will be investigating the potential for supporting rail freight as part of a review of freight within the county and the wider Marches area. Discussions are underway with local enterprise partnership partners to agree the scope and timetable for this review.

Question from Ms K Sharp, Hereford

Question 3

Southern link road

A lot has been said about the need to deliver the southern link road so that it can link via the A465 into the large investment in road improvements that the Department for Transport is making in the Head of the Valleys Road from South Wales up to Abergavenny. With a single lane, traffic light controlled river crossing at Llangua, and the HGV height restriction at Pontrilas, would the cabinet member please detail the investments the council will have to make in road infrastructure to overcome these barriers so that heavy goods vehicles can actually access the substantial investment this county's taxpayers are being asked to make in new road infrastructure in and around Hereford?

Answer from Councillor Philip Price, cabinet member infrastructure

There are currently no plans for improvements at Llangua Bridge and Pontrilas. Whilst there may be benefits from such improvements, any proposals would need to be developed jointly with Welsh transport authorities. The council's current priority is to deliver the Hereford bypass which will deliver substantial housing and jobs growth for Hereford. The southern link road is the first phase of this.

Question from Ms D Toynbee, Hereford

Question 4

Destination Hereford

In December I requested details of how Herefordshire Council's 'Destination Hereford' package had performed against its targets of reduced congestion and increased rural access to public transport.

Cllr Price replied that the project was being evaluated, and a report would be presented. Since the £11 million was allocated to Herefordshire Council in April 2015, and I am still unable to find any performance reports by the council, would the cabinet member now please provide a detailed update on progress made in reducing congestion, developing low carbon transport and improving public transport?

Public questions to Council – 15 July 2016

Answer from Councillor Philip Price, cabinet member infrastructure

An evaluation of the Destination Hereford projects impacts on travel behaviour has been completed and is available at:

https://www.herefordshire.gov.uk/media/4690109/destination_hereford_report_final_for_issue_signed.pdf

That evaluation identified the evaluation identified:

- A reduction in car based trips as a proportion of all trips
 - An increase in walking and cycling as a proportion of all trips
 - An increase in walking, cycling and public transport trips (both bus and rail)
-

Question from Mrs E Morawiecka, Breinton

Question 5

South Wye transport package

Safer walking and cycling routes around Marlbrook Primary school, along Holme Lacy Road, the A49 Ross Road and new 20mph limits in residential areas around the A49 in South Wye are just some of the proposed sustainable transport measures in the current South Wye transport package public consultation. These measures which can be implemented relatively simply and quickly would do much to improve:

1. the health of the local population;
2. air quality along the A49 Ross Road;
3. congestion on the A49 Ross Road;
4. safer active routes for parents and children around the local primary and secondary schools;
4. low cost and safe routes for employees to access the new jobs being developed at the Hereford Enterprise Zone.

At least £7million of funding is available for these sustainable transport measures through the Growth Funding Package from central Government. With traffic on the A49 Ross Road predicted to increase traffic by over 15% once the southern link road is in place, what reasons does the cabinet member have for delaying implementation of these sustainable transport measures until after the new road is built?

Answer from Councillor Philip Price, cabinet member infrastructure

The delivery of sustainable transport measures is not being delayed until after the southern link road has been built. A number of improvements have been introduced over recent years and we are currently consulting with the public on a range of potential further improvements in the South Wye area. Details of the consultation are available at : <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/local-transport-plan-201314-201516/south-wye-transport-package#consultation> and the consultation remains open until 25 October. Once the responses have been analysed, consideration will be given to which schemes to take forward and the timetable for their implementation

Question from Mr J Perkins, Hereford

Question 6

Investment in Rotherwas

Public questions to Council – 15 July 2016

Following the referendum vote for the UK to leave Europe, future European funding is unlikely to be made available for projects such as making privately owned land at Rotherwas viable for development. Would the cabinet member please explain how much money is needed to make sites in private ownership viable for development and if this money is not forthcoming, how much will this constrain development of future jobs at Rotherwas?

Answer from Councillor David Harlow, cabinet member economy and communities

18 acres have already been developed at the Rotherwas enterprise zone, including just over 9 acres of land previously owned by the Goodwin Trust; sale of a further 23 acres is currently being negotiated. In June the Goodwin Trust advised the board that they would be temporarily withholding a relatively small proportion (4.5 acres) of the land in its ownership from sale.

The board continues to explore the potential to build units to let and what opportunities may be or become available to meet any viability gap, but the decision to temporarily withhold that element of the site from sale does not represent a constraint on the development of future jobs at this time.

The council has a strong track record of securing external funding to support economic growth in the county; the sources of funding do change over time but there is no reason to believe that future funding opportunities will not arise given the government's continuing commitment to enterprise zones.

Members' questions at Council – 30 September 2016**Question from Councillor WLS Bowen****Council constitution****Question 1**

Are you aware that a fairly recent amendment to the constitution prevents group leaders from attending and speaking at all committee meetings and would you agree that a reversion to the protocol that all group leaders should be allowed to attend and speak at all committee meetings would be desirable and should be instituted as soon as possible?

Answer from Councillor Brian Wilcox, chairman of the council

The amendment to the constitution, which took effect on 1 January 2010, does not prevent group leaders, or any other members, from attending any public meeting of the council; members in attendance may speak at the discretion of the chairman of the meeting. Such discretion is exercised having regard to a range of factors including the number and complexity of items on the agenda, and numbers of such requests to speak. If they are not minded to exercise their discretion to allow a member in attendance to speak chairmen will often advise that member either to ask a member of the committee to raise the query on their behalf or undertake to raise the issue from the chair in order that matters relevant to the agenda can be aired in a timely way.

I am aware that the audit and governance committee has approved a set of governance design principles to guide the ongoing refresh of the council's constitution. These include the following principles:

- "Members and officers perform effectively in clearly defined functions and roles"; and
- "Maximise member engagement and participation, including the involvement of all members in the development of key policies"

As a member of the working group guiding the refresh of the constitution and reporting to the audit and governance committee, Councillor Bowen will be in an excellent position to put forward the views of his group on this matter before December when any changes to the constitution are due to be brought to Council for consideration.

Question from Councillor B Matthews**Enterprise zone (EZ).**

In June this year, the EZ board was advised that due to the substantial costs of making plots development-ready, the Goodwin Trust had decided that at present they would not be making any land available for sale. This was because of the excessive cost of providing highways, utility services and the significant cost involved in raising ground levels on site. The board were advised that the sale of plots was no longer commercially viable.

Can you please inform members what impact the Goodwin Trust decision will have on the future prospects of the EZ, and will it mean still further delays in the provision of the well paid and secure jobs so desperately needed within the county?

Question 2**Answer from Councillor David Harlow, cabinet member economy and corporate services**

It is perhaps unfortunate that Councillor Matthews does not appear to have referred to the publically available minutes of the board meeting in June of this year and therefore appears to have gained a partial and unnecessarily pessimistic view of the issue. The board were indeed advised by the Goodwin Trust, a key private sector partner in the enterprise zone, that they

Members' questions at Council – 30 September 2016

would be temporarily withholding a relatively small area of land (4.5 acres) from sale because of the infrastructure costs associated with such sales; however the board were advised that the trust would look to work with the zone to explore building units to let and the board also determined to explore the potential and opportunities available to meet the viability gap.

I would also refer Cllr Matthews to the answer given to public question number six.

Given the progress made to date on the site (which does not amount to 'delays' as stated), the robust delivery plans in place, and continued exploration of every opportunity to support development of and business growth on this crucial site I do not share Councillor Matthews rather pessimistic view.

Question from Councillor B Matthews

Approval of accounts

It was at a full council meeting, not audit and governance, when discrepancies in accounting for major capital projects was first identified. With the public and the media concerned about the inaccuracies in financial reporting at Herefordshire Council and the errors confirmed in this year's audit report, would the Cabinet Member please explain why adoption of the Year End accounts and the acceptance of the audit report have not been brought to full council for approval.

Question 3

Answer from Councillor Paul Newman OBE, chairman, audit and governance committee

The functions of approval of the council's statement of accounts and consideration of the external audit findings report, which are not cabinet functions, have been delegated by Council to the audit and governance committee which also has responsibility for seeking assurance that action is taken on risk related issues identified by auditors.

The matter to which Councillor Matthews refers, and which has been reported to and considered by both internal and external auditors, was not a discrepancy in accounting but in reporting. The audit and governance committee has established a process for monitoring the implementation of actions agreed in response to audit recommendations in order that the council may have assurance that improvements in this, and other risk areas, are secured.